



CITY COUNCIL AGENDA

**Municipal Building
Monday, February 25, 2019
8:00 PM**

I. ORGANIZATION

1. Call to Order
2. Roll Call
3. Meditation and Pledge of Allegiance to the Flag
4. Consent Agenda - Approval of Staff Recommendations
Suggested Action: (Items on the Consent Agenda [marked by *] will be approved as recommended by staff, subject to removal from the Consent Agenda by Council.)
5. Approval of Agenda and Additions

II. COMMUNICATIONS

6. Presentations:
WSSC Presentation on Boxwood Waterline Replacement Project:
Suggested Action:
April Wilt, Technical Contract Manager with Washington Suburban Sanitary Commission will attend the City Council meeting to provide an update about the scheduled March 1st Boxwood Waterline Replacement project and to answer questions.
7. Petitions and Requests
Suggested Action: (Petitions received at the meeting will not be acted upon by the City Council at this meeting unless Council waives its Standing Rules.)
8. Minutes of Council Meetings
9. Administrative Reports

*10. *Committee Reports

III. LEGISLATION

11. A Resolution to Authorize the Negotiated Purchase of Professional Services To Undertake a Feasibility Study And To Create Concept Engineered Design Plans (Up To 30%) For Bikeway Facilities On Hanover Parkway From Sabra & Associates At A Cost Of \$59,685.

Suggested Action: 2nd Reading

Reference:

Resolution

Memorandum, M. Porter, 2/6/2019

Request for Proposals

Sabra & Associates Proposal

In May 2017, City Council directed Staff to proceed with an application for the Bikeways Grant Program in order to undertake a comprehensive bicycle feasibility study for the Hanover Parkway corridor. The feasibility study will evaluate whether on-road and/or off-road bicycle facilities will best serve project goals. The Study also involves the development of concept design plans for the area between the Spellman Overpass and just south of Greenbrook Drive. This priority area is a missing trail link, as identified in MDOT's statewide trail network vision document, "Maryland Trails: A Greener Way to Go". In November 2017, the City was awarded \$50,000 through the Bikeways program administered by the Maryland Department of Transportation to complete this project. The match for this grant is \$15,000 in matching funds and \$5,000 of in-kind contribution.

In October 2018, Staff drafted a Request for Proposals (RFP) to secure services to undertake the feasibility study and the creation of 30% conceptual design plans. The City received nine (9) proposals and staff has carefully reviewed all proposals and believe Sabra & Associates represents the best value. Included in Council's packet is a memorandum from Molly Porter, Community Planner, detailing the RFP and review process. Staff recommends City Council award the RFP for the Hanover Parkway Feasibility Study and Concept Engineered Design Plans Project to Sabra & Associates.

Ms. Davis introduced this Resolution on February 11. It is recommended the resolution be introduced for second reading and adoption tonight.

[Resolution.pdf](#)

[Memorandum, M. Porter, 2-6-2019.pdf](#)

[Request for Proposals.pdf](#)

[Sabra & Associates Proposal.pdf](#)

IV. OTHER BUSINESS

12. Prince George's County Clean Water Partnership Project - Greenbrook Lake Improvement
Suggested Action:

Reference:

Email Green ACES Recommendations 5.29.18

Greenbrook Pond Photo Tour

Plan Sheet

On July 9, 2018, the City Council gave its consent for Prince George's County to apply for the required plan and permit approvals for the Greenbrook Lake Improvement Project. The County is proposing to make improvements to Greenbrook Lake and to construct a trail connection to Schrom Hills Park under the County's Clean Water Partnership program. The County is in the final phase of approvals and is looking for the City's support to move to the construction phase.

As requested by City Council, the County has conducted community outreach to the neighboring communities and held a community meeting on January 7, 2019. GreenACES has reviewed the project and its comments are included in Council's packet.

Staff recommends that the City Council approve the Greenbrook Lake Improvement project.

[Email_Green_ACES_Recommendations__5.29.18.pdf](#)

[Greenbrook_Pond_Photo_Tour.pdf](#)

[Plan sheet.pdf](#)

13. University Square Outfall Restoration Project

Suggested Action:

Reference:

Outfall 60 Grading Plan Showing Trees

Greenbelt - Outfall Pictures & Vicinity Map

Greenbelt City Council Presentation - Outfall Restoration

The Prince George's County Department of the Environment is proposing an outfall and stream restoration project northwest of the basketball courts at University Square Apartments. The stream feeds into the recently dredged forebay. The purpose of the project is to restore an outfall and stabilize a stream that is experiencing erosion and contributing sediments to the Greenbelt Lake Forebay.

The City Council held a work session on the project on December 3, 2018. The project was presented to Green ACES but staff has not received comments to date. As requested by City Council, prior to the construction starting residents living adjacent to the project will be invited to a walk through of the project.

Staff recommends the City Council support the project proceeding to construction. Ms.

Joanna Smith with Prince George's County Department of the Environment will be present to address questions.

[Outfall 60 grading plan showing trees.pdf](#)

[Greenbelt - Outfall Pictures & Vicinity Map.pdf](#)

[Greenbelt City Council Presentation - Outfall Restoration.pdf](#)

14. State Legislation

Suggested Action:

Reference:

HB 82/SB 116

HB 765/SB 914

HB 517/SB 460

SB 787/HB 1281

SB 713/HB 1020

HB 654/SB 937

SB 548
HB 961
Email, Lore Rosenthal, 2/20/19
Chesapeake Climate Action Network Fact Sheet

HB 82/SB 116 – Complete Streets - Access to Healthy Food

This legislation would mandate funding for the State's Complete Streets Program. It also adds access to healthy food as an element of the program. Delegate Washington is a co-sponsor.

It is recommended Council support HB 82/SB 116.

HB 765/SB 914 – Magnetic Levitation Projects - Requirements

This legislation requires consent by affected counties. It also requires the project owner to post a bond that covers future damage to land or infrastructure from a project. Senator Pinsky and Delegate Healey are co-sponsors of these bills.

It is recommended Council support HB 765/SB 914.

HB 517/SB 460 – Pedestrian Safety Fund Act of 2019

This legislation would create a Fund to improve pedestrian and bicycle safety. The Fund would support awareness programs and physical changes to State roadways traffic calming, sidewalks and bikeways. Delegates Healey and Washington are co-sponsors.

It is recommended Council support HB 517/SB 460.

SB 787/HB 1281 – Bikeways Network Program - Funding

This legislation would create a new program that provides grant support for development of bicycle networks.

It is recommended Council support SB 787/HB 1281.

SB 713/HB 1020 - Wireless Facilities - Permitting and Siting

This legislation is the MML Priority Bill regarding small cell infrastructure. It would allow local jurisdictions to adopt design standards and requirements for wireless facilities in their right-of-way. It also allows a local jurisdiction to charge appropriate fees.

It is recommended Council support SB 713/HB 1020.

HB 654/SB 937 - Wireless Facilities - Installation and Regulation

This legislation would establish statewide regulations for small cell wireless facilities in local rights-of-ways. It would generally preempt local laws and regulations, and significantly limit local authority.

It is recommended Council oppose HB 654/SB 937.

SB 548 – Renewable Energy Portfolio Standard - Eligible Sources

The Greenbelt Climate Action Network (GCAN) has requested Council support this legislation. It removes incineration from the renewable portfolio standard. Senator Pinsky is a co-sponsor.

Council direction is sought.

HB 961 – Renewable Energy Portfolio Standard - Tier 1 Sources

The Greenbelt Climate Action Network (GCAN) has requested Council support this legislation. It removes incineration from the renewable portfolio standard.

Council direction is sought.

[HB 82.pdf](#)

[HB 765.pdf](#)

[HB 517.pdf](#)

[SB 787.pdf](#)

[SB 713.pdf](#)

[Fiscal Note SB 713.pdf](#)

[HB 654.pdf](#)

[Fiscal Note HB 654.pdf](#)

[SB 548.pdf](#)

[HB 961.pdf](#)

[Email, Lore Rosenthal, 2.20.19.pdf](#)

[FEB UPDATE - HEALTH IMPACTS OF INCINERATION.pdf](#)

15. Policy on Local Hiring in Landscaping Contracts
Suggested Action: Councilmember Byrd requested that this item be included on the agenda this evening.

Councilmember Byrd's proposed motion would be to have an amendment to Section 2-38 of the City Code drafted that would require at least 20% of the work hours for landscaping contracts to go to Greenbelt residents.

16. Amazon HQ2
Suggested Action:
Reference: Amazon HQ2 Article

Councilmember Byrd requested that this item be included on the agenda this evening.

The motion proposed by Mr. Byrd would be to

1.) have a resolution drafted saying that the Greenbelt City Council opposes bringing Amazon HQ2 to Greenbelt and will not offer to spend any City funds on corporate subsidies for Amazon HQ2; and

2.) send a letter to the Prince George's County Council asking it not to offer any County funds for bringing Amazon HQ2 to Greenbelt.

[Amazon HQ2 Article.pdf](#)

17. City Policy/Practice on the Disposal of Police Service Weapons

Suggested Action:

Reference: Duty Weapon Replacement Memo

The City Police Department is in the process of replacing the duty weapons carried by officers.

It is recommended to purchase the replacement weapons and gear from Atlantic Tactical. Atlantic Tactical offers an optional weapon trade-in program that would help to off-set the purchase of the weapons. Upon trade-in of the current duty weapons, Atlantic Tactical will credit the department \$10,175.00, towards the purchase of the new weapons. This option is recommended not only to reduce the cost to the City, but also to alleviate the department of the burden for storage and disposal of the current weapon inventory. This option would bring the total purchase price to \$28,858.60, which is below the budgeted replacement cost of \$32,000.

Council direction is sought.

[Duty Weapon Replacement memo.pdf](#)

*18. *Help Unite Greenbelt (HUG) Walk Sponsorship

Suggested Action: Councilmember Byrd requested that this item be included on the agenda this evening.

*19. *Resignation from Advisory Group

Suggested Action:

Reference: Email, S. Eding, 01-26-19

Stephane Eding has submitted her resignation from the Parks and Recreation Advisory Board.

Approval of this item on the consent agenda will indicate Council's intent to accept Ms. Eding's resignation with regret.

*20. *Appointments to Advisory Groups

Suggested Action:

Reference: Applications

Council interviewed Lisa Lake on November 20, 2017, for appointment to the Community Relations Advisory Board and Malik Gupta on January 14, 2019, for appointment to the Youth Advisory Committee.

Approval of this item on the consent agenda will indicate Council's intent to appoint Ms. Lake to CRAB and Mr. Gupta to YAC.

*21. *Reappointments to Advisory Groups

Suggested Action:

Reference: Reappointment Surveys

The following individuals have indicated their willingness to continue to serve on City Advisory Boards and Committees:

John Lippert - Greenbelt Advisory Committee on Environmental Sustainability

Lisa M. Behuncik - Employee Relations Board

Melinda S. Brady - Advisory Committee on Education

Veronica Martin Alston - Advisory Committee on Education

Approval of this item on the consent agenda will indicate Council's intent to appoint them to new terms.

22. Council Activities

23. Council Reports

V. MEETINGS

Meetings

Suggested Action: Executive Session: An Executive Session has been requested by Mayor Jordan to discuss the City Manager's evaluation. It is recommended this meeting be scheduled for Wednesday, March 6, 2019, at 8:00 p.m. in the Library of the Municipal Building.

To schedule the Executive Session the following motion is needed: I move that Council schedule an Executive Session on Wednesday, March 6, 2019, at 8:00 p.m. in the Library of the Municipal Building. Council will hold this closed meeting in accordance with the General Provisions Articles 3-305(b)(1) of the Annotated Code of the Public General Laws of Maryland to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; any other personnel matter that affects one or more specific individuals.

[meetings.pdf](#)

Stakeholders

[Stakeholder Schedule.pdf](#)

City Council Agenda Item Report

Meeting Date: February 25, 2019

Submitted by: Bonita Anderson

Submitting Department: Administration

Item Type: Presentations

Agenda Section:

Subject:

Presentations:

WSSC Presentation on Boxwood Waterline Replacement Project:

Suggested Action:

April Wilt, Technical Contract Manager with Washington Suburban Sanitary Commission will attend the City Council meeting to provide an update about the scheduled March 1st Boxwood Waterline Replacement project and to answer questions.

Attachments:

City Council Agenda Item Report

Meeting Date: February 25, 2019

Submitted by: Bonita Anderson

Submitting Department: Planning

Item Type: LEGISLATION

Agenda Section:

Subject:

A Resolution to Authorize the Negotiated Purchase of Professional Services To Undertake a Feasibility Study And To Create Concept Engineered Design Plans (Up To 30%) For Bikeway Facilities On Hanover Parkway From Sabra & Associates At A Cost Of \$59,685.

Suggested Action:

2nd Reading

Reference:

Resolution

Memorandum, M. Porter, 2/6/2019

Request for Proposals

Sabra & Associates Proposal

In May 2017, City Council directed Staff to proceed with an application for the Bikeways Grant Program in order to undertake a comprehensive bicycle feasibility study for the Hanover Parkway corridor. The feasibility study will evaluate whether on-road and/or off-road bicycle facilities will best serve project goals. The Study also involves the development of concept design plans for the area between the Spellman Overpass and just south of Greenbrook Drive. This priority area is a missing trail link, as identified in MDOT's statewide trail network vision document, "Maryland Trails: A Greener Way to Go". In November 2017, the City was awarded \$50,000 through the Bikeways program administered by the Maryland Department of Transportation to complete this project. The match for this grant is \$15,000 in matching funds and \$5,000 of in-kind contribution.

In October 2018, Staff drafted a Request for Proposals (RFP) to secure services to undertake the feasibility study and the creation of 30% conceptual design plans. The City received nine (9) proposals and staff has carefully reviewed all proposals and believe Sabra & Associates represents the best value. Included in Council's packet is a memorandum from Molly Porter, Community Planner, detailing the RFP and review process. Staff recommends City Council award the RFP for the Hanover Parkway Feasibility Study and Concept Engineered Design Plans Project to Sabra & Associates.

Ms. Davis introduced this Resolution on February 11. It is recommended the resolution be introduced for second reading and adoption tonight.

Attachments:

[Resolution.pdf](#)

[Memorandum, M. Porter, 2-6-2019.pdf](#)

[Request for Proposals.pdf](#)

Introduced: Ms. Davis
1st Reading: February 11, 2019
2nd Reading: February 25, 2019
Passed:
Posted:
Effective:

RESOLUTION NUMBER 20XX

A RESOLUTION TO AUTHORIZE THE NEGOTIATED PURCHASE OF PROFESSIONAL SERVICES TO UNDERTAKE A FEASIBILITY STUDY AND TO CREATE CONCEPT ENGINEERED DESIGN PLANS (UP TO 30%) FOR BIKEWAY FACILITIES ON HANOVER PARKWAY FROM SABRA & ASSOCIATES AT A COST OF \$59,685.

WHEREAS, Hanover Parkway is a missing trail link as identified by the Maryland Department of Transportation's statewide trail network vision document, "Maryland Trails: A Greener Way to Go"; and

WHEREAS, City Council has included funding for the Hanover Parkway Project within the approved capital budget; and

WHEREAS, the City has received a grant from the Maryland Department of Transportation's Bikeways Program in the amount of \$50,000; and

WHEREAS, in October 2018, the City advertised a Request for Proposals for professional services to undertake a feasibility study and to create concept engineered design plans (up to 30%) to facilitate the future construction of bikeway facilities on Hanover Parkway; and

WHEREAS, nine (9) proposals were received and evaluated by City staff; and

WHEREAS, the proposal submitted by Sabra & Associate was determined to be the best value; and

WHEREAS, the cost to the City shall not exceed \$59,685 and NOW, THEREFORE,

BE IT RESOLVED by the Council of the City of Greenbelt, Maryland, that the City Manager be authorized to contract with Sabra & Associates of Columbia, Maryland to conduct a feasibility study and create concept engineered design plans (up to 30%) for bikeway facilities on Hanover Parkway at a cost of \$59,685.

PASSED by the Council of the City of Greenbelt, Maryland, at its regular meeting of February 25, 2019.

Emmett V. Jordan, Mayor

ATTEST:

Bonita Anderson, City Clerk

CITY OF GREENBELT, MARYLAND
MEMORANDUM

TO: Nicole Ard, City Manager
FROM: Molly Porter, Community Planner I
VIA: Terri Hruby, Director of Planning and Community Development
DATE: February 6, 2019
SUBJECT: Hanover Parkway Bikeway Feasibility and Concept Engineering Design

Background:

In May 2017, City Council directed Staff to proceed with an application for the Bikeways Grant Program in order to undertake a comprehensive feasibility study and produce concept design plans for bicycle facilities on Hanover Parkway. The feasibility study portion of the project will cover the entire 1.9 mile Hanover Parkway corridor. The feasibility study is needed to evaluate whether on-road and/or off-road bicycle facilities will best serve project goals. The concept design plans will address the .8 mile priority project area between the Spellman Overpass and just south of Greenbrook Drive. This priority area is a missing trail link, as identified in MDOT's statewide trail network vision document, "Maryland Trails: A Greener Way to Go". Gaining access to the Spellman Overpass is crucial for Greenbelt East residents to access Historic Greenbelt and a cross-city bike route which ultimately connects to the wider Anacostia regional trail network.

In November 2017, the City was awarded \$50,000 through the Bikeways program administered by the Maryland Department of Transportation to complete this project. The match for this grant is \$15,000 in matching funds and \$5,000 of in-kind contribution.

In October 2018, Staff drafted a Request for Proposals (RFP) to secure services to undertake the feasibility study and the creation of 30% conceptual design plans. This RFP was sent to firms that Staff believed would have interest in the project and the capacity to complete the project. The RFP was advertised in the Washington Post on October 29, 2018 and on the Washington Post's website for 30 days after that posting. The RFP was also advertised in the Greenbelt News Review, on the City's website, and on the eMaryland Marketplace. A pre-proposal meeting was held on November 13, 2018. There were fourteen (14) individuals in attendance representing thirteen (13) different firms. The closing date for submitting a proposal was December 4, 2018.

Response:

The City received nine (9) responses to the RFP. In staff's experience, nine proposals is a good response. The firms who submitted proposals are listed below:

- Brudis and Associates, Inc. (BAI)
- Nspiregreen LLC
- Rummer, Klepper & Kahl, LLP (RK&K)
- KCI Technologies, Inc.
- Century Engineering
- Sabra & Associates
- Greenman-Penderson, Inc.
- McLaren Engineering Group
- Toole Design

Staff Review

Staff has carefully reviewed all proposals. All nine (9) consulting firms' submitted proposals that show adequate professional qualifications to perform the work requested. Staff also considered how well they responded to the specific requirements outlined in the RFP. The evaluation of proposals was based on several different criteria such as, the quality of the proposed public engagement plan and the proposed work program including the amount and type of data that will be collected.

Cost proposals were then reviewed. Costs for the proposed work were quoted as follows:

• McLaren Engineering Group	\$57,250
• Sabra & Associates	\$59,685
• Greenman-Penderson, Inc.	\$59,910
• KCI Technologies, Inc.	\$63,530
• Toole Design	\$64,826
• Brudis and Associates, Inc. (BAI)	\$64,933.90
• Rummer, Klepper & Kahl, LLP (RK&K)	\$64,996.94
• Century Engineering	\$65,000
• Nspiregreen LLC	\$70,000

Based on the cost proposals staff further evaluated the proposals submitted by McLaren Engineering Group and Sabra & Associates. Staff found when considering professional experience (i.e., projects of similar scope) and proposed work program that Sabra & Associates proposal was superior to McLaren Engineering Group. The Sabra & Associates proposal included significant relevant experience (including the City's Bus Safety and Accessibility Study) and included a high level of data collection, which was missing from the McLaren's proposal. Staff found that the level of data collection included in the proposal by Sabra &

Associates will provide the City with the highest level of detail for the money spent. The proposal includes peak hour intersection turning movement counts, 48-hour average daily traffic (ADT) counts, and documentation of transit routes/stops. The proposal includes plans to collect turning movement count data at the following intersections during morning (7:00-9:00) and evening (16:30-18:30) peak periods:

- Hanover Parkway at Greenbelt Road
- Hanover Parkway at Ora Glen Drive
- Hanover Parkway at Greenbrook Drive
- Hanover Parkway at Village Park Drive

In addition the submission also includes plans to collect volume, class, and speed data over 48 successive hours- Tuesday, Wednesday, or Thursday at three (3) locations:

- Hanover Parkway near the access to Spellman Overpass
- Hanover Parkway north of Ora Glen Drive
- Hanover Parkway south of Greenbrook Drive

The submission includes providing up to three (3) alternative designs using Complete Streets principles. The submission also includes a proposed study of impact on other road uses for every alternative design. At the conclusion of the project Sabra and Associates will provide a technical report that will serve as a companion deliverable with the 30% design plans so that both can be utilized to develop a 100% Construction Plan Set when funding is available.

Staff Recommendation:

It is Staff's recommendation that the City Council accept the proposal of Sabra & Associates to provide professional services associated with future bikeway facilities on Hanover Parkway set forth in their proposal dated December 4, 2018 at a cost of \$59,685.

Staff finds that the Sabra & Associates proposal outlines the required services, has the relevant professional experience to complete this project, and includes a high level of detail regarding the proposed work program.

Staff recommends that a Resolution of Negotiated Purchase to award a contract to Sabra & Associates in the amount of \$59,685 be placed on Council's regular meeting agenda on February 11, 2018 for first reading.

Attachments:

Request for Proposals

Sabra & Associates Proposal

CITY OF GREENBELT

REQUEST FOR PROPOSALS

HANOVER PARKWAY BIKEWAY FACILITY FEASIBILITY STUDY AND CONCEPT
ENGINEERING DESIGN PLAN

Contract No. 2018-05-R

Greenbelt Department of Planning and Community Development
15 Crescent Road, Suite 200
Greenbelt, Maryland 20770

(301) 345-5417

REQUEST FOR PROPOSALS:

HANOVER PARKWAY BIKEWAY FACILITY FEASIBILITY STUDY AND CONCEPT
ENGINEERING DESIGN PLAN

Contract No. 2018-05-R

Table of Contents

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Part 3	Scope of Services
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Exhibit B	Financial Proposal Form

CITY OF GREENBELT
REQUEST FOR PROPOSALS:

HANOVER PARKWAY BIKEWAY FACILITY FEASIBILITY STUDY AND CONCEPT
ENGINEERING DESIGN PLAN

CONTRACT NO. 2018-05-R

The City of Greenbelt is seeking Proposals from qualified professional design/engineer firms to undertake a feasibility study and produce a concept engineering design plan (up to 30%) to facilitate future construction of bikeway facilities on Hanover Parkway in Greenbelt, Maryland.

PART 1- GENERAL INFORMATION

- A. **RFP Title:** Hanover Parkway Bikeway Facility Feasibility Study and Concept Engineering Design Plan
- B. **RFP Number:** 2018-05-R
- C. **Brief Description:** The purpose of this Request for Proposals (RFP) is to obtain a qualified professional design/engineer firm to undertake a feasibility study and produce design plans (up to 30%) for future construction of bikeway facilities on Hanover Parkway in Greenbelt, Maryland.
- D. **Issuing Officer:** Molly Porter
Community Planner I
Department of Planning and Community Development
15 Crescent Road, Suite 200
Greenbelt, Maryland 20770
240-542-2042
Fax #301-345-5418
Email: mporter@greenbeltmd.gov
- E. **Response Due Date:** Proposals must be delivered to the Issuing Officer no later than 2 p.m. on Wednesday, November 21, 2018.
- F. **RFP Conference:** A pre-proposal conference will be held at the Greenbelt Community Center, 15 Crescent Road, Greenbelt, Maryland, Suite 200 on Tuesday, November 13, 2018 at 11am.
- While attendance at the pre-proposal conference is not mandatory, all interested Offerors are encouraged to attend. The

information presented may be helpful in the preparation of an acceptable proposal.

PART 2 - REQUIREMENTS AND QUALIFICATIONS

- A. **Professional Requirements and Experience-** The Offeror must be a qualified design/engineer professional and shall provide documentation that demonstrates extensive experience related to this project.
- B. **Key Personnel-** Team members must demonstrate extensive experience in bikeway design and engineering.

PART 3 – SCOPE OF SERVICES

A. PURPOSE

The City of Greenbelt is seeking a qualified individual and/or professional firm to undertake a feasibility study and produce a concept engineering design plan (30%) for the priority portion of the study area for bikeway facilities on Hanover Parkway. The feasibility study portion of this project, which should cover the length of the 1.9 miles corridor, is needed to evaluate whether on-road and/or off-road bicycle facilities will best serve the project goals. The engineering design portion of the project is approximately 0.80 miles in length from Spellman Overpass to just south of Greenbrook Drive, which is the Statewide Trail Plan's identified missing link corridor on Hanover Parkway. Hanover Parkway serves as the primary spine road for Greenbelt East connecting Good Luck Road to Mandan Road with a major intersection at Greenbelt Road (MD 193). Spellman Overpass, which is accessed off of Hanover Parkway, provides a direct, non-vehicular connection to Historic Greenbelt over the Baltimore-Washington Parkway, however there are no bicycle facilities which connect to the overpass at this time. Gaining access to the overpass is crucial for Greenbelt East residents to access Historic Greenbelt and a cross-city bike route which ultimately connects to the wider Anacostia regional trail network.

B. SCOPE OF WORK

The scope of this project includes the undertaking of a feasibility study and production of a concept engineering design plan (up to 30%) for a portion of the project area to facilitate future construction of bikeway facilities on Hanover Parkway in Greenbelt, Maryland.

C. STUDY COMPONENTS:

1. Minimum of two (2) meetings with City Council, three (3) meetings with City Advisory Boards including but not limited to the Advisory Planning Board and Green ACES, and unlimited meetings with City staff
2. One (1) community workshop to present alternatives analysis and gather user input on the proposed design plans
3. Evaluation of the existing conditions of the entire 1.9 miles Hanover Parkway corridor
4. Review of right-of-way impact issues, community links and access to commercial, and/or major institutions along the corridor
5. Coordinate with SHA District 3 regarding aspects of the Greenbelt Road intersection and regarding ownership and maintenance of proposed improvements
6. Draft and Final Feasibility Study
7. Draft and Final Concept Engineering Design Plan (up to 30%)

D. ITEMS TO BE INCLUDED IN FEASIBILITY STUDY

1. The feasibility study portion of this project, which will cover the entire length of the 1.9 mile corridor, will evaluate whether on-road or off-road bicycle facilities will best serve the project goals.
2. An analysis of the existing conditions of the Hanover Parkway corridor
3. Consider how best to tie into or parallel the existing side path south of the priority project area and how best to traverse the Greenbelt Road (MD 193) intersection.
4. Assess the connection between new and existing facilities, right-of-way impact issues, community links and access to commercial and/or major institutions along the corridor, and local support.
5. Alternatives for on or off-road facilities considered will be shown on large format maps prepared from a common base map. Maps shall display an existing conditions inventory of the entire Hanover Parkway corridor which includes but is not limited to, utilities, ROW (including boundaries and currently improved areas), storm drains, street trees, existing bicycle, pedestrian, and transit facilities, etc.
6. Summary of community feedback from the community workshop.
7. Based on the outcome of the feasibility study a preferred alternative will be selected

E. ITEMS TO BE INCLUDED IN CONCEPT ENGINEERING DESIGN PLAN (up to 30%)

1. Create a concept engineering design plan (up to 30%) for the .8 mile priority project area based on the selected preferred alternative
2. Design plans shall include all existing features, a storm water management concept, typical sections, topography and size and location of all major improvements, including signage and pavement markings.
3. The proposed design will need to identify impact on connections to locations adjacent to the project area including major commercial and employment centers, such as Greenway Shopping Center, and Maryland Trade Center, and nearby institutions like Eleanor Roosevelt High School, Schrom Hills Park, and Greenbelt's post office.
4. Implementation strategy with cost estimates of the design
5. Strategies for funding opportunities including sponsorship opportunities to pay for construction of bikeway facilities.

6. Facilities necessary to comply with Americans with Disabilities Act (ADA) requirements.

F. PRODUCTS AND DELIVERABLES:

1. One (1) color copy of Draft Feasibility Study
2. One (1) digital copy of Draft Feasibility Study
3. One (1) color copy of Feasibility Study
4. One (1) digital copy of Feasibility Study
5. One (1) color copy of draft Concept Engineering Design Plan for comment
6. One (1) digital copy of draft Concept Engineering Design Plan
7. Three (3) color copies of final Concept Engineering Design Plan
8. One (1) digital copy of final Concept Engineering Design Plan
9. Maps (All GIS map data as ESRI shapefiles)
10. Presentations (Adobe Acrobat (.PDF) format)

PART 4 – PROPOSAL FORMAT

The proposals shall include the following information:

A. Project Proposal

1. Proposed scope of services and the division of responsibility among members of the team.
2. Project Schedule
3. Names of project team/firms (please indicate principal contact)
4. Qualification statement and resumes of project team
5. List of relevant, former projects of similar scope
6. A list of three (3) client references (names, addresses, and telephone numbers) for whom the Offeror has carried out comparable work.

B. Financial Proposal

1. Proposed fee for services and lump sum cost proposal

C. Proposal Submission

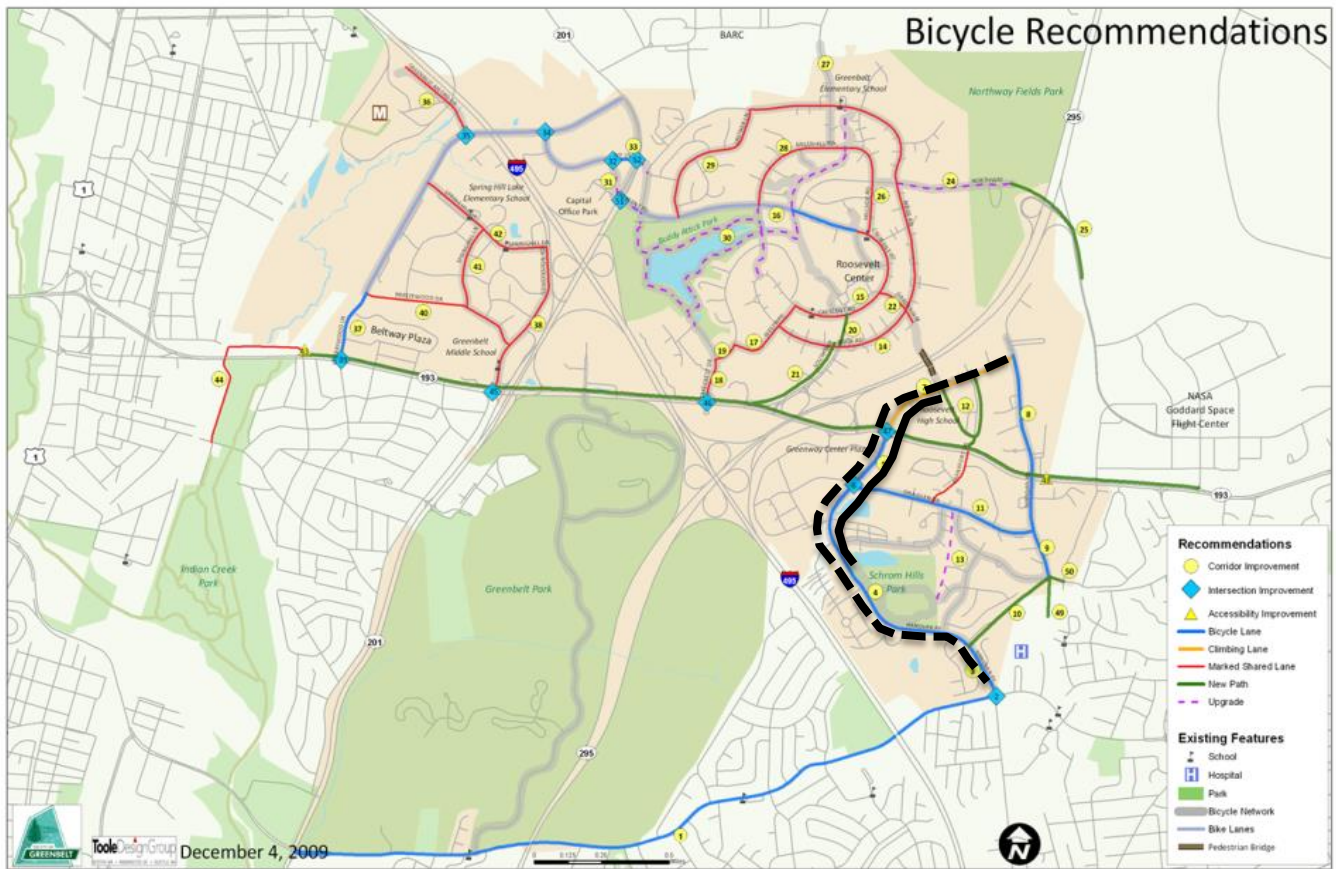
1. One (1) original and two (2) copies of the Proposal in a sealed envelope clearly labeled “Proposal- Contract No. 2018-05-R, Hanover Parkway Bikeway Facility Feasibility Study and Concept Engineering Design Plan” and,

Molly Porter
Community Planner I
Department of Planning and Community Development
15 Crescent Road, Suite 200
Greenbelt, MD 20770

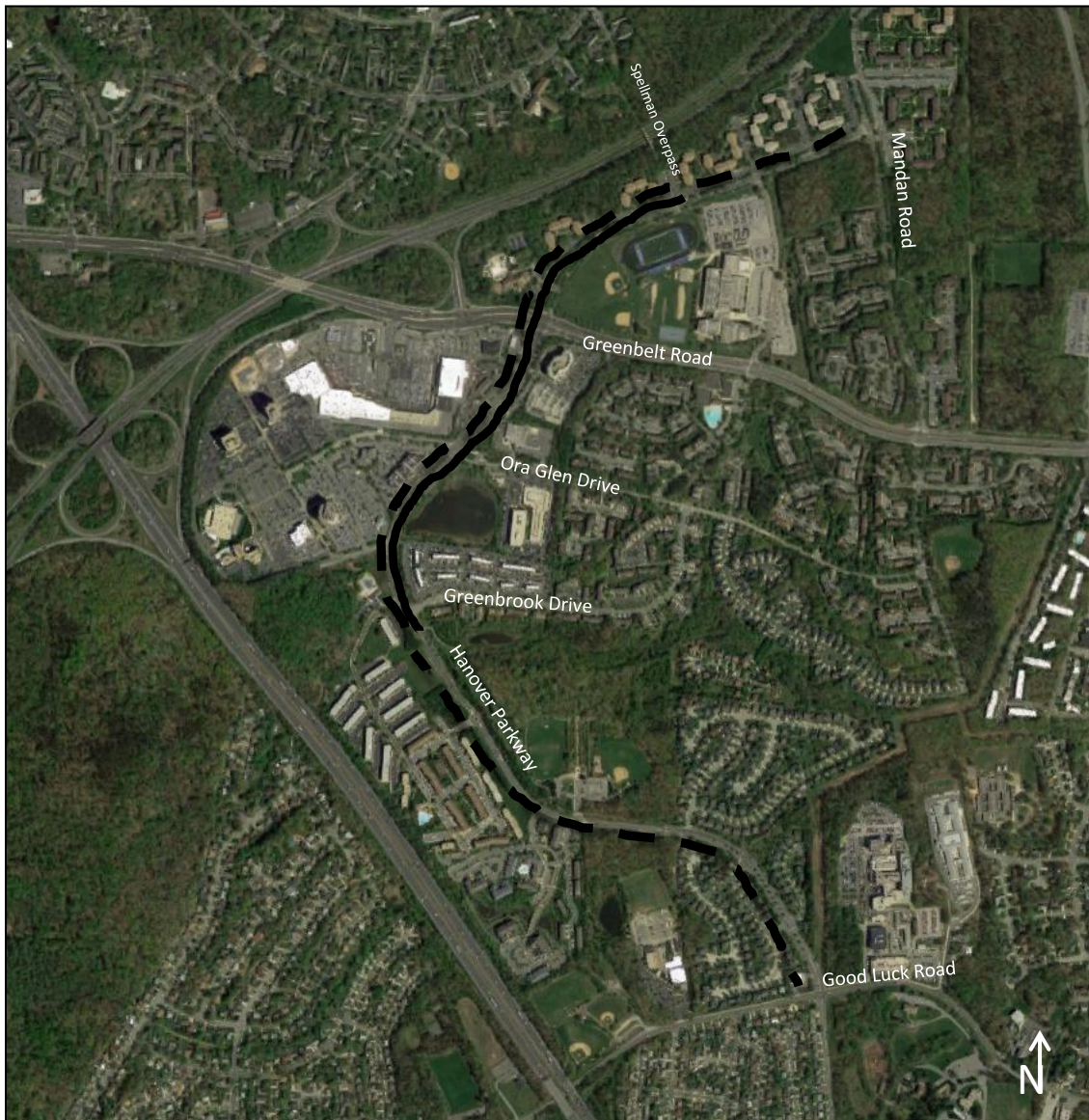
Proposals must be received by the Issuing Officer no later than the response due date listed In “Part I- General Information”.

This project is funded by the City of Greenbelt and the Maryland Bikeways grant program administered by the Maryland Department of Transportation. It must meet with all City of Greenbelt procurement requirements. The City of Greenbelt is an Equal Opportunity Employer.

Exhibit A: Project Area Maps



--- Feasibility Study Project Area
 — Priority Design Area



- Feasibility Study Project Area
- Priority Design Area

EXHIBIT B
FINANCIAL PROPOSAL FORM

Exhibit B

FINANCIAL PROPOSAL FORM

Offerors will itemize the cost in Column B for each service listed in Column A. The financial proposal will be evaluated on the total price for all services. The price shall include all travel and incidental costs for the project.

Column A	Column B
1. Feasibility Study	\$
2. Concept Engineering Design Plan (up to 30%)	\$
Total	\$

GRAND TOTAL (SUM OF #1-2) \$_____

ALL ENVELOPES SHOULD BE CLEARLY MARKED AS SPECIFIED IN PART 4- SECTION C, ITEM 1

Warrant of Legal Capacity

The Contractor warrants and represents that they have full right, power, and authority to respond to this RFP.

(Signature)

(Date)

(Name – Typed or Printed)

(Company)

(Address)

(Phone number)

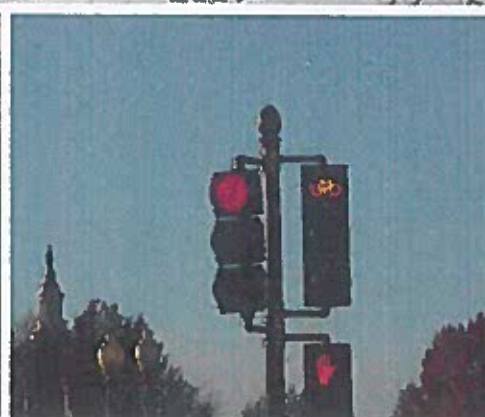
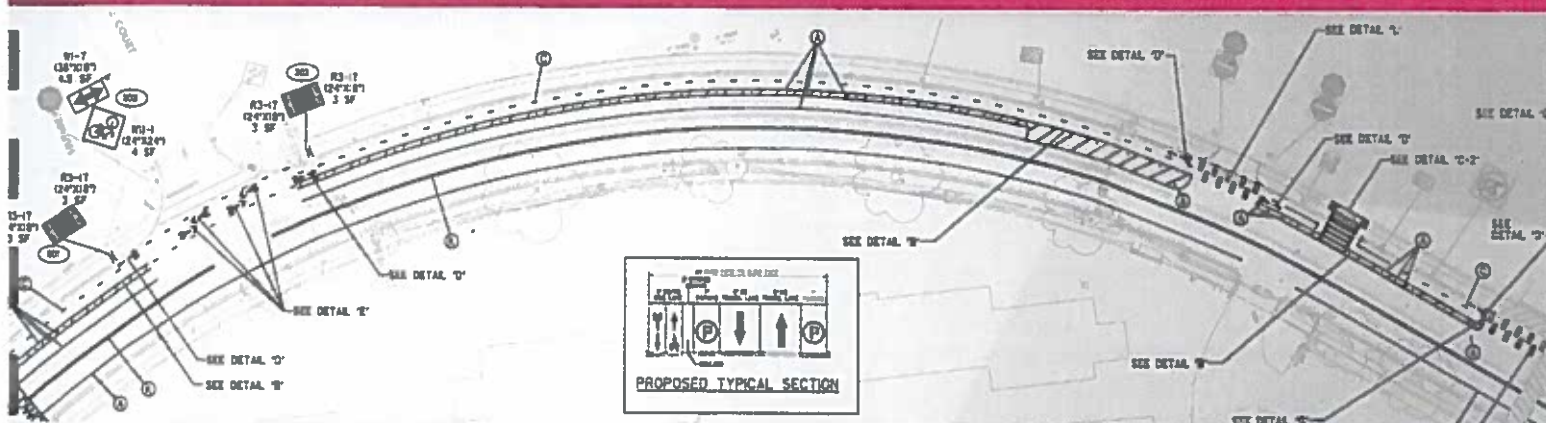
(Fax number)

(Federal Tax Identification number)

Proposal - RFP - 2018-05-R

Hanover Parkway Bikeway Feasibility Study & Concept Engineering Design Plan

Copy



Submitted To:



Molly Porter, Community Planner I
Department of Planning and Community Development
15 Crescent Road, Suite 200
Greenbelt, MD 20770

Submitted By:



7055 Samuel Morse Drive, Suite 100
Columbia, MD 21046
443-741-3500 | sabra-associates.com

December 4, 2018 | 11:00 AM

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SABRA & ASSOCIATES

Engineering Innovative Solutions

December 04, 2018

Ms. Molly Porter
Community Planner I
Department of Planning and Community Development
15 Crescent Road, Suite 200
Greenbelt, MD 20770

Reference: Contract No. 2018-05R, Hanover Parkway Bikeway Facility Feasibility Study and Concept Engineering Design Plan

Dear Ms. Porter,

Sabra & Associates, Inc. (SAI) is pleased to submit the accompanying proposal in response to the RFP and addendum #1 for the *Hanover Parkway Bikeway Facility Feasibility Study and Concept Engineering Design Plan*. Included within this package are one (1) original and two (2) copies of our proposal.

SAI is a 100+ person, multi-disciplinary consulting engineering firm located in Columbia, Maryland. We specialize in multi-modal transportation planning, traffic engineering, and civil engineering. SAI has extensive experience in bikeway network planning and engineering, from existing conditions documentation, through alternatives development and analysis, to final design and funding.

Our professional services under our Transportation Planning Group include bicycle infrastructure design and planning for on-road and off-road networks, including marked lanes, route signing, protected bike lanes, bicycle boulevards, trails, and shared use paths. SAI understands all aspects of planning and design of bike facilities from strategic planning through alternatives development, to concept and typical section design. We are prepared to assist you with public outreach and can provide 3-D and plan view renderings, impact assessment (safety, traffic and parking), 30% design, and ROW analysis. SAI will lay a strong foundation for you to advance your plans to 100% design and collaborate with the City of Greenbelt on funding opportunities.

We have worked in urban, suburban, and rural environments and have extensive experience in both on and off-road bicycle facilities. Collectively, our staff has planned and designed dozens of bicycle networks in the District of Columbia, Baltimore City, Prince George's County (College Park, Cheverly, Riverdale Park, Hyattsville, New Carrollton, Suitland, and Bowie), the City of Alexandria, the City of Frederick, Montgomery County (Takoma Park, Rockville, and Bethesda), Arlington County, Annapolis, Howard County (Ellicott City and Columbia), Baltimore County (Catonsville), and Wicomico County (Berlin and Ocean City). We worked in Prince George's County with the Department of Public Works and Transportation (PG DPW&T) and with State Highway Administration (SHA) District 3. Most importantly, SAI's bike lanes get built; our protected bike lanes, buffered bike lanes, traditional bike lanes, and bike signals can be found all across the greater Washington-Baltimore region.



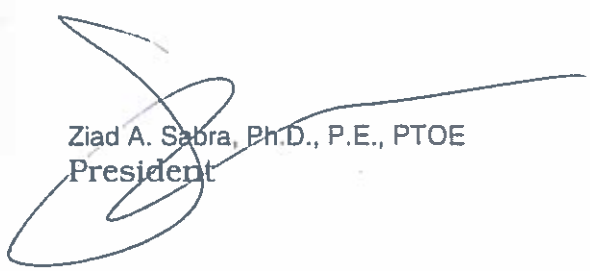
SABRA
& ASSOCIATES
Engineering Innovative Solutions

Under direction of our Senior Project Manager, Mr. Bryon White, P.E., PTOE, a former City of Laurel Engineer who planned, designed, and implemented the City's bicycle network, our SAI team will proactively work with you to keep your project on-schedule and within budget. Through the successful completion of similar projects for municipalities throughout the region, we have a solid understanding of effective approaches for delivering a comprehensive feasibility study and defendable 30% design plan that can be efficiently progressed to final construction.

The ensuing proposal outlines our understanding of the project, along with the City's objectives and goals. Additionally, we have provided what we see as the primary design challenges and a detailed scope of work. Finally, we have provided our firm's experience, hand-picked project team and resumes, references, and a cost proposal.

We are confident in our team's ability to exceed Greenbelt's expectations for this project and we are eager to begin working together to help you facilitate an important bikeway network link in the City. Thank you for your consideration and we look forward to hearing from you.

Sincerely,
SABRA & ASSOCIATES, INC.



Ziad A. Sabra, Ph.D., P.E., PTOE
President



Project Understanding

Right-of-way along Hanover Parkway has the potential to fill in a critical gap in the City's trail network and to dramatically enhance bike connectivity city-wide. While Spellman Overpass over the Baltimore-Washington (B-W) Parkway provides a crucial connection between Old Town and the neighborhoods east of the B-W Parkway, Hanover Parkway – particularly the portion south of MD 193 – is a missing link in the trail network (see Figure 1).

Safe biking facilities along Hanover Parkway would serve as a spine for East Greenbelt neighborhoods, threading them together and providing direct connectivity to the overpass and Old Town. To that end, the City of Greenbelt is requesting professional services to:

- 1) Conduct a feasibility study of Hanover Parkway, from Good Luck Road to Mandan Road, with the goal of determining the best biking facilities (e.g. typical cross sections) that are safe for all users, requires minimal additional right-of-way, is cost effective, and provides safe/efficient connections through MD 193 and to the Spellman Overpass.
- 2) Develop 30% design plans for a priority segment of Hanover Parkway from the Spellman Overpass in the north, to just south of Greenbrook Drive.

Given Hanover Parkway's heavy traffic volumes (>25,000 per day, south of MD 193), protected or separated bike lanes will be needed in order to have functional and usable facilities.

Similar to separated bikes lanes (located behind the curb), protected bike lanes that are buffered from vehicle travel lanes, offer increased safety over biking in mixed traffic or alongside vehicle travel lanes, where cyclists are overwhelmingly dependent on driver acumen and attentiveness for their safety.



Figure 1: Location of Study Area and Project Limits (shown in yellow)

Four Types of Cyclists By Proportion of Population

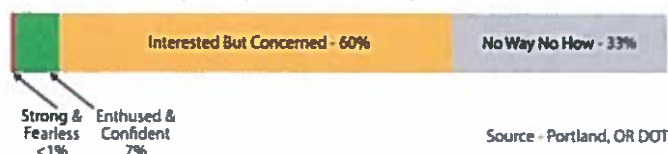


Figure 2: 4 Types of Potential Cyclists

will never ride in a travel lane, there is a large segment of the population that is willing to cycle if *best-practice* facilities are provided. Additionally, protected bike lanes provide an ideal way for children to safely get to/from school or to visit nearby parks. Protected or separated facilities are highly recommended for the Hanover Parkway corridor.

Studies conducted by the District of Columbia, Department of Transportation (DDOT) have shown a 4-fold increase in cyclists when a protected bike lane was installed along an existing marked but unprotected bike route. This is because protected bike lanes offer a level of protection not possible with traditional lanes, thereby capturing a large segment of potential users (see Figure 2). While there are some who



Design Considerations

Protected bike lanes offer advantages over traditional bike lanes, because their designs strive to physically separate bikes from moving vehicles as well as other curbside obstacles such as delivery trucks, parked cars (including card doors), and buses. While the typical cross section of a two-way protected bike facility is no longer novel to the United States or to the larger Washington, DC region, there are still multiple site-specific elements to be considered in the feasibility analysis and design development phase. These design elements include:

- Driveway/intersection Sight Distance,
- Driveway/side street Markings and Signage,
- Door Zones,
- Bus Stops,
- Bike Wayfinding Signage, and
- Crossing Channelized Turn Lanes

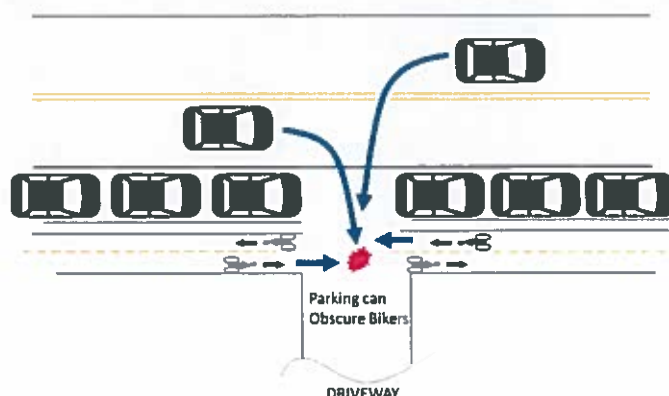


Figure 3: Example of how parked cars can obscure cyclists where a protected bike lane crosses a side street or driveway

Sight Distance/Turning Vehicles: Hanover Parkway, north of MD 193 provides curbside parking and has multiple driveways. Design considerations must consider right-turn and left-turns across the two-way facility – particularly where parked cars can obscure cyclists at intersections (see Figure 3). Where parking is allowed, it would need to be restricted at either side of a driveway/side-street entrance to increase visibility. Removal of on-street parking should be a discussion topic during public meetings. Even where parking is not adjacent to bike lanes, designs that encourage slow turning movements across bike lanes are a critical design element for safety.

Driveway and Intersection Markings and Signage: If curbside 2-way bike lanes are chosen (often because available curb-to-curb road width is limited), drivers exiting a side street or driveway will be required to look for two-bike traffic as well as two-way pedestrian and vehicle traffic. Specific markings (sometimes called “bikewalks”) are used to indicate that the location is for a bike crossing (similar to a crosswalk). These can be in the form of additional bike symbols, sharrows, or small chevrons. Green paint is recommended for bikewalks across driveways or where intersections are skewed. Additionally, we recommend using the Manual on Uniform Traffic Control Devices (MUTCD) warning sign and plaque designs for side street approaches to two-way bike lanes – W11-1 and W1-7, respectively.

Door Zones: Hanover Parkway, north of MD 193, provides curbside parking. While the RFP references 2' buffers separating bike lanes from travel lanes and/or parked cars, we strongly recommend that 3' is the minimum buffer provided between the two-way facility and parking lanes. This 3' buffer insures that cyclists are protected from opening passenger doors. Three feet is the minimum National Association of City Transportation Officials (NACTO) recommendation and is considered best practices for use between bike lanes and parking lanes. This buffer would require shrinking the two-way facility from 10' wide to 9' wide. Because the ability to street-sweep and plow is necessary, we would recommend flexible

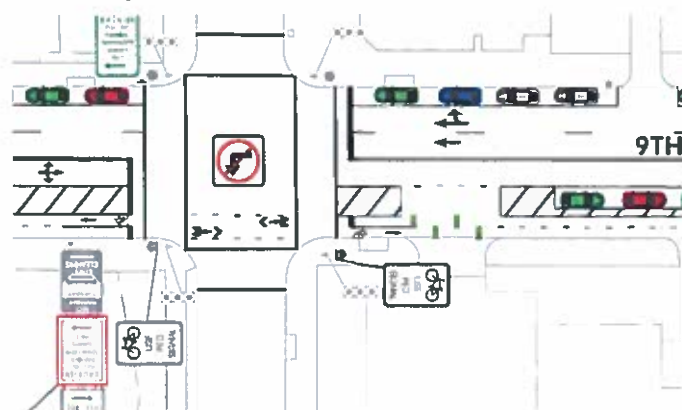


Figure 4: 30% Bike design by SAI for DDOT, showing green crosswalk driveway and “bikewalks” across intersections.



bollards centered in the buffer zone; this would allow enough room in the combined bike lane/buffer zone to still sweep and plow. We would recommend preformed concrete curb (or similar product) for this location.

Bus Stops: There are multiple bus stops along Hanover Parkway. Because these routes are curbside, a new conflict is being introduced between cyclists and bus traffic or boarding/alighting traffic. There are two general options available for mediating this conflict:

1. Allow buses to board curbside, thereby temporarily blocking the two-way bike lanes. This option reduces any conflict between cyclists and bus passengers boarding and alighting from the bus.
2. Allow buses to temporarily block general traffic lanes, requiring bus passengers to traverse the roadway and bike lanes to board/alight from the bus.

Last year, SAI completed 30% design for protected bike lanes in College Park that have this latter option (see Figure 5). In this option, the yield area is painted green and marked with a mini crosswalk and sharks teeth facing the bike traffic, indicating that bikes are to yield to bus passengers. This would be the preferred design option where bus headways are long (e.g. 30+ minutes) so that travel lane blockages are infrequent.

Route Identification/Wayfinding Signage: A route identification/wayfinding signage plan is integral to guide cyclists through a bike network whose facilities can be both on-road and off-road. Like street signs, wayfinding signage at critical intersections tells cyclists

1) the direction and distance to identified destinations –such as parks, schools, and cultural/institutional amenities. Wayfinding serves as the glue to bind different types of bike facilities into a connected network and makes them more attractive to casual users. SAI is experienced in Wayfinding Signage design and planning, including development of layout, dimensions and mounting of proposed regulatory and route informational signage, fabrication details, subplate schedules, quantity, and cost estimates. A conceptual wayfinding signing plan is recommended for 30% design.

Crossing Channelized Turn Lanes: Eastbound MD 193 has channelized right turn movements onto and from Hanover Parkway. These channelized turns provide a high-speed conflict point for cyclists. Additional measures may be needed at these locations; examples include removing the channelization, slowing the free-flow speed through the right turn movements, or introducing signalization that segregates bike and vehicle movements through a conflict zone.

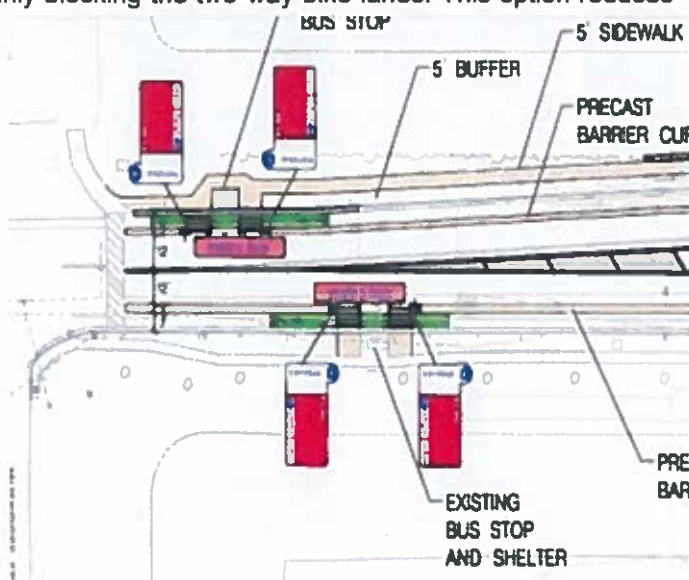


Figure 5: SAI designed protected bike lanes along bus routes for College Park



Scope of Work

Sabra & Associates, Inc. (SAI) is pleased to submit the following scope of work for Hanover Parkway Bikeway Facility Feasibility Study and Concept Engineering Design Plan. This scope describes the processes that we will perform to support the City's goals of undertaking a feasibility study and producing a concept engineering design plan (up to 30%) to facilitate future construction of an important bikeway network connection along the Hanover Parkway in Greenbelt, Maryland.

Our Approach to Bicycle Facility Planning and Engineering

Typical studies focus on implementing bike infrastructure in a safe and efficient manner that ideally minimizes impacts to pedestrian, transit users, and vehicles/parking. Bike lane design projects can vary in complexity from a suburban lane removal/repurposing (e.g. road diet) to a shared use path along a State arterial, to a protected bike lane in an urban street/downtown business district. Whether complex or routine, SAI follows a comprehensive approach to performing bike facility feasibility studies and preliminary engineering:

1. **Kick-off Meeting:** SAI coordinates with the City to obtain project requirements and scope and to identify the key objectives of the study. Key deliverables include meeting minutes, refined scope, schedule, and identification of stakeholders and critical paths/decisions.
2. **Perform Field Review and Data Collection:** SAI performs a desktop and in-field inventory of roadway geometric characteristics, existing pedestrian and bicycle infrastructure, traffic controls, access points, bus stops, parking regulations, land use, environmental features, right-of-way, and utilities. Key deliverables include observation and photo/video documentation of critical areas. Additionally, SAI obtains or collects multi-modal traffic counts, volume (ADT), speeds, travel times, bus routes, crash data, curbside parking utilization, or other data as required.
3. **Prepare Base Mapping:** SAI develops CADD and/or GIS plans, documenting existing roadway geometry, lane widths, right-of-way, utilities, pavement marking, signage, lighting, traffic controls, bus stops, and parking. CADD and GIS base mapping are the key deliverables.
4. **Concept Development and Design:** SAI develops an initial set of alternative roadway or trail cross-sections to accommodate bicycle facilities. We will prepare a concept design plan on aerial imagery to illustrate bicycle facility location, type, and impacts to existing vehicle travel lanes, shoulders, parking, etc.
5. **Conduct Operations and Safety Analysis and Evaluate Trade-offs:** For every proposed design, SAI conducts an analysis on impacts to delay and safety for other users. Typical outputs include changes in traffic operations such as intersection vehicle delay, level of service (LOS), queuing, corridor travel time, and impacts to traffic signal timing, pedestrian movements, and expected safety benefits. SAI can also perform pedestrian and bicycle LOS per the Highway Capacity Manual and predictive safety analysis per the Highway Safety Manual to document expected benefits to non-motorized roadway users. We will document existing and proposed traffic operations and safety and delay tradeoffs for all users.
6. **Conduct Community Outreach:** We develop 2-D and 3-D renderings, planviews on roll maps, and typical sections in order to illustrate and explain preliminary alternatives. We develop easy to

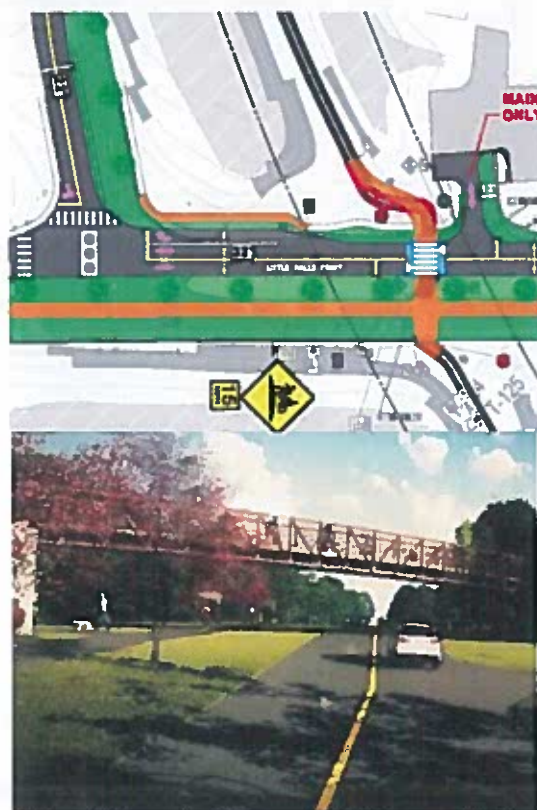


Figure 6: SAI concept plan for Road Diet and rendering of grade separation for Capital Crescent Trail crossing at Little Falls Parkway



understand matrices and charts, explaining the trade-offs, benefits, and advantages for each design. SAI also develops 2-D and 3-D traffic simulations in order to show what the "after" conditions will look like, for example, after application of a "road diet".

7. **Prepare 30% Design Plans:** As needed, SAI develops bike plans, including geometric layout, vertical and horizontal alignment, typical sections, structures, landscape, erosion and sediment control, signing, pavement marking, lighting, and storm water management. For on-road facilities pavement markings and signage, all plans are designed in accordance with the City of Greenbelt, Prince George's County, State Highway Administration (SHA), MUTCD, and American Association of State Highway and Transportation Officials (AASHTO) standards. We provide CADD plans with all relevant dimensions, details, including Americans with Disabilities Act (ADA), and specifications. We prepare and provide a quantities schedule and Engineer's Estimate for cost.
8. **Document Findings and Recommendations:** Finally, we prepare a report documenting all data collected and analyzed, evaluation of alternatives, and recommended preferred design option, assumptions made, design waivers or exceptions, and expected impacts that can be subsequently measured through post-construction performance monitoring.

Additional Potential Bicycle Program Support Tasks that SAI can assist the City with include:

- *Grant Writing*
- *Bicycle Facility Design Construction and Management of Maintenance*
- *Waiver Process for Design Exemptions*
- *Before and After Bike Counts*

Feasibility Study

The major focus area for the feasibility study will be to evaluate the existing conditions of the 1.9 mile Hanover Parkway corridor to determine whether on-road or off-road bicycle facilities will best serve the City's objective to provide an important missing link, identified in Maryland's Statewide Trail Plan. This link will connect multiple neighborhoods and commercial areas in East Greenbelt to each other and to Historic Greenbelt, via the Spellman Overpass.

The feasibility study will include the following components:

- Evaluate the existing conditions of the Hanover Parkway corridor, local bicycle network, and environment.
- Review connections between existing and proposed bikeway facilities, right-of-way impact issues, community links and access to commercial, and/or major institutions along the corridor.
- Identify and develop design alternatives that could provide a safe and critical bikeway connection in the priority project area.
- Coordinate with MDOT SHA District 3 options for crossing Greenbelt Road (MD 193) and the ownership and maintenance of proposed improvements with State ROW.
- Conduct Alternatives Analysis to evaluate trade-offs.
- Coordinate with City staff and participate in meetings with the City Council, City Advisory Boards, and at a community-wide workshop to present the alternatives analysis and to gather user input on the proposed design plans.
- Summarize feedback from the community workshop to inform the selection of the preferred alternative.

Concept Engineering Design Plan

Based on the City's preferred alternative, a concept engineering design plan (up to 30%) for the 0.8 mile priority project area will be produced and include:

- All existing features, including new geometry, typical sections, and topography and size location of all major improvements, signage and pavement markings, and a storm water management concept if needed.
- Implementation strategy outlining cost estimates and required ADA elements.
- Engineering Cost Estimate.
- Technical Report documents preliminary alternatives, alternatives analysis, community input, ROW, costs, as well as any pending barriers to Final Design and next steps.



Detailed Work Plan

Our detailed work plan is as follows:

Task 1: Kick-off meeting

SAI will initiate the project by meeting with City staff to review project goals, budget, deliverables, and schedule. Our Project Manager will attend and be the primary point of contact throughout the project. Collectively, we will also identify potential public/private stakeholders and discuss a preliminary schedule of critical decision points, including when we wish to get on the City Council's schedule. We will obtain or request any relevant studies or applicable data (e.g. GIS layers) from the City.

The deliverable for this task will be kick-off meeting summary notes to be included in the Final Technical Report.

Task 2: Field Review and Data Collection

SAI will conduct a field review of the existing conditions of the 1.9 mile Hanover Parkway corridor and natural features. This field review, in conjunction with available GIS aerial information, will be used in the development of a base map. Excepted data to be collected during the field review include all curb-to-curb dimensions, sidewalk/trail widths, inlet locations, confirmation of signal timing, location of large trees and utilities/poles, curbside parking utilization, and all signing and marking. In addition, we will observe any risky behaviors and areas of conflict and traffic congestion.

Subsequently, SAI will collect and review all relevant traffic data to conduct a thorough analysis of alternatives. This is expected to include peak hour intersection turning movement counts, 48-hour average daily traffic (ADT) counts, and documentation of transit routes/stops. We anticipate needing to collect turning movement count data at the following intersections during morning (7:00-9:00) and evening (16:30-18:30) peak periods:

- Hanover Pkwy at Greenbelt Road (MD 193)
- Hanover Pkwy at Ora Glen Drive
- Hanover Pkwy at Greenbrook Drive
- Hanover Pkwy at Village Park Drive

Additionally, we will collect volume, class, and speed data over 48 successive hours – Tuesday, Wednesday, or Thursday – at three locations:

- Hanover Pkwy near the access to Spellman Overpass
- Hanover Pkwy north of Ora Glenn Drive
- Hanover Pkwy south of Greenbrook Drive

Finally, we will request crash data from MDOT SHA's Office of Traffic and Safety for all intersections along Hanover Pkwy.



Figure 7: Pre-formed 2' curb used in DC

Task 3: Base Mapping

A base map of the entire 1.9-mile study corridor will be constructed in CADD, for ease in developing conceptual alternatives. Base mapping will include all existing notable roadway features – sidewalk, trails, curb and gutter, inlets, lane widths, large trees, topography, above ground utilities, all signing and marking, and curb-to-curb dimensions. PDF and CADD files will be made available to the City, if requested.

The deliverable for this task will be set of plan-view base maps.



Task 4: Concept Development

SAI will utilize data collected during the field review and base mapping to produce up to three (3) alternative designs, using *Complete Streets*¹ principles, for retrofitting the Hanover Parkway corridor with high quality bicycle facilities to connect Greenbelt East to Historic Greenbelt. The redesigns will be overlaid on the existing base map to illustrate before and after conditions. Additionally, SAI will show where potential stormwater management (SWM) features would be feasible. Potential alternatives may include:

- Adding marked bike lanes (e.g. share-the-road) in each direction
- Adding marked bike lanes with a buffer in each direction
- Creating a two-way buffered bike lane on one side
- Enhancing the shoulder for bicycle use
- Adding an off-road shared use path/ trail
- Replacing the two-way left turn lane with a median
- Enhanced intersection design for bicycles (e.g. bicycle boxes, bicycle crosswalks, etc.)
- Spur connections to key centers along the corridor such as the Greenway Shopping Center, Maryland Trade Center, Roosevelt High, Schrom Hills Park, and the post office.
- Improved pedestrian crossings with refuge islands, beacons or other enhanced signing and marking
- Combinations of the above

The redesigns will be overlaid on the existing base map to illustrate before and after conditions. Additionally, we will provide standalone concept plan-view and typical sections for the proposed designs.

The deliverable for this task is a to-scale plan-view drawing for two alternative designs, as well as accompanying typical sections for each. PDF and CADD files will be made available if requested.

Task 5: Alternatives Analysis and Feasibility Study

Based on the refined alternatives and the data collected, SAI will draft and submit a Feasibility Study that meets the objective of providing an analysis of alternatives to create the important bicycle network linkage between East Greenbelt and Historic Greenbelt. The finalized alternatives will be illustrated, and a preferred alternative will be selected, informed by City and community feedback. All data, analysis, and community feedback will be provided as appendices to the Plan. As part of the study, SAI will develop an engineering cost estimate for the entire 1.9-mile corridor, based on the preferred alternative.

A primary component of the feasibility study will be a thorough alternatives analysis that evaluates impacts to:

- Safety
 - Number of conflict points
 - Protected movements for cyclists at critical intersections
 - Direct access between neighborhood and trail
- Traffic (if a road diet is proposed)
 - Change in LOS, travel time and queuing
- Right of Way
 - Commercial and residential ROW amount needed
- Overground Utilities
 - Inlet or Utility pole relocation
- New stormwater management facilities;
 - Location and size of needed SWM
- Cost, and
- Constructability

¹ Complete Streets are those that are designed to provide safe and efficient access for all travel modes, including pedestrians, bicyclists, motorists, and transit riders, irrespective of their age and abilities.



- Needed permits,
- Ability to be incorporated into a resurfacing project

All of the data will be analyzed and summarized in a matrix format for easy comparison by stakeholders, residents, and elected officials.

The deliverables for this task are one (1) color copy of the Draft and Final Feasibility Study; one digital copy of the Final Feasibility Study.

Task 6: City Council and Advisory Boards, and Community Workshop

SAI will assist the City with at least two (2) City Council meetings, and three (3) meetings with City Advisory Boards to present preliminary alternatives, receive feedback, and present final design options. SAI will provide display boards of plan views and typical section views, as well as, conceptual 3D renderings in Sketchup.

Our team will work with City staff to conduct a community workshop to brief Greenbelt stakeholders on the project and present alternatives for discussion. We will also present display material that highlights the key comparisons between each alternative. A PowerPoint presentation and poster boards will be used at the workshop to illustrate the existing conditions/bicycle network and several alternative bikeway designs. If desired, SAI can produce traffic simulations in 3-D to show impacts on traffic and how all transportation users interact and are impacted by an alternative (see inset). SAI can produce graphical exhibits including PDF fliers for the City's website, listservs, and for advertisements in newspapers and on social media.

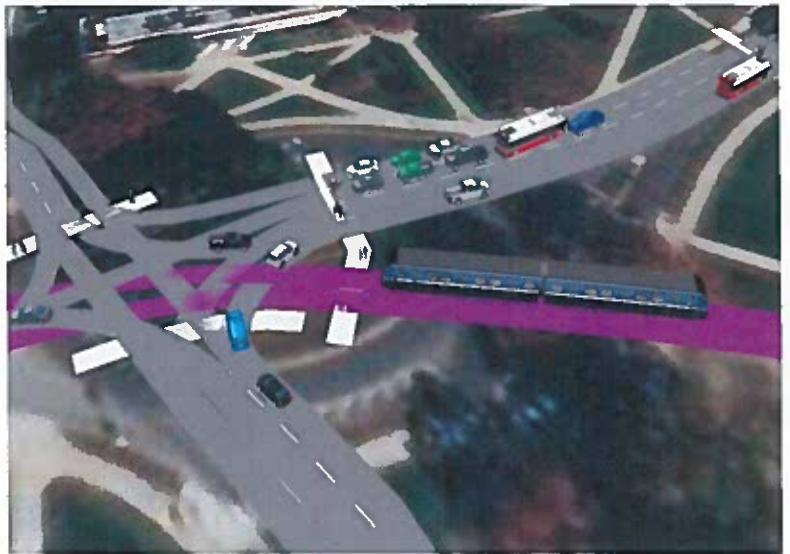


Figure 8: Screen capture of Traffic Simulation SAI created for the University of Maryland

Based on discussion with the City and the community stakeholders, we will refine the alternative concepts.

Deliverables include at least two meetings with the City Council, three City Advisory Board meetings, and biweekly meetings or conference calls with the City staff. For the Community Workshop, SAI will provide display boards, Plan view roll maps of existing conditions and proposed concepts, and renderings as needed. We will also develop graphic fliers, workshop comment forms, and provide to City Staff a memorandum summarizing public comments.

An example of the type of graphics that we typically present at public meetings are shown in Figure 9, where differing segments of the facility are highlighted with plan view and typical section renderings.

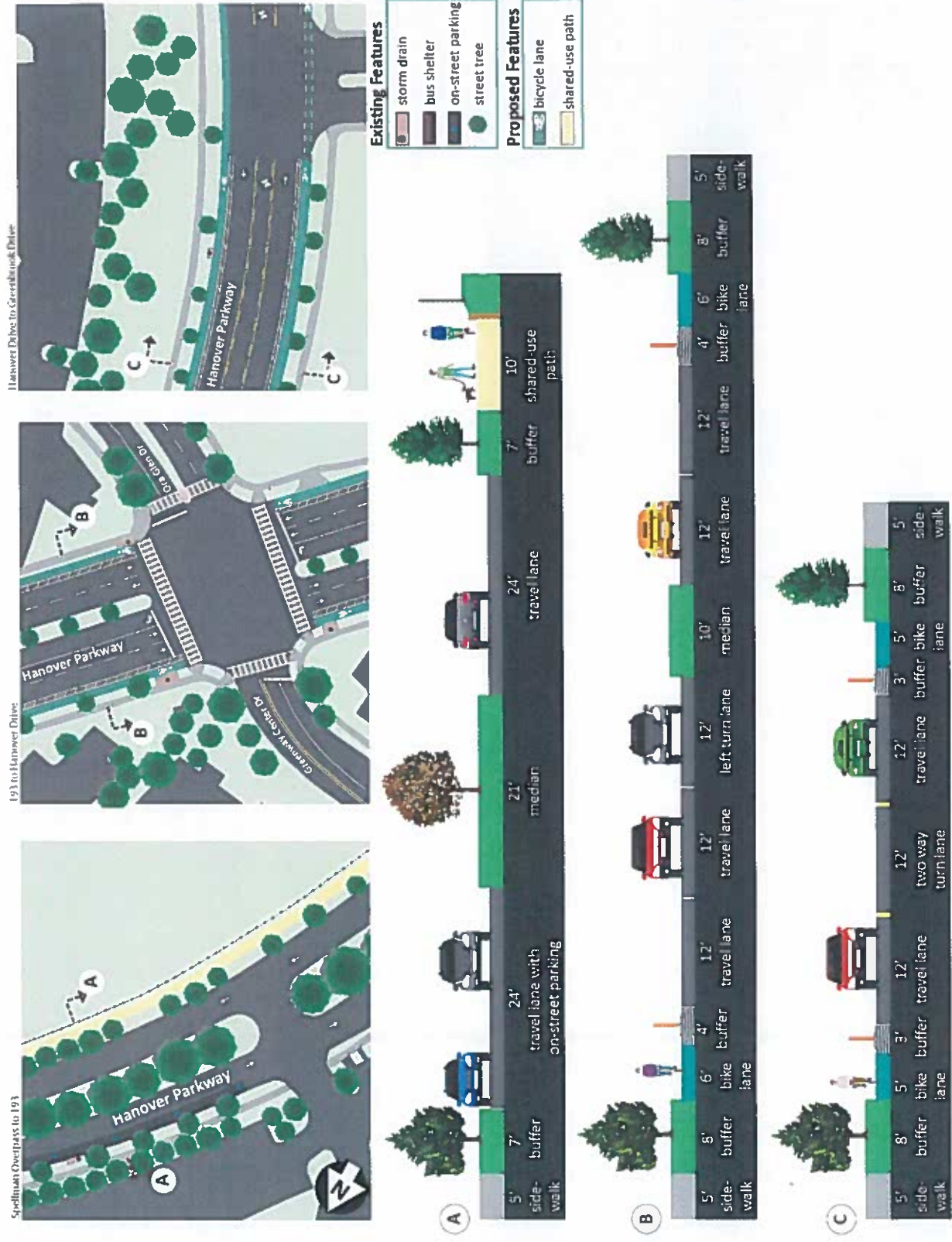


Figure 9: Example conceptual rendering of three segments of Hanover Parkway



Task 7: Concept Engineering Design Plan

Based on the selected preferred alternative, typical sections, and community input, SAI will develop and submit a draft 30% Concept Engineering Design Plan for City Staff review. These 30% drawings will build from the conceptual drawings for the preferred alternative. The 30% level of design will include consideration of appropriate vertical separation of bike lanes from travel lanes, if applicable, and all related detail sheets. We will show all revised travel and parking lanes, accommodations for transit stops and driveways, and relocated utilities if needed. The 30% design plan will include the initial signing and pavement marking plan categorized by new signage/pavement markings, existing signage/pavement markings to remain, and existing signage/pavement markings to be removed. Special consideration will be given to signage and markings at driveways, side streets, and bus stops to communicate the presence of bicycles and who has the right-of-way. The design will also provide for adequate sight-distance triangles where motor vehicle and bicycle traffic cross paths.

Deliverables include:

- 30% Design drawings package showing:
 - Existing Conditions to include sidewalks, trails, signage, and all dimensions
 - Plan view of the preferred alternative showing new or relocated signage, pavement markings, other necessary design modifications such as curb extensions, refuge islands or ADA ramps
 - Additionally, the plans will show edge of curb, existing right-of-way lines, utility lines, and stormwater management facilities. The plans will also include cross section views of the roadway bed including cycle track, buffer, standards, and detail drawings, as needed.
 - For off-road shared use path/ trail segments, plans will include geometric layout, vertical and horizontal alignment, typical sections, structures, landscape, erosion and sediment control, signing, pavement marking, lighting and storm water management plans.
- The Preliminary Plan will be delivered in the following formats
 - Two 24"x36" hard copies at 1" to 30' scale
 - A portable document file suitable for a presentation
 - CADD files in .DGN format compatible with AutoCAD 18 or MicroStation 2017 or newer

An example plan sheet from a 30% Design we produced for a bike lane retrofit project is shown in the following figure:



Hanover Parkway Bikeway Facility Feasibility Study and Concept Engineering Design Plan

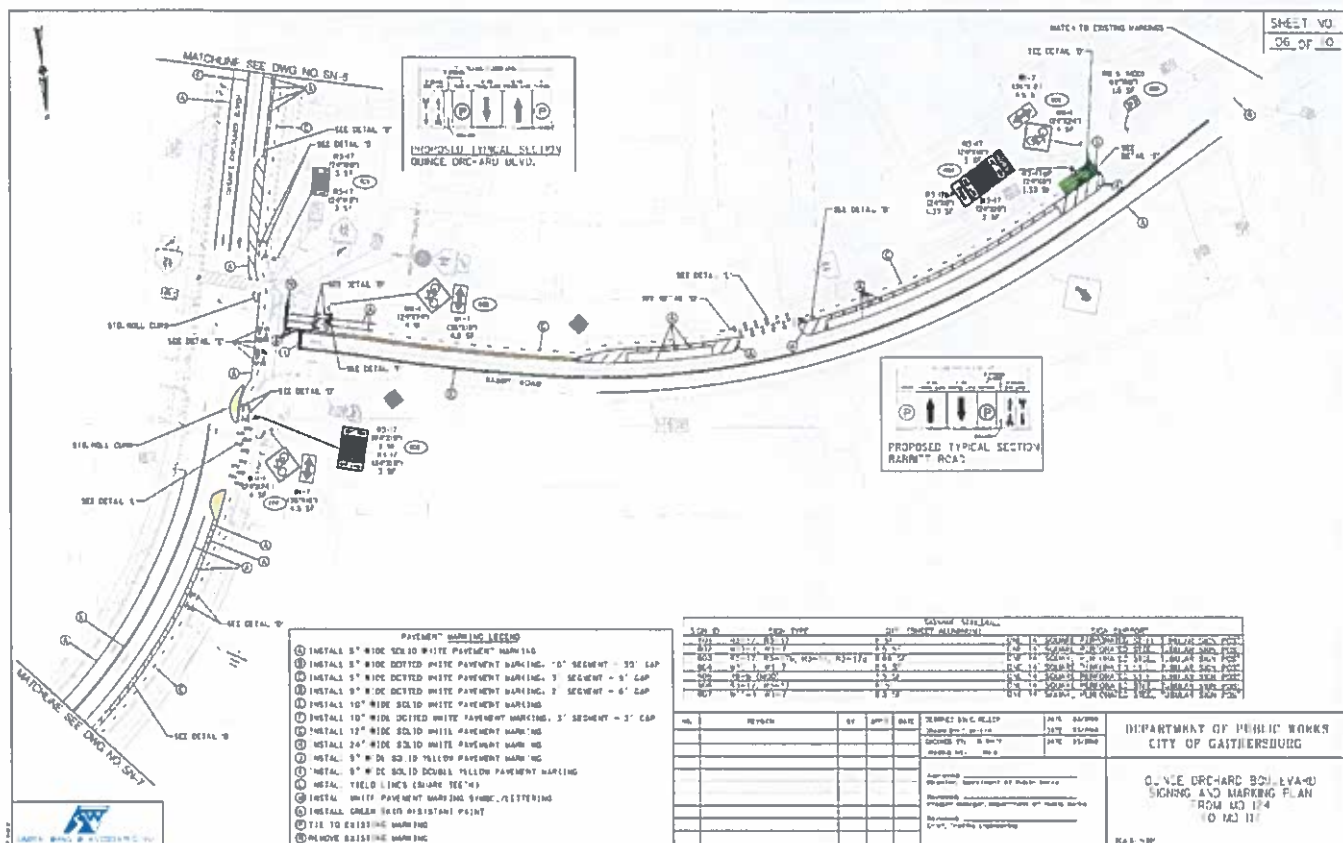


Figure 10: Two-way protected bike lanes and a protected intersection designed by SAI for the City of Gaithersburg

The deliverables for this task are one (1) color copy of draft Concept Engineering Design Plan for comment; one (1) digital copy of draft Concept Engineering Design Plan; one (1) color copy of draft Concept Engineering Design Plan for comment; one (1) digital copy of draft Concept Engineering Design Plan; three (3) color copies of final Concept Engineering Design Plan; and, one (1) digital copy of final Concept Engineering Design Plan.

Task 8: Technical Report

Based on the refined alternatives, community feedback, and the traffic and safety data collected, SAI will draft and submit a brief technical memorandum summarizing the projects efforts, including: the project purpose & need; data collection summary; analyses summaries; initial concepts with discussion of how each alternative meets the objective of complete streets; community and County feedback; and narrative of the final design alternative. Implementation and funding strategies including grants and sponsorship will also be addressed to identify how to move forward into final design and construction. All data, analysis, and community feedback will be provided as appendices to the technical memorandum. The primary purpose of the technical report will be to serve as a companion deliverable with the 30% design plans so that both can be utilized to develop a 100% Construction Plan Set when the City obtains funding for 100% design.

Project Schedule. With the assumption that Notice to Proceed will occur around the beginning of the Calendar Year, we expect that the feasibility study and 30% Design for the priority area can be completed within 180 calendar days. A preliminary schedule is provided, with more detail, in the subsequent section.

Project Fee: The fee for the proposed effort is \$59,685. The person-hour breakdown for each task is shown in Table 1. The Feasibility Study (including outreach) will cost \$43,995.00; the 30% Design Plans (and accompanying report) will cost \$15,690.00.



Table 1: Person-hours, by task, and total fee



City of Greenbelt
Hanover Parkway Bikeway Facilities

	Project Manager	Senior Planner/Engineer	Planner/Engineer	GIS/CAD Technician	Data Collector	Task Hourly Subtotals
	\$ 145.00	\$ 115.00	\$ 85.00	\$ 65.00	\$ 55.00	
Task						
Task 1. Kick Off and recurring City Staff Meetings	20		20			40
Task 2. Perform field review and Data Collection	1	2			120	123
Task 3. Prepare Base Mapping		2	4	80		86
Task 4. Concept Development and Design	2	4	8	120		134
Task 5. Alternatives Analysis & Feasibility Study	4	8	120			132
Task 6. City Advisory Board & Community Outreach	12	12		40		64
Task 7. Prepare 30% Design Plans	2	4	8	120		134
Task 8. Document Findings and Recommendations	4	8	40	24		76
						0
						0
Labor Hours	45	40	200	384	120	789
Sub Total per Labor Category	\$6,525.00	\$4,600.00	\$17,000.00	\$24,960.00	\$5,600.00	

All rates are fully loaded and include all direct costs (e.g. printing, mileage, etc.)

\$59,685.00



PROJECT MANAGER

Bryon White, P.E., PTOE

QA/QC

Paul Silberman, P.E., PTOE



FEASIBILITY STUDIES & CONCEPT PLANNING

Bryon White, P.E., PTOE*

Jamie Kendrick, AICP*

Sheila Mahoney, AICP*

TRANSPORTATION ENGINEERING

Paul Silberman, P.E., PTOE

Kyle Roberts, P.E., PTOE

GIS MAPPING

Matt O'Connell

Sean Liu

Lara Celtnieks

BICYCLE / PEDESTRIAN NETWORK DESIGN

Bryon White, P.E., PTOE*

Paul Silberman, P.E., PTOE*

Casen Keller*

STAKEHOLDER & PUBLIC OUTREACH

Sheila Mahoney, AICP*

Jamie Kendrick, AICP*

CONSTRUCTION COST ESTIMATING

Wayne Trautman, P.E.

Frank Lin, P.E.

DATA COLLECTION

Sharod Harris

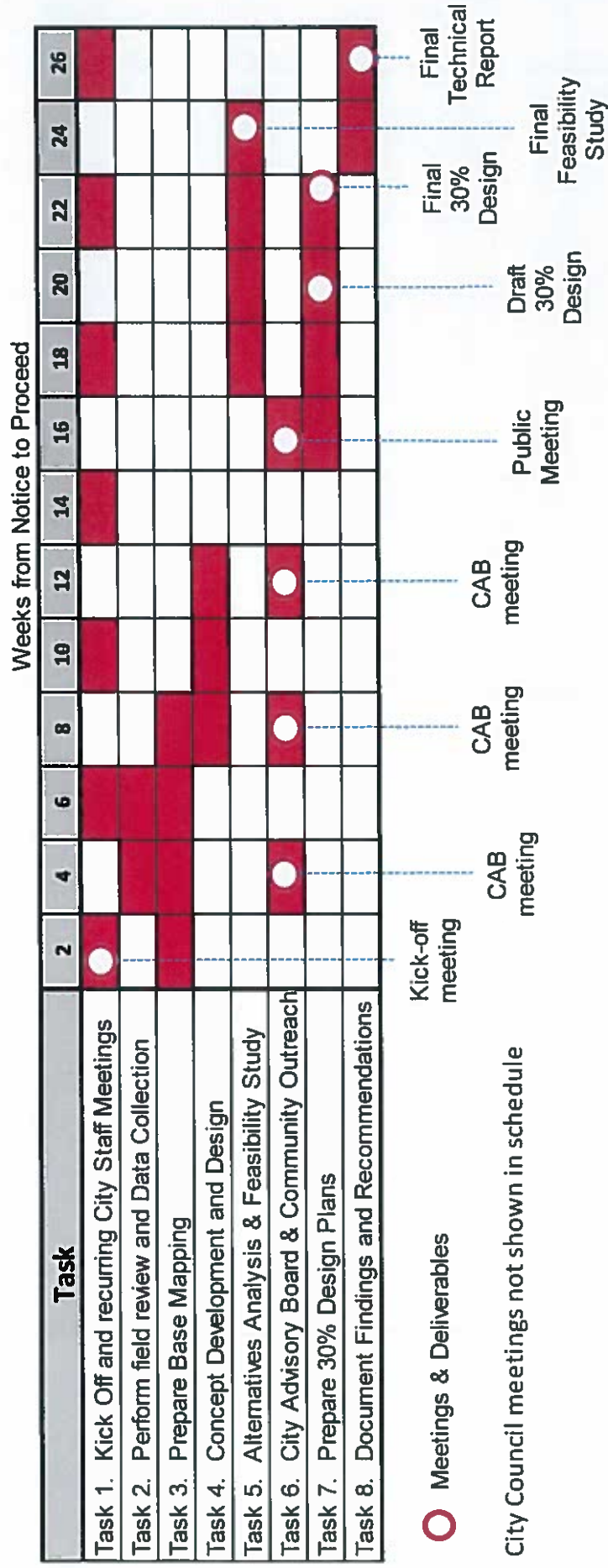
Mike Trautman

Key:

* = Key Staff / Resume Included



Project Schedule





Project Team

We have selected a highly qualified team with extensive experience, and a proven track record, in sustainable, multi-modal transportation planning and traffic engineering. Our Project Manager, Bryon White, P.E., PTOE, will be the Principal Contact and is fully committed and ready to serve you. The table below summarizes our key staff's relevant experience and project roles. Full resumes are included for all key staff.

Name, Credentials, Role	Brief Introduction
 Bryon White, P.E., PTOE Project Manager	Mr. White has over 20 years of experience in transportation planning and engineering, including bicycle and pedestrian network planning, feasibility and needs analysis, inventory and gaps/barriers evaluation, multimodal traffic analysis, neighborhood traffic calming and circulation studies, policy analysis, preliminary and final engineering design, and public involvement. As the former City Engineer for the City of Laurel, Bryon was instrumental in developing and implementing a Bicycle Master Plan including multiple sidewalk and bicycle lane retrofits.
 Paul Silberman, P.E., PTOE Senior Traffic Engineer	Mr. Silberman has over 21 years of hands-on experience in pedestrian and bicycle infrastructure planning and design, including for bike lanes, shared use paths, trails, sidewalks, and ADA facilities. Paul's expertise in transportation planning and engineering spans feasibility studies, conceptual engineering, horizontal and vertical alignment, right-of-way analysis, environmental impact, traffic engineering design, preliminary engineering studies, cost estimates, and public involvement. Paul has completed several trails and bicycle network master plans, for the Town of Mount Airy, the Town of Cheverly, and Hyattsville.
 Sheila Mahoney, AICP Senior Planner	Ms. Mahoney has special expertise in environmental documentation and public relations for transportation projects. She has written and contributed to numerous public involvement and outreach plans, including for the recent trail projects, at Kingle Valley Trail, Rock Creek Park Multi-Use Trail, and, the Mount Vernon Trail. She has tracked, responded to, and summarized hundreds of public comments. Sheila is skilled at managing meeting logistics, meeting facilitation, preparation of PowerPoint presentations, meeting display and handout materials, public notices, websites and other media.
 Jamie Kendrick, AICP Senior Transportation Planner	Mr. Kendrick has 15 years' experience in public sector transportation and public works management. During his five years as Deputy Director of the Baltimore City Department of Transportation, the City won and executed approximately 20 Transportation Enhancements (TE), Safe Routes to Schools (SR2S) and MDOT Bikeway projects worth more than \$55 million. Jamie's work in the arena of transportation alternatives has been focused on grant and concept development, stakeholder coordination, project management and navigating the state and federal program requirements necessary to achieve project completion.
 Casen Keller Senior Designer	Mr. Keller has extensive experience in developing base maps, concepts, and design plans for pedestrian and bicycle facility transportation planning studies. His work includes feasibility studies, conceptual engineering, roadway and trail horizontal and vertical alignment, right-of-way analysis, environmental impact, and traffic engineering design, including signals, signing, lighting, traffic control plans, and pavement marking. Casen is skilled in developing preliminary engineering studies, cost estimates, and contract specifications.



Bryon White, P.E., PTOE – Project Manager

20 years of project experience

Bryon has over 20 years of experience in transportation planning and engineering, including bicycle and pedestrian network planning; feasibility and needs analysis; inventory, gaps and barriers evaluation; multi-modal traffic analysis; neighborhood traffic calming and circulation studies; policy analysis; preliminary engineering design; and stakeholder/ public outreach. As the former City Engineer for the City of Laurel, Bryon was instrumental in developing and implementing a Bicycle Master Plan. Bryon is proficient in AASHTO, MUTCD, ITE, and FHWA standards, and numerous statistical, traffic and GIS software applications.



Education:

- › B.S. 1998, Mechanical Engineering, University of Maryland



Professional Registration / Certifications:

- › 2005 Professional Engineer, Maryland Registration #30475
- › 2013 Professional Traffic Operations Engineer Registration #3476

Bicycle Master Plan Development and Implementation, City of Laurel, MD: City Engineer and author of the bicycle master plan. Work included: traffic data collection, route alignments, route design, policy/ordinance changes, parking requirements, implementation timeline, performance metrics, engineering cost estimates, and presentations at public forums. Designed the first 4-miles phase; connecting residential neighborhoods to the City's two most utilized parks, a hiker-biker trail, and a commercial district. The project also included streetscape improvements, ADA compliant ramps, and widened decorative crosswalks. Developed and maintained the City's bicycle and pedestrian crash database.

Pedestrian and Bicycle Access Improvement Design and Construction, City of Laurel, MD: City Engineer for multiple streetscape improvements, including: 4th Street Boulevard (landscaped median-separated boulevard with pedestrian crosswalk improvements and bike lanes), Van Dusen Hiker-Biker Trail, Cypress Street Bike Lane, and Montgomery Street pedestrian improvements (relocated ADA compliant ramps and widened decorative crosswalks).

Bike Boulevard Implementation Plan, City of College Park, MD: Project Manager that developed the implementation and phasing plan for 17 new bike boulevards in College Park. The Plan included the layout of all new infrastructure elements and their associated costs. Design alternatives to provide higher-quality bike facilities were also developed as part of the process. Collected speed and volume data on selected streets to determine the degree of traffic calming and traffic diversion required. Conducted design charrettes with relevant stakeholders and local residents to solicit feedback. Developed an on-line GIS application to show the proposed bike boulevards and receive map-based feedback from residents.

Quince Orchard Boulevard Bike Lane Design, City of Gaithersburg, MD: Currently designing 100% Cycletrack plans in coordination with a resurfacing project. Cycletrack is a two-way facility terminating at State roads. Design includes preliminary engineering, alternatives development, SHA coordination, and traffic analysis.

Ridge Road Corridor Bicycle and Sidewalk Retrofit Study and Preliminary Engineering, Anne Arundel County, MD: Project Manager that conducted a comprehensive facility planning study, from Annapolis Road to Corporate Center Drive. Work included: traffic data collection, development and calibration of a Synchro traffic model, crash data review, development of future year traffic volumes, documentation of existing pedestrian and bicycle infrastructure, identification of gaps and barriers, development of alternative roadway design modifications to include bicycle and sidewalk facilities, and traffic operations analysis for baseline and alternative scenarios. Developed preliminary roadway design plans and cost estimates. Coordinated with affected stakeholders, including bicycle advocacy groups.

Andover Road Corridor Bicycle and Sidewalk Retrofit Study and Preliminary Engineering, Anne Arundel County, MD: Project Manager that conducted a comprehensive facility planning study, from Nursery Road to Camp Meade Road. Work included: traffic data collection, development and calibration of a Synchro traffic model, crash data review, development of future year traffic volumes, documentation of existing pedestrian and bicycle infrastructure, identification of gaps and barriers, development of alternative roadway design modifications to include pedestrian and bicycle infrastructure, and traffic operations analysis for baseline and alternative scenarios. Developed preliminary roadway design plans and cost estimates. Evaluated and addressed stormwater management and drainage overflow issues. Coordinated with affected stakeholders, including bicycle advocacy groups.

Jumpers Hole Road Corridor Bicycle and Sidewalk Retrofit Study, Anne Arundel County, MD: Project Manager that conducted comprehensive facility planning study, from MD 2 to MD 100. Work included: traffic data collection, development and calibration of a Synchro traffic model, crash data review, development of future year traffic volumes,

Bryon White, P.E., PTOE, Resume Continued

documentation of existing pedestrian and bicycle infrastructure, identification of gaps and barriers, development of alternative roadway design modifications to include sidewalk and bicycle facilities, and traffic operations analysis for baseline and alternative scenarios. Developed preliminary roadway design plans and cost estimates.

Downtown Bike Network Design, Baltimore City, MD: Senior Engineer that designed bike lanes and two-way cycle tracks for retrofitting into existing streets. Designs included: analysis on effect of on-street parking capacity, lane removal and re-designation, and traffic operations.

On-Call Bicycle Network Planning and Engineering, Howard County, MD: Project Manager for multiple planning studies to develop short-term improvements for multiple corridors, including: Centennial Lane, Tamar Drive, Oakland Mills Road and Columbia Road. Documented existing conditions, collected traffic data, and evaluated impacts of road diet for protected/buffered bicycle lanes. Developed preliminary engineering concepts and typical sections, prepared renderings, and attended public meetings.

Shady Grove Bike Network Planning, Montgomery County Planning Department, MD: Senior Engineer that conducted traffic operations analyses (Level of Service and queuing) at select intersections near the Shady Grove Life Science Center, in support of the County's bicycle master plan update to evaluate the impacts of a protected bike lane network that reduced vehicle travel lanes.

Capital Crescent Trail Crossing Improvements, Montgomery County Parks, MD: Project Manager that developed and evaluated alternatives to enhance trail crossing safety at Little Falls Parkway, including: traffic controls, geometric modifications, and grade separations. Coordinated with relevant stakeholders, including the County Department of Transportation and the public. Developed preliminary engineering plans, including: signing, pavement markings, and new sustainable landscaping treatments.

Traffic Calming Plan, Town of Somerset, MD: Project Manager that conducted origin-destination studies to evaluate the level of cut-through traffic for the Traffic Calming Plan. Work included: developing on-line GIS mapping of all signage and traffic calming devices, evaluating vehicle speeds town-wide using radar data, and drafting formal recommendations on: traffic calming intersection safety improvements, pedestrian improvements, parking consolidation, and cut-through traffic. Presented study findings to the Mayor and the Town Council.

New Hampshire Avenue Multi-Way Boulevard Feasibility Study, City of Takoma Park, MD: Identified and base-mapped utilities, assets, and drainage areas. Analyzed effects of road diet on traffic operations. Provided guidance on innovative bicycle facility designs and evaluated impacts to utilities, including relocations and costs. Evaluated net changes to impervious areas and required storm water management mitigation.



Paul Silberman, P.E., PTOE—Senior Traffic Engineer

22 Years of Project Experience

Paul has over 22 years of hands-experience in bicycle network planning and engineering design; including, bike lanes, shared use paths, trails, sidewalks, and ADA facilities. Paul's expertise in transportation planning and engineering encompasses multi-modal planning; complete streets; feasibility studies; conceptual engineering; right-of-way analysis; environmental impact; traffic analysis; preliminary engineering; cost estimates; and, stakeholder/public involvement. Paul is familiar with FHWA, SHA, AASHTO, MUTCD, and NACTO guidelines. Paul has completed several bicycle facility planning and engineering studies for Hyattsville, College Park, Montgomery County, Howard County, Town of Mount Airy, Town of Cheverly, and MDOT State Highway Administration (SHA).



Education:

- › MS, Civil Engineering, University of Maryland, 2000
- › BS, Civil Engineering, University of Maryland, 1996



Professional Registration / Certifications:

- › 2001, Professional Engineer, Maryland Registered # 26562

Old Main Line Trail Planning and Engineering, Town of Mount Airy, MD: Project Manager responsible for existing conditions mapping, stakeholder input and coordination with Carroll County and MDOT State Highway Administration, facility identification, network development, connectivity analysis, field investigation of trail alignment, segment prioritization, and preliminary engineering design of Watkins Park to Nottingham segment, including alignment and typical section. Prepared Council and public presentations, and an application for Transportation Alternatives grant funding.

Non-Motorized Transportation Plan, Town Of Cheverly, MD: Project Manager responsible for developing a plan to improve mobility and accessibility for pedestrians, bicycles and transit. Performed field inventories of existing sidewalk trail and transit networks; interviewed stakeholders; and, facilitated public workshops. Identified alignments for bike lanes, bike routes, shared use trails, and sidewalk improvements. Developed phasing and funding strategies for implementation.

Marlboro Pike Bike Lane Planning and Engineering: Project Manager responsible for evaluating traffic safety, pedestrian and bicycle accessibility, and developing alternative cross-sections, signing, marking and traffic controls to implement a road diet from Silver Hill Road to the District Line. Prepared preliminary engineering plans for a road diet with bicycle lanes and upgraded mid-block crossings, estimated right-of-way impacts and construction costs.

University Drive Sidewalk and Bike Lane Planning and Design, City of Fairfax, VA: Project Manager tasked to evaluate multi-modal improvements including a road diet to incorporate a bicycle lane along University Drive from Armstrong to Main Street, as well as prepare design drawings for new sidewalk between Armstrong Street and Breckinridge Lane. Evaluated right-of-way needs, completed topographic survey, developed geometric design, typical sections, stormwater management design, and prepared bike lane signing and striping.

Ellicott City to Baltimore Bicycle Network, State Highway Administration, MD: Project Manager responsible for base plan development, field inventory, and signing and striping design along designated bicycle routes on MD 144 through Catonsville from the Howard County to Baltimore City line.

Rhode Island Trolley Trail Planning and Engineering, Prince George's County, MD: Performed a detailed planning study of the potential alignment and cross-section for the proposed Rhode Island Trolley Trail along the old trolley right-of-way parallel to US 1 and the CSX railroad in the City of Hyattsville and Riverdale Park. The planning study included field and GIS-investigation, development of trail cross-sections, identification of opportunities such as trailhead facilities, ADA access, waysides, connections to nearby recreational and activity centers, potential development impact, and constraints including utilities, and roadway crossings. Developed 30% plans, typical section, and cost estimate.

Phase I Bikeway and Sidewalk Facility Planning Studies, Montgomery County DOT, MD (Tuckerman Lane, Guide Drive, Seven Locks Road): Senior Engineer that performed field inventory of the existing roadway geometry, collected peak hour traffic counts, analyzed pedestrian and bicycle crash data, developed alternative typical section concepts for retrofitting on-road bike lanes, sidewalks, and shared use paths, and supported stakeholder and public outreach.

Bethesda Bicycle Network Analysis and Design, Montgomery County DOT, MD: Project Manager that evaluated both on-road and off-road bicycle facilities connecting National Institute of Health, National Naval Medical Center, Bethesda Trolley Trail, Capital Crescent Trail and downtown Bethesda. Work efforts included traffic data collection, and development of typical roadway sections for bicycle compatibility, including shared lanes, cycle tracks, and exclusive lanes. Developed detailed wayfinding signing plans and coordinated with stakeholders and advocacy groups.

Auth Road Pedestrian and Bicycle Improvements Study, Prince George's County, MD: Project Manager responsible for existing conditions documentation, project base mapping, concept designs for on- and off-road bike facilities, sidewalks, and shared use paths. Developed preliminary engineering design, coordinated with County, State Highway Administration, Department of Defense and Washington Metropolitan Area Transit Authority (WMATA) to identify a preferred design option for improved non-motorized connections between the Branch Avenue Metro Station and Joint Base Andrews.

Anacostia Tributary Heritage Area Trails Signing Improvements, Prince George's County, MD: Project Manager for a wayfinding signage upgrade along the 34-mile network in Prince George's County. SAI performed a comprehensive wayfinding analysis and signing plan development through a field inventory, sign design, wayfinding analysis, public outreach, sign location plan, schedule development, and cost estimates.

New Carrollton Area WB&A Trail Connections, Prince George's County, MD: Project Manager responsible for improving missing connections from the WB&A Trails to the Anacostia Trail System through preliminary design and engineering plans for Prince George's County MNCPPC for eight (8) separate on- and off-roadway trail segments, including improved intersection crossings, shared use paths and missing sidewalk links. Project included survey, County and State coordination, as well as MTA coordination for the future Purple Line Alternatives.

North Branch Trail Planning Study, Montgomery County Rec and Parks, MD: Senior Engineer responsible for evaluating trail alignment, typical section, and traffic controls for crossing treatments along Muncaster Mill Road and Emory Lane, as part of the trail planning study.

Capital Crescent Trail Crossing Improvements, Montgomery County Rec and Parks, MD: Senior Engineer responsible for a review of roadway geometry, traffic controls, and sight distance. Developed concept designs and cost estimates to improve the at-grade trail crossing at Little Falls Parkway, including revised alignment, upgraded signing, and marking.

Western Run Greenway Planning, Baltimore City Department of Recreations and Parks, MD: Lead Traffic Engineer that developed alternatives for alignment of a greenway trail from Reisterstown Plaza Metro station to Mount Washington Light Rail Station along Cross Country Boulevard and Western Run Road. Work included the evaluation of bicycle and pedestrian safety, roadway cross-sections, and traffic volumes. Developed preliminary cost estimates, prepared conceptual plans, and presented alternatives to the public.

Jones Falls Trail Planning and Design Baltimore City DOT, MD: Senior Engineer that performed feasibility and preliminary engineering analysis for a Class 1A bicycle trail through the Jones Falls valley area of Baltimore City. Analysis included data collection, field inventory of existing roadway conditions, intersection capacity and level of service analysis, development of typical roadway sections with exclusive and share-the-road bicycle lanes, and estimation of preliminary construction costs.

Custis Trail Pedestrian/Bicycle Safety Enhancement, Arlington County, VA: Senior Engineer responsible for evaluating the road diet and traffic calming improvement concepts for pedestrian/bicycle safety enhancement along Custis Trail. Performed review of roadway geometry, traffic controls, and crash experience. Developed concept alternatives, performed traffic operations analysis, and developed final traffic engineering design plans.

South Capitol Street Trail Study, District of Columbia DOT, DC: SAI supported a trail feasibility study, including collecting and developing existing and future year multi-modal project traffic data, evaluating existing and future traffic operations, and identifying and assessing alternative roadway design options (lane reassignment, signal timing and phasing changes) to accommodate the proposed trail.

Barneget Branch Rail Trail, Ocean County, NJ: Senior Engineer that reviewed traffic studies regarding the potential construction of a new roadway in Lacey Township and the impacts on the existing rails to trial network.

Metropolitan Branch Trail Access Improvements, District of Columbia DOT, DC: Senior Engineer responsible for evaluating over a dozen intersections for upgraded traffic controls (e.g. HAWK signals) to enhance neighborhood connections to the trail.

Heritage Trail Planning Study, Saint Helena Park, Baltimore County Recreation and Parks, MD: Senior Traffic Engineer that developed and evaluated a preliminary route for a new roadway and bicycle trail through Saint Helena Park, including traffic data collection, roadway alignment, bicycle and pedestrian accommodations, truck access and circulation, railroad crossings assessment, intersection traffic control needs, and capacity and level of service.



Sheila Mahoney, AICP – Senior Planner

16 years of project experience

Ms. Mahoney is a Project Manager with expertise in environmental documentation and public relations for transportation projects. Sheila is an experienced planner of public outreach activities, including meeting logistics, meeting facilitation, and preparation of PowerPoint presentations. Her experience includes working with graphic designers and website developers to create user-friendly websites. She also designs meeting displays, handout materials, and public notices. Ms. Mahoney has written and contributed to numerous public involvement and outreach plans for trail projects, including the recent plans for the Klinge Valley Trail and Rock Creek Park Multi-Use Trail in Washington, DC, and the Mount Vernon Trail in northern Virginia. She has also tracked, responded to, and summarized hundreds of public comments.



Education:

- › MS Environmental Sciences & Policy, Johns Hopkins University, Maryland



Professional Registration / Certifications:

- › 2012, APA American Institute of Certified Planners #237114,
- › 2006, DNR State Forest Conservation Qualified Professional

Klinge Valley Trail Environmental Assessment, District of Columbia DOT, Washington, DC: Assistant Project Manager and Public Relations Specialist responsible for the public relations aspects of this highly controversial project in Washington, DC. For the public outreach component, Ms. Mahoney was the lead author of the public involvement plan and website text. She worked closely with G&O's graphic artist and website designer to create the project website. She was responsible for preparing and coordinating advertisements for public meetings, preparing presentations, meeting displays and handouts, completing Section VI forms, and writing public meeting summaries. She also assisted in managing and responding to incoming comments from the project website. Ms. Mahoney arranged all meeting logistics and presentation materials for the District Department of Transportation's (DDOTs) Green Highways Partnership workshop with numerous agency staff from DDOT, Environmental Protection Agency (EPA), Federal Highway Administration (FHWA), District Department of Environment (DDOE), National Park Service (NPS), DC Water and Sewer Authority (DC Water), and other stakeholders.

Rock Creek Park Multi-Use Trail Environmental Assessment District of Columbia DOT, Washington, DC: Project Manager responsible for management of environmental compliance, preliminary design, and public relations for this project, being conducted in cooperation with NPS. Ms. Mahoney led the project team to plan and facilitate public meetings with project stakeholders. She also assisted DDOT with smaller focus group and agency meetings. She prepared and coordinated advertisements for public meetings, presentations, meeting displays and handouts, and completed Section VI forms and meeting summaries. She was responsible for management of the project team to ensure that project was delivered on schedule and within budget. All Environmental Assessment (EA) and Public Involvement tasks were delivered on time under the requested expedited schedules.

Mount Vernon Trail Extension Environmental Assessment, George Washington Memorial Parkway, National Park Service, and Arlington, VA: Environmental Planner that conducted the on-site, tree planted, tree inventory, Geographic Positioning System (GPS) survey, and forest stand/vegetation characterization for the entire project corridor as part of the EA. The project involved numerous complex natural and cultural resources issues, such as rare plant species and archeological resources.

Transportation Alternatives Program, SHA Regional & Intermodal Planning Division, Area-wide, MD: Developed marketing plan and manual for promoting program to project sponsors of pedestrian and bicycle facilities, recreational trails, safe routes to schools, historic preservation and vegetation management, stormwater, and habitat connectivity.

Shady Grove Metro Bike Path, Montgomery County DOT, MD: Environmental Scientist responsible for sending rare, threatened and endangered species information letters, preparing the Categorical Exclusion letter, and assisting with the simplified Forest Stand Delineation preparation and Tree Save Plan.



Jamie Kendrick, AICP – Senior Transportation Planner

15 years of project experience

Mr. Kendrick has over 15 years of experience in Transportation Planning, Policy, and Program Management. He spent five (5) years as Deputy Director of the Baltimore City Department of Transportation where he provided executive direction in planning, engineering and construction, environmental management, traffic operations, underground utility infrastructure and right-of-way management. Mr. Kendrick served on TCRP Synthesis 87 Panel, Practices in the Development and Deployment of Downtown Circulator Systems (2011), and has held the following additional roles: Chairman, Baltimore Economic Recovery Team, City of Baltimore (2009 – 2011), Adjunct Political Science/Public Policy Faculty, UMBC & Community College of Baltimore County (various years/courses since 2004), Member, Baltimore Regional Transportation Board (MPO) (2007 – 2012).



Education:

- › B.A. 1998, Urban Affairs, Goucher University
- › M.A. 2000, City and Regional Planning, University of Pennsylvania



Professional Registration / Certifications:

- › 2017 American Institute of Certified Planners (AICP) #03052

Herring Run Trail, Baltimore City DOT: As Deputy Director of Baltimore DOT, Jamie led the agency through redesign of the Herring Run Trail in the vicinity of Harford Road where an \$18 million bridge reconstruction project was about to occur. Under the initial bridge reconstruction plan, the trail would have been closed for three years; opposition from trail users and community groups was strong. Leading a community task force and a project team of planners and engineers, a new alignment was created for the trail that could remain in place after the bridge was re-opened. Major environmental issues included stream impacts/restoration, wetlands and reforestation.

Old Main Line Trail, Town of Mount Airy: Senior Planner responsible for trail planning, preliminary engineering and grant application for a 1-mile priority segment between historic Main Street and Watkins Park.

Transportation Master Plan, Anne Arundel County: Project Manager responsible for developing a fiscally constrained strategic transportation plan including roadway, transit, pedestrian and bicycle improvements as well as supporting travel forecasting, cost estimates, prioritization, public involvement, and policy revisions.

Environmental Permitting Coordination – Purple Line/Capital Crescent Trail, Maryland Transit Administration: As Deputy Executive Director for MTA's New Starts office, Mr. Kendrick oversaw pre-construction permitting activities related to Waters of the United States, forest conservation, stormwater management, water appropriation and use, sediment and erosion control, hauling and landfill, and noise abatement, for the 14-mile light rail project and adjacent 6-mile trail.

Successful Grant Development for Federal Transportation Programs, 2012: As Deputy Director for Baltimore DOT, Mr. Kendrick wrote successful FTA/FHWA discretionary grant applications yielding nearly \$20 million for livability and mobility initiatives, including Kent Street/Westport Transit Plaza, Highlandtown Transit Streetscape Cherry Hill Light Rail Station Access, and Belair Road Complete Streets (FTA Bus Livability), New Baltimore Harbor Connector Vessels and Vessel Electrification Program (Ferry Boat Discretionary Program), Reconnecting West Baltimore (Transportation, Community and System Preservation Program), and Charm City Circulator Expansion to Fort McHenry (FTA Transit in Parks).



Casen Keller – Senior Designer

12 years of project experience



Education:

- › B.S. 2012, Geography, Towson University

Mr. Keller is a Senior Designer with relevant experience in multi-modal transportation planning and design. Casen conducts feasibility studies, including base map development and documentation of environmental impacts. He also develops conceptual engineering plans, roadway and trail horizontal and vertical alignments, right-of-way analysis, preliminary engineering studies, cost estimates, and contract specifications. Casen is highly skilled in MicroStation, AutoCAD, and GIS analysis tools.

MacArthur Boulevard Bikeway Preliminary Engineering, Montgomery County, MD: Project Designer responsible for base plan development, field inventory, and signing and marking preliminary engineering plans for upgraded bicycle infrastructure, including connections to the C&O Canal Trail.

Jumpers Hole Road Planning and Engineering, Anne Arundel County, MD: Senior Designer responsible for the field inventory, CADD design, and concept plans and sections, including, environmental features, public and private utilities, sidewalks, bike lane compatibility, traffic control changes, and local street extensions and connections.

Andover Road Planning and Engineering, Anne Arundel County, MD: Senior Designer responsible for the field inventory, CADD design, and concept plans and sections, including: roadway edges and centerline, sidewalks, bike facilities, bus stops, pavement markings, building footprints, select businesses, driveways, right-of-way, natural environmental features, topography, and underground and overhead utilities.

Ridge Road Planning and Engineering, Anne Arundel County, MD: Senior Designer that prepared existing conditions base map in MicroStation format for the study corridor area; incorporating, right-of-way, wetlands, forest stands, flood zones, streams, public and private utilities, pedestrian/bicycle features, and transit. Research and data development of proposed improvements and master infrastructure planning projects were also included in this process.

University Drive Sidewalk and Bike Lane Planning and Design, City of Fairfax, VA: Project Designer tasked to evaluate multi-modal improvements, including a road diet to incorporate a bicycle lane along University Drive from Armstrong Street to Main Street and a new sidewalk between Armstrong Street and Breckinridge Lane. Evaluated right-of-way needs, completed topographic survey, developed geometric design, typical sections, stormwater management, and bike lane signing and striping plans.

Ellicott City to Baltimore Bicycle Network, State Highway Administration, MD: Project Designer responsible for base plan development, field inventory, and signing and striping design along designated bicycle routes on MD 144 through Catonsville, from Howard County to the Baltimore City line.

Jones Falls Trail Planning and Engineering, Baltimore City, MD: Senior Designer responsible for signing and pavement marking plan design of the segment from Inner Harbor to Penn Station.

Rhode Island Trolley Trail Planning and Engineering, Prince George's County, MD: Senior Designer responsible for signing and pavement marking plan design of the segment from College Park to Hyattsville.

Western Run Greenway, Baltimore City Department of Recreations and Parks, MD: Project Designer that developed alternatives for alignment of the greenway trail from Reisterstown Plaza Metro Station to Mount Washington Light Rail Station, along Cross Country Boulevard and Western Run Road. Reviewed and evaluated bicycle and pedestrian safety, roadway cross-sections, and traffic volumes. Developed preliminary cost estimates and prepared conceptual plans.

Cross-Town Bicycle Facility Design, City of Hyattsville, MD: Project Designer that supported the City in developing bicycle routes and performing analysis and design, to connect US 1 to the Prince George's Plaza and West Hyattsville Metro Stations. Field-reviewed roadway geometry, and developed proposed bicycle markings and route signing, wayfinding signing design, and quantities and costs.

Capital Crescent Trail Crossing Improvements, Montgomery County Parks, MD: Project Designer that redesigned the trail crossing at Little Falls Parkway, including: a realignment of the crossing, modified pavement markings and signage, and new sustainable landscaping treatments.

Casen Keller, Resume Continued

Bethesda Trolley Trail Spur Analysis and Design, Montgomery County DOT, MD: Project Designer that evaluated both on-road and off-road bicycle facilities, connecting the National Institute of Health, National Naval Medical Center, Bethesda Trolley Trail, Capital Crescent Trail, and, downtown Bethesda. Work included development of typical roadway sections for bicycle compatibility, including: shared lanes, cycle tracks, and exclusive lanes. Developed detailed wayfinding signing plans and coordinated with stakeholders and advocacy groups.

Heritage Trail Old Town to Bowie MARC Station Segment Design, City of Bowie, MD: Senior Designer responsible for concept development, horizontal and vertical alignment, cross-section, and preliminary engineering and costs; including, signing and marking and stakeholder coordination.

Anacostia Tributary Trail System Signing Upgrade, Prince George's County Recreation and Parks, MD: Senior Designer that inventoried existing signs and developed new sign plan design and location plans for an 8-trails and 34-miles network. Developed sign concepts, messages, schedules, and coordinated with stakeholders and the public.

Anacostia to WB&A Trail Study and New Carrollton Area Preliminary Engineering Design, Prince George's County, MD: Project Designer responsible for base plan development, field inventory, signing, marking, sidewalk and ADA design as part of 30% preliminary engineering plans for improved bicycle and pedestrian spur connections within New Carrollton to the WB&A Trail.



BICYCLE STUDY AND DESIGN PROJECT EXPERIENCE

We have included in the following table several local project examples that illustrate our bicycle network planning and engineering expertise. Detailed project sheets are also included in the following section, with contact names, email/ phone numbers and budget information. We encourage you to contact any of our clients to assure you that we stand behind our commitment to excellence and take pride in our work. We promise that we will meet and exceed your highest expectations and will provide the most cost-effective services.

Client	Project Description	Dates
 Gaithersburg	Quince Orchard Boulevard Protected Bike Lane Planning and Design, City of Gaithersburg: Currently designing a two-way protected bike facility along Quince Orchard Blvd and Rabbit Road – approximately 1.5 lane miles. Work includes concept development, alternative analysis, traffic modeling, community meetings, 30% design, and Final design and specifications.	Design: 2018
	Bowie Heritage Trail Planning and Preliminary Engineering: In an effort to evaluate alternatives for trail connections from Old Town to the MARC Station along the Amtrak Corridor, SAI developed concept alignments and prepared 30% design plans for alignment, plan, profile and cross-section and construction cost estimate. SAI also led and conducted stakeholder meetings with the City, County DPW&T, Park and Planning, SHA, MDOT, Amtrak, and Bowie State University.	Design: 2014
	Citywide Bicycle Boulevard Implementation Plan: SAI developed a city-wide Map and Implementation Plan to create a connected network of protected and low-stress bicycle routes. Work efforts included evaluating origins and destinations for cyclists, existing routes, and roadway characteristics such as speed, width and traffic volumes. In addition, recommendations for speed and volume traffic calming were included in order to be designed to the latest design standards for bicycle boulevards. Presented findings to the public, SHA, County, and City Council.	Design: 2016
	Trails Master Plan and Rails to Trails Grant Application Support: SAI is completing a Trails Master Plan. Responsibilities include existing conditions mapping, stakeholder input, and coordination with Carroll County and MDOT State Highway, facility identification, network development, connectivity analysis, field investigation of trail alignment, segment prioritization, and Public and Council presentations. Prepared application for Transportation Alternatives grant funding. Also providing preliminary engineering and administrative support for the Center Street/Old Main Line rail to trail priority trail connection.	Design: 2018
	Non-Motorized Transportation Plan: Developed a plan to improve mobility and accessibility for pedestrians, bicycles and transit. The plan focused on connectivity to key transportation nodes, institutional/ educational facilities, and commercial centers. SAI documented the existing sidewalk, trail and transit networks, interviewed key stakeholders, and facilitated public workshops. Identified key corridors and established modal priorities for each corridor. Detailed alignments were identified for multiple facility types: Bike Lanes, Signed Bike Routes, Shared Use Trails, Sidewalk Improvements, and new local roadway connections. Identified phasing and funding strategies for implementation of non-motorized improvements.	Design: 2010
	Town-wide Traffic Calming Analysis: SAI performed a comprehensive analysis of traffic circulation, traffic calming, pedestrian and bicycle compatibility and signing. Performed a field	Design: 2015



Client	Project Description	Dates
	inventory of curbside parking, regulatory signage, pedestrian and bicycle infrastructure, develop project mapping and GIS database, collected traffic data including volumes, speeds and traffic control device compliance. Responded to citizen complaints, developed recommendations for traffic control and geometric changes to manage traffic volumes and speeds. Presented findings to Town Council.	
	Hub City Bicycle Loop/Cultural Trail Design: SAI supported the City in designing and constructing a circular bicycle loop route with traffic engineering design of pedestrian-activated beacons at critical street crossings. Salem Elementary Safe Routes to School: SAI developed preliminary engineering designs for new sidewalk connections, school circulation and upgraded pedestrian crossings to support the City's SRTS grant project.	Design: 2016 Construction: 2017 
	Hyattsville Elementary Safe Routes to School: SAI evaluated preferred walking networks, bell time circulation patterns and sidewalk, bike lane and pedestrian crossing improvements to increase student walk and bike to school mode of access. Crosstown Bicycle Facility Planning and Design: SAI supported the City in developing bicycle routes and performed a bicycle facility analysis and design effort for the City of Hyattsville to connect US 1 to the Prince George's Plaza and West Hyattsville Metro Stations.	Design: 2012 Construction: 2014 
	Ritchie Avenue Sidewalk, Bike Lane and Traffic Calming: Performed a planning analysis of traffic calming improvements along Ritchie Avenue between Piney Branch and Maple Avenue. Evaluated existing traffic and geometric characteristics and developed alternative concepts including bicycle lanes, chicanes, chokers, mini-roundabouts, and retrofit sidewalks along Ritchie Avenue from Piney Branch to Maple. Prepared renderings and facilitated public outreach.	Design: 2011 Construction: 2015 
	Downtown Mobility Study: SAI is performing a comprehensive multi-modal study for downtown Berlin covering a 20-square block area. Work includes traffic data collection, traffic operations and modeling, pedestrian safety and accessibility, parking regulations and operations, and street pattern and traffic control changes. Presenting findings to Council and Main Street Berlin Business Association.	Design: 2018
	Jones Falls Bicycle Trail Planning and Design: Performed planning analysis of a selected route for Class 1A bicycle trail through the Inner Harbor and Jones Falls Valley area of Baltimore City. Feasibility analysis included traffic data collection, field inventory of existing roadway conditions, traffic analysis, and development of alternative typical roadway sections to accommodate an off-road bicycle facility. Western Run Greenway Planning and Engineering: Developed alternatives of alignment of greenway trail from Reisterstown Plaza Metro station to Mount Washington Light Rail Station along Cross Country Boulevard and Western Run Road. Evaluated bicycle and pedestrian safety, roadway cross-sections, and traffic volumes. Developed preliminary cost estimates and prepared conceptual plans.	Design: 2009 Construction: 2012 

Hanover Parkway Bikeway Facility Feasibility Study and Concept Engineering Design Plan



Client	Project Description	Dates
	Citywide Transportation Plan: SAI is providing transportation planning and traffic engineering services including traffic operations analysis, traffic calming analysis, traffic forecasting, traffic impact analysis, traffic modeling and simulation, pedestrian and bicycle network planning, corridor studies, stakeholder and public outreach, and GIS mapping.	Design: 2018
 <i>live more, play more</i>	New Carrollton Area Sidewalk and Trail Connections: Provided Preliminary Design and Engineering Plans for Prince George's County MNCPPC for eight (8) separate on and off roadway trail segments, including improved intersection crossings, shared use paths and missing sidewalk links, for the New Carrollton Area to provide connections from the WB&A Trail to the Anacostia Trail System.	Design: 2014
	Rhode Island Trolley Trail Planning and Engineering: Performed a detailed planning study of the potential alignment and cross-section for the proposed Rhode Island Trolley Trail along the old trolley right-of-way parallel to US 1 and the CSX railroad in the City of Hyattsville and Riverdale Park. The planning study included field and GIS-investigation, development of trail cross-sections, identification of opportunities such as trailhead facilities, ADA access, waysides, connections to nearby recreational and activity centers, potential development impact, and constraints including utilities, and roadway crossings. Developed 30% plans, typical section and cost estimate.	Design: 2010 Construction: 2016
	Auth Road Pedestrian and Bicycle Improvements: Reviewed existing bicycle and pedestrian infrastructure, developed project base mapping, concept designs for on- and off-road bike facilities, sidewalks and shared use paths, developed preliminary engineering design, coordinated with County, SHA, Department of Defense and WMATA to develop a preferred design option for improved non-motorized connections between the Branch Avenue Metro Station and Joint Base Andrews.	Design: 2014
	Marlboro Pike Bicycle Lane and Sidewalk Feasibility Study: Performed a safety audit and evaluated the feasibility of road diet between Silver Hill Road and Southern Avenue to improve pedestrian accessibility and safety. Work efforts included field investigation of roadway conditions, creation of CADD base plans, multi-modal traffic data collection, traffic safety analysis, traffic operations analysis, traffic control needs evaluation, concept development, preliminary engineering design for bike lanes, median refuge, signing and marking, construction cost estimate and technical documentation.	Design: 2016
	On-Call Bicycle Facility Planning and Engineering: Evaluated existing conditions, developed preliminary engineering plans and performed traffic and safety analysis for on-road bicycle routes along high-priority corridors in Baltimore and Worcester County.	Design: 2014
	SAI assisted with the Regional Connectors Bicycle Plan for the City of Harrisburg, Hummelstown, Londonderry, Derry, Palmyra, Swatara, and Paxtang boroughs and townships. Tasks included previous plan and document review, stakeholder and public involvement support, field investigation of potential bicycle routes and sections, and construction cost estimates.	Design: 2014



Client	Project Description	Dates
	Ellicott City/Old Frederick Road Corridor Safe Routes to School: Identified strategic locations for retrofit sidewalk construction and pedestrian crossing improvements to expand school walk zones and increase walk and bike to school mode of access for Mt. Hebron High School, Hollifield Elementary School and Patapsco Middle School. On-Call Bicycle Route Planning and Design: Performed planning and engineering for retrofit bicycle facilities along Centennial Lane, Tamar Drive, Columbia Lane and Oakland Mills Road. Collected traffic counts, performed traffic operations analysis of reduced vehicle travel lanes, developed alternative concepts, prepared preliminary engineering design, estimated construction costs, attended a public meeting, and prepared technical reports.	Design: 2018
	University Drive Road Diet for Bicycle Lane and Sidewalk Planning and Design: SAI was tasked to evaluate multi-modal improvements including a road diet to incorporate a bicycle lane along University Drive from Armstrong to Main Street, as well as prepare design drawings for new sidewalk between Armstrong Street and Breckinridge Lane. Cobbdale Neighborhood Traffic Calming: SAI performed a traffic calming study along Norman Avenue in the Cobbdale neighborhood. Performed a field review of existing roadway conditions, developed project base mapping, evaluated traffic volumes, speed and crash data, developed traffic calming alternatives such as bike lanes, chokers and mini-roundabouts. Prepared concept designs and construction cost estimates and presented these findings to the Community Task Force.	Design: 2016 Construction: 2017 
	Bethesda Bicycle Network Planning Study: SAI performed a comprehensive assessment of on and off-road bicycle facilities to improve the connections between National Institute of Health, National Naval Medical Center, Bethesda Trolley Trail, Capital Crescent Trail and downtown Bethesda. Collected multi-modal traffic counts, performed traffic operations analysis of reduced travel lanes, developed wayfinding signage concepts and plans, evaluated on-street parking impacts, and assessed roadway lighting needs. Shady Grove Bike Network Planning: SAI conducted year 2040 traffic operations analyses (Level of Service and queuing) at select intersections in the area of the Shady Grove LSC, in support of its bicycle Master Plan update to evaluate the impacts of a protected bike lane network that reduced vehicle travel lanes. North Branch Trail Planning Study: SAI evaluated trail alignment, typical section, and traffic controls for crossing treatments along Muncaster Mill Road and Emory Lane as part of the trail planning study. Capital Crescent Trail Crossing Improvements: SAI performed a review of roadway geometry, traffic controls, sight distance and developed concept designs and cost estimates to improve the at-grade trail crossing at Little Falls Parkway including revised alignment, and upgraded signing and marking. Tuckerman Lane Phase I Bikeway and Sidewalk Facility Planning Study: Performed field inventory of the existing roadway	Design: 2011 Construction: 2012  Design: 2016 Design: 2014 Design: 2012 Construction: 2014 Design: 2017

Hanover Parkway Bikeway Facility Feasibility Study and Concept Engineering Design Plan



Client	Project Description	Dates
	geometry, collected peak hour multi-modal traffic counts, developed baseline project traffic data, analyzed pedestrian and bicycle crash data, developed alternative typical section concepts for retrofitting on-road bike lanes, sidewalks and shared use paths, and conducted a safety assessment in support of redesigning Tuckerman Lane from MD 355 to Falls Road. Seven Locks Road Phase I Bikeway and Sidewalk Facility Planning Study: Performed field inventory of the existing roadway geometry, collected peak hour traffic counts, developed baseline project traffic data, analyzed pedestrian and bicycle crash data, developed alternative typical section concepts for a planned Class I bicycle facility including retrofitting on-road bike lanes, sidewalks and shared use paths in support of redesigning Seven Locks Road from Gainsborough to Montrose Road. Supported public involvement efforts.	Design: 2012
	On-Call Facility Planning and Engineering: SAI supported multiple corridor planning studies along Edwin Raynor Blvd, Andover Road, Jumpers Hole Road and Ridge Road to support pedestrian and bicycle accessibility. Tasks included traffic data collection, traffic operations analysis, crash data review, documentation of existing pedestrian and bicycle infrastructure and identification of gaps and barriers; development of alternative roadway design modifications to include sidewalk and bicycle facilities; traffic operations analysis for baseline and alternative scenarios. Developed preliminary roadway design plans and cost estimates. Presented findings to community groups.	Design: 2015-2018
	Old Town Bicycle Network Planning: SAI supported in developing protected bicycle lane designs from the King Street Metro Station to the waterfront through field documentation of existing roadway geometry and curbside parking regulations, and evaluated existing traffic operations and potential diversions due to proposed traffic pattern changes. Performed a sensitivity analysis including road diets, one-way vs. two-way traffic flows and parking removal.	Design: 2015



Quince Orchard Boulevard Protected Bike Lane 100% Design

City of Gaithersburg

Client:	Services:	Estimated Fee:	Professional Services:	Reference:
City of Gaithersburg Department of Public Works	- Traffic Data Collection - Traffic Operations Analysis - Bicycle Facility Planning - Bicycle Facility Design	\$39,000	2017	Gizachew Tiruneh, P.E. 240-805-1273

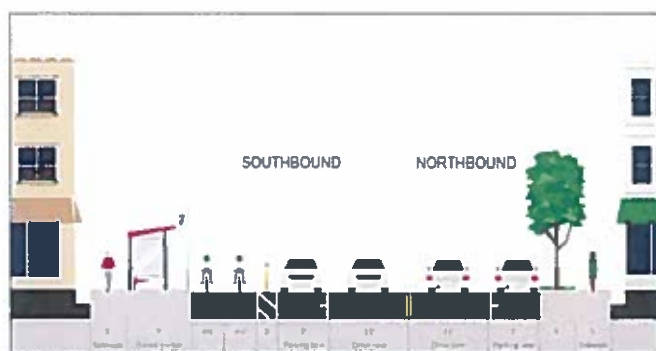
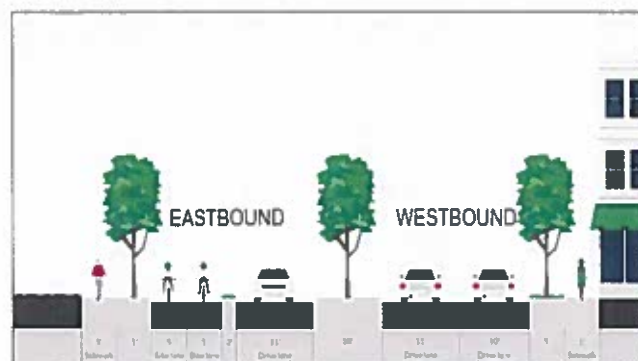
Sabra & Associates (SAI), Inc. is developing the City of Gaithersburg's first protected bike lane along a mile-long stretch of Quince Orchard Boulevard and along Rabbit Road. This pilot design will connect medium density housing with schools and parks/playgrounds. The bike lanes are protected from vehicle traffic with curbs and/or parked vehicles, providing a high-quality and safe cycling experience, suitable for all ages.

The project included:

- Documentation of existing roadway geometry & data collection
- Preliminary engineering design
- Integration of bike lanes into existing roadways at their termini.
- Development of protected bike lane typical sections and intersection Alternatives
- Traffic Analysis
- Construction Cost Estimates
- 100% Design Drawings and Specification

Preliminary engineering included:

- Multiple Design Alternatives
- Queuing and LOS modeling
- Coding and calibration of Synchro traffic model
- Concept Development and testing





Auth Road Pedestrian and Bicycle Improvements

City of College Park, MD

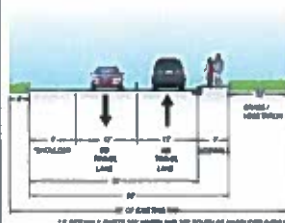
Client:	Services:	Estimated Fee:	Professional Services:	Reference:
Prince George's County Planning Department M-NCPPC	› Transportation Planning › Multi-Modal Safety and Access Improvements › Concept Development › Alternatives Analysis › Preliminary Engineering › Stakeholder Outreach	\$30,000	2013	Eric J. Foster, P.E. Supervisor, Transportation Planning Section Countywide Planning Division (301) 952-3117

Sabra & Associates, Inc. (SAI) was responsible for base plan development, traffic operations analysis, concept development, preliminary engineering and stakeholder coordination for on-road bike lanes and new sidewalk connections between the Branch Avenue Metro Station and Joint Base Andrews. Work efforts include:

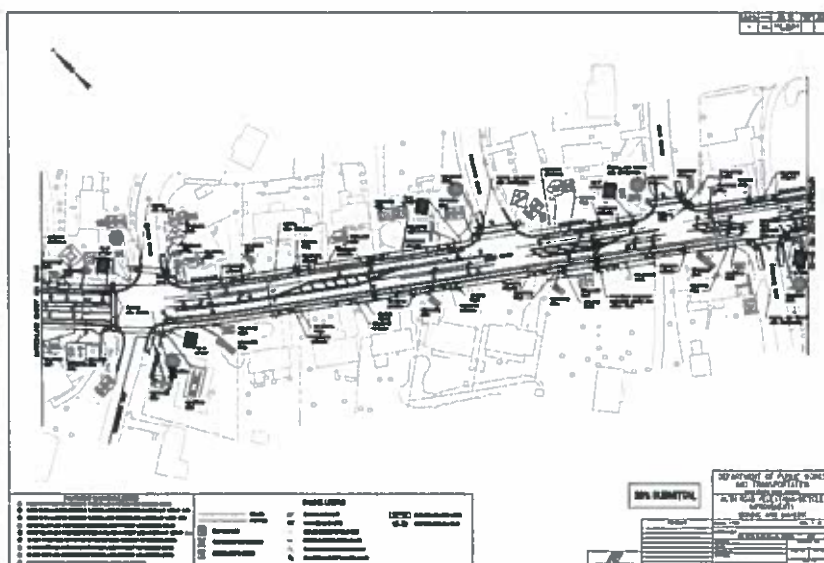
- Reviewing existing bicycle and pedestrian access
- Developing alternative roadway cross-sections
- Developing 30% preliminary engineering design plans and costs
- Participating in extensive coordination with County, SHA, Department of Defense and WMATA officials

ANDREWS TRANSPORTATION STUDY - PHASE II
AUTH ROAD PEDESTRIAN / BICYCLE IMPROVEMENTS
TYPICAL SECTION 1 - AUTH ROAD
NORTH-BOUND BETWEEN MORRIS AVENUE AND MEDFORD AVENUE

Existing



Proposed Hybrid Option





Citywide Bicycle Boulevard Plan

City of College Park, MD

Client:	Services:	Estimated Fee:	Professional Services:	Reference:
City of College Park	- Bicycle Facility Planning and Design - Traffic Data Collection - GIS Mapping - Wayfinding Signage	\$30,000	2016	Terry Schum 301-334-2691

Sabra & Associates, Inc. (SAI) developed a city-wide Bicycle Boulevard Implementation Plan to create a network of connected and low-stress bike routes. Work efforts included

- Evaluated origins and destinations for cyclists
- Documented existing routes and roadway characteristics such as speed, width and traffic volumes.
- Collected speed and volume data on selected streets to determine degree of traffic calming and traffic diversion required
- Conducted charrettes to stakeholders and residents to solicit feedback.
- Developed on-line GIS application to show proposed bike boulevards and receive map-based feedback from residents.
- Presented findings to the public, SHA, County and City Council including cost estimates



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University Drive Bike Lane and Sidewalk Planning and Design

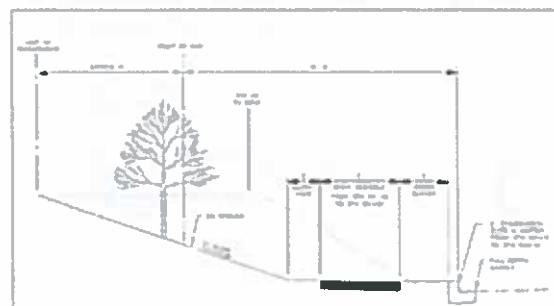
City of Fairfax, VA

Client:	Services:	Estimated Fee:	Professional Services:	Reference:
City of Fairfax, Virginia	- Traffic Calming - Pedestrian and Bicycle Network Planning and Design	\$50,000	2016	Curt McCullough, Traffic Engineer 703-385-7875

Sabra & Associates, Inc. (SAI) is under contract for on-call transportation/ traffic engineering and has completed numerous tasks as part of this project:

SAI was tasked to evaluate multi-modal improvements including a road diet to incorporate a bicycle lane along University Drive from Armstrong to Main Street, as well as prepare design drawings for new sidewalk between Armstrong Street and Breckinridge Lane. Task efforts included:

- Right-of-way identification, topographic survey, geometric design, storm water management design, and landscape design
- Preliminary engineering design of bike lane signing and striping
- Traffic operations analysis of road diet lane reductions
- Evaluation of impacts to bus operations, emergency vehicle access and driveway access
- Property owner coordination and preparation of easement and appraisals
- Public meetings/presentation to City Council



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City of Hyattsville Bicycle Facility Planning and Design

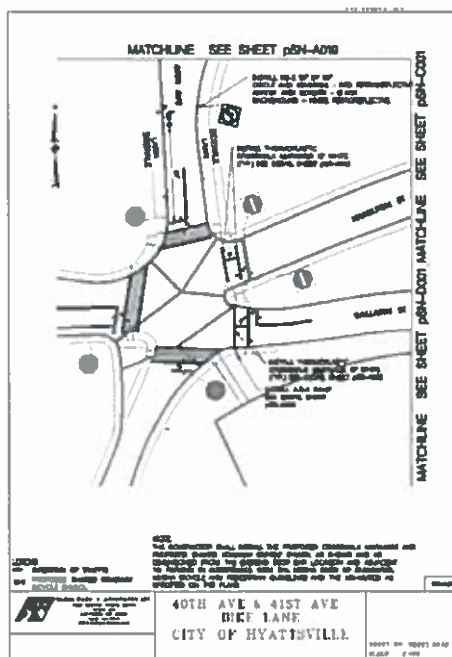
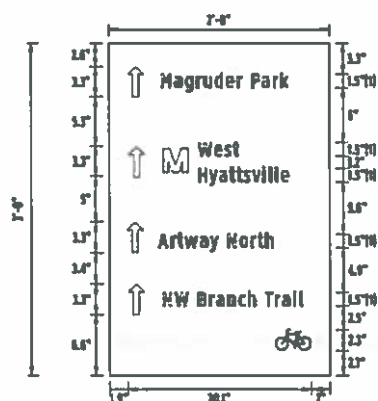
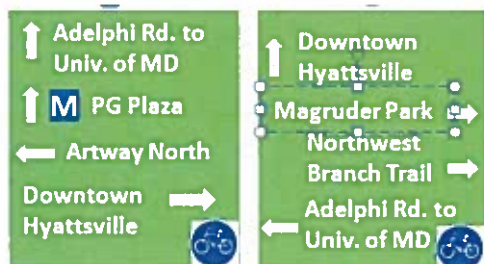
City of Hyattsville, MD

Client:	Services:	Estimated Fee:	Professional Services:	Reference:
City of Hyattsville	- Traffic Engineering - Bicycle Facility Planning and Design - Wayfinding/ Signing Design	\$15,000	2012	Jim Chandler, Community Planner City of Hyattsville 301-985-5013

Sabra & Associates, Inc. (SAI) supported the City in developing bicycle routes and performed a bicycle facility analysis and design effort for the City of Hyattsville to connect US 1 to the Prince George's Plaza and West Hyattsville Metro Stations.

Work efforts included:

- Inventory of existing roadway geometry
- Development of proposed bicycle pavement markings and route signing
- Wayfinding signing design
- Development of spec book plans and quantities



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Jumpers Hole Road Facility Planning Study

Anne Arundel County, Maryland

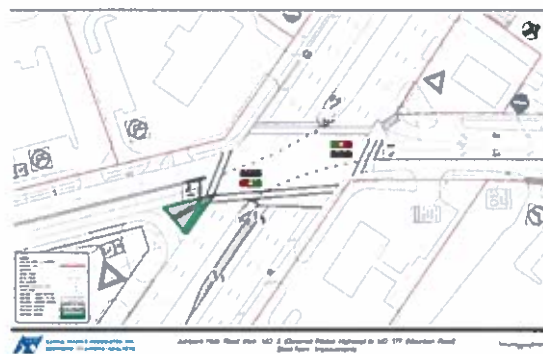
Client:	Services:	Estimated Fee:	Professional Services:	Reference:
Anne Arundel County Department of Public Works Bureau of Engineering	- Traffic Data Collection - Traffic Operations Analysis - Pedestrian and Bicycle Facilities - Preliminary Engineering	\$80,000	2017	Dan Anderson, Engineer Manager 410-222-75666

Sabra & Associates, Inc., (SAI) performed a comprehensive facility planning study for Jumpers Hole Road from MD 177 to MD 2. The study corridor is in a mixed-use area, with older single family homes, newer medium-density residential and retail/commercial developments. The goal of the study was to identify the feasibility of retrofitting for sidewalk and bike lanes in the short-term and additional travel lanes in the long-term. Work efforts included:

- Traffic data collection including vehicles, pedestrians and bicycles
- Development and calibration of a Synchro traffic model
- Review of land use forecasts and development plans
- Review of historical crash data to identify safety deficiencies
- Documentation of existing pedestrian and bicycle infrastructure and identification of gaps and barriers
- Concept development for roadway, pedestrian and bicycle improvements including widening, sidewalk and bicycle infrastructure
- Development of travel forecasts for year 2040 from the BMC transportation planning model
- Traffic operations analysis for baseline and alternative scenarios



Project deliverables included a technical report, typical sections for alternative roadway improvements, estimated construction costs, and coordination with SHA.



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New Hampshire Avenue Multi-Way Boulevard Feasibility Study

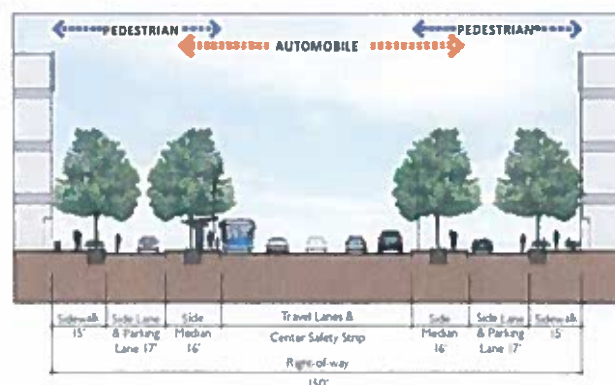
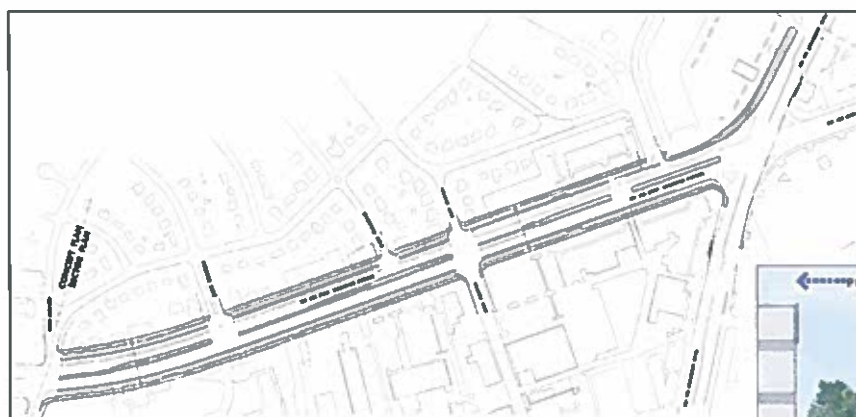
Takoma Park, MD

Client:	Services:	Estimated Fee:	Professional Services:	Reference:
Department of Public Works City of Takoma Park	- Traffic Engineering - GIS Data Set Development - Utility Engineering - Storm Water Management	\$40,000	2013	Rosalind Grigsby, Community Planner rosalindg@takomaparkmd.gov 301.891.7253

Sabra & Associates, Inc. (SAI) was part of the consultant team that performed planning analysis of a proposed road diet boulevard plan for New Hampshire Avenue from the District Line to University Blvd.

Work efforts included:

- Coordinated with stakeholders including the District, Montgomery County, Prince George's County, SHA and the Council of Governments
- Evaluated traffic operations under road diet scenario with dedicated bus lanes
- Evaluated bicycle compatibility
- Coordination with public and private utilities to identify assets
- Developed base mapping and digitizing of existing underground and overhead utilities
- Identified and researched drainage areas
- Evaluated impacts to utilities including relocations and costs
- Evaluated changes to impervious areas and required storm water management mitigation
- Developed environmentally sustainable design treatments for SWM



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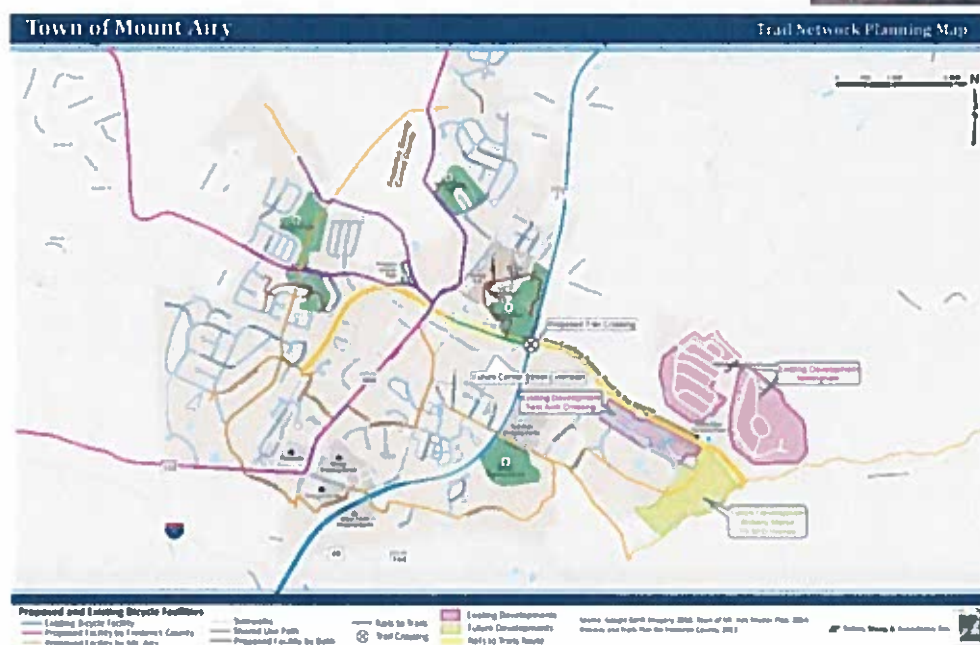
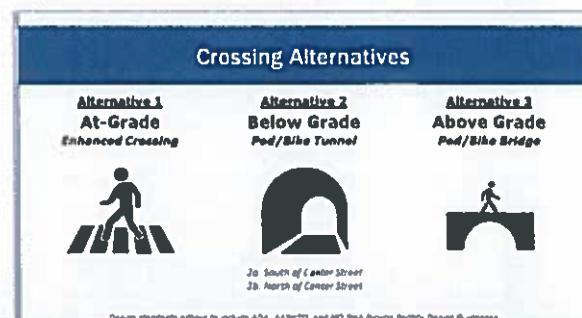
Trails Master Plan

Town of Mount Airy, MD

Client:	Services:	Estimated Fee:	Professional Services:	Reference:
Town of Mount Airy	› Pedestrian and Bicycle Facilities › Environmental Planning › Preliminary Engineering › Grant Application Support	\$30,000	2018	Bernard Quinn, P.E. Town Engineer

Sabra & Associates, Inc. developed an overall Trails Master Plan for the Town. Work efforts included:

- Existing conditions mapping
- Stakeholder input and coordination with Carroll County and MDOT State Highway
- Facility identification network identification
- Connectivity Analysis
- Field investigation of trail alignment
- Prioritization
- Public and Council presentation
- Preliminary engineering and geometric design of initial Old Main Line priority trail segment alignment, crossing treatments including tunnel and bridge options, typical sections, utility and right-of-way impacts and identification of stormwater management needs
- Preparation of Transportation Alternatives grant application





Rhode Island Trolley Trail Planning Study and Preliminary Engineering

Riverdale Park, MD

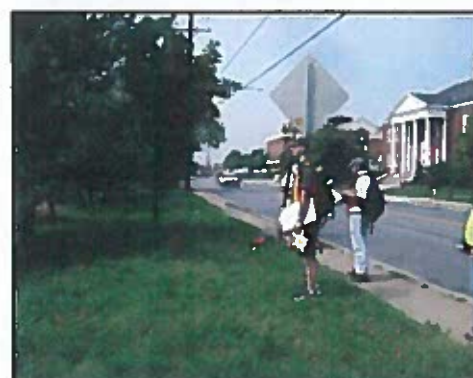
Client:	Services:	Estimated Fee:	Professional Services:	Reference:
Prince George's County Department Rec and Parks	› Trail Planning › Preliminary Engineering › Stakeholder Coordination › Cost Estimates › Topographic Survey	\$185K	2014	Fred Shaffer, Trails Coordinator 301-952-3117

Sabra & Associates led a comprehensive planning and preliminary engineering study to develop potential alignments and cross-section for the proposed Rhode Island Trolley Trail along the old trolley right-of-way parallel to US 1 and the CSX railroad in the Cities of Hyattsville, Riverdale Park and College Park. The planning study included:

- Field and GIS-investigation
- Development of trail cross-sections,
- Identification of opportunities such as trailhead facilities
- ADA access
- Waysides
- Connections to nearby recreational and activity centers
- Potential development impact,
- Constraints including utilities, and roadway crossings.

Planning efforts were advanced along with detailed topographic surveys to develop 30% design drawings of the proposed trail, including cross-sections, horizontal and vertical alignments, lighting locations, structures locations and preliminary cost estimate.

Extensive coordination was undertaken with both local municipalities, as well as SHA District 3 Office of Traffic to gather input on pedestrian and bicycle issues in the corridor.



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On-Call Bicycle Facility Planning and Design

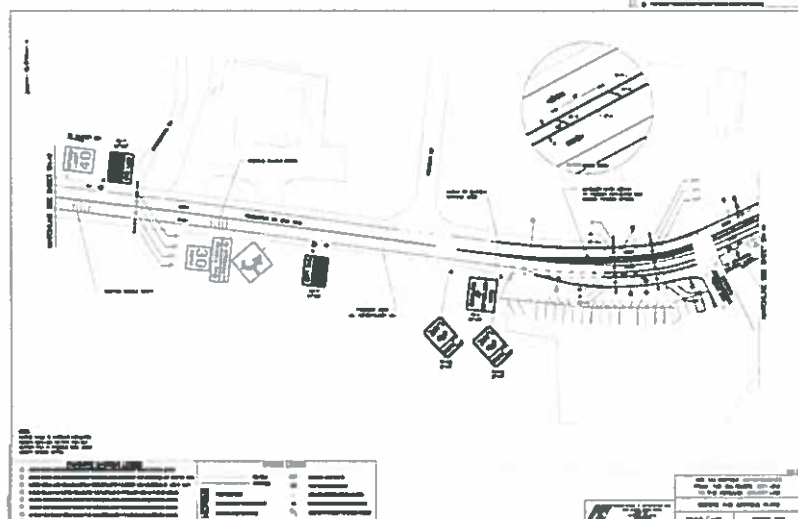
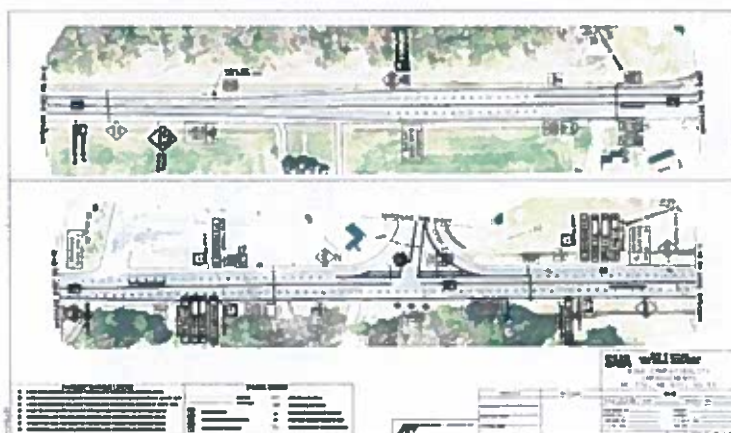
Baltimore and Worcester Counties

Client:	Services:	Estimated Fee:	Professional Services:	Reference:
Maryland DOT State Highway Administration	› Transportation Planning › Multi-Modal Safety and Access Improvements › Concept Development › Alternatives Analysis › Preliminary Engineering › Stakeholder Outreach	\$100,000	2012	Peter Campanides 301-513-7300

Sabra & Associates, Inc. (SAI) was responsible for developing an on-road bicycle facility along two critical corridors in Baltimore County (Maryland Route 144) and Wicomico County (Maryland Route 611).

Work efforts included:

- Field review and CADD base plan development
- Development of alternative roadway cross-sections
- Traffic operations analysis of existing and alternative roadway geometry
- Concept plan development
- Development of 30% preliminary engineering signing and marking plans and costs
- Coordination with County, SHA, and advocacy groups



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REFERENCES

Sabra & Associates, Inc. is proud of our working relationship with our clients, and much of our success throughout the years is directly related to our commitment to provide high-quality, cost-effective solutions, and timely services for all of our clients. We invite you to contact our clients and talk to them about our work history and quality of service. We encourage you to contact the following references to discuss our current and recent past performance.

Bicycle Boulevards Plan	
Name	Terry Schum, AICP
Title	Director
Agency	City of College Park, Planning, Community and Economic Development
Address	4500 Knox Road, College Park, MD 20740
Phone Number/ Email	240-487-3538, tschum@collegeparkmd.gov
Scope of Services:	SAI developed a city-wide Bicycle Boulevard Plan to create a network of connected and low-stress bike routes. Work efforts included evaluating origins and destinations for cyclists; documenting existing routes and roadway characteristics such as speed, width and traffic volumes; collecting traffic data; identifying traffic calming measures, facilitating stakeholder and public involvement through charrettes and online interactive websites; and presenting findings to the public, SHA, County, and City Council including cost estimates.
Cost of Services:	\$30,000
Rhode Island Trolley Trail Design, New Carrollton Area Trail Connection Design, Cheverly Non-Motorized Plan	
Name	Fred Shaffer
Title	Trails Planner
Agency	Maryland-National Capital Park and Planning Commission
Address	Countywide Planning Division, County Administration Building, 4th Floor 14741 Governor Oden Bowie Drive, Upper Marlboro, MD 20772
Phone Number/ Email	301-952-3661/Fred.Shaffer@ppd.mnccppc.org
Scope of Services:	SAI completed multiple projects under this contract including sidewalk and bike network planning and design in Cheverly, New Carrollton and the Rhode Island Trolley Trail in Hyattsville and Riverdale Park
Cost of Services:	\$100,000
Bowie Heritage Trail Planning and Preliminary Engineering	
Name	Joseph M. Meinert, AICP
Title	Director of Planning and Community Development
Agency	City of Bowie
Address	15901 Excalibur Road, Bowie, MD 20716
Phone Number/ Email	301-809-3047, jmeinert@cityofbowie.org>
Scope of Services:	SAI evaluated alternatives for trail connections from Old Town to the MARC Station along the Amtrak Corridor. SAI developed concept alignments and prepared 30% design plans for alignment, plan, profile and cross-section and construction cost estimate. SAI also led and conducted stakeholder meetings with the City, County DPW&T, Park and Planning, SHA, MDOT, Amtrak and Bowie State University.
Cost of Services:	
Bethesda Bicycle Network Planning and Design	
Name	Dan Sheridan
Title	Transportation Planner
Agency	Montgomery County DOT
Address	400 Edison Park Drive, Gaithersburg, MD 20852
Phone Number/ Email	240-777-2190
Scope of Services:	SAI developed typical roadway sections for bicycle compatibility including shared lanes, cycle tracks, and exclusive lanes. Developed detailed wayfinding signing concepts and signing plans to connect new on-road bike routes to the Bethesda Trolley Trail.

Hanover Parkway Bikeway Facility Feasibility Study and Concept Engineering Design Plan



	Evaluated trail crossing improvements including signing and marking.
Cost of Services:	\$50,000
Bicycle Network Signing and Marking Design	
Name	Graham Young, P.E.
Title	Complete Streets Manager
Agency	Baltimore City Department of Transportation
Address	417 E. Fayette Street, Baltimore MD 21202
Phone Number/ Email	443-984-4092, graham.young@baltimorecity.gov
Scope of Services:	SAI developed wayfinding concepts, signing plans, main plate and subplate schedules, cost estimates and fabrication details including dimensions, text size, destination, and material quantity for over 300 informational, guide, and warning signs for implementing the Baltimore City Bicycle Master Plan in the Collegetown, Southeast and Park Heights networks.
Cost of Services:	\$75,000
City of Hyattsville Bicycle Facility Planning and Design	
Name	Jim Chandler
Title	Community Planner
Agency	City of Hyattsville
Address	4310 Gallatin Street, Hyattsville, MD 20781
Phone Number/ Email	301-985-5013
Scope of Services:	SAI supported the City in developing bicycle routes and performed a bicycle facility analysis and design effort for the City of Hyattsville to connect US 1 to the Prince George's Plaza and West Hyattsville Metro Stations.
Cost of Services:	\$15,000

Exhibit B**FINANCIAL PROPOSAL FORM**

Offerors will itemize the cost in Column B for each service listed in Column A. The financial proposal will be evaluated on the total price for all services. The price shall include all travel and incidental costs for the project.

Column A	Column B
1. Feasibility Study	\$ 43,995
2. Concept Engineering Design Plan (up to 30%)	\$ 15,690
Total	\$ 59,685

GRAND TOTAL (SUM OF #1-2) \$ 59,685

ALL ENVELOPES SHOULD BE CLEARLY MARKED AS SPECIFIED IN PART 4- SECTION C, ITEM 1



Table 1: Person-hours, by task, and total fee



City of Greenbelt
Hanover Parkway Bikeway Facilities

	Project Manager	Senior Planner/Engineer	Planner/Engineer	GIS/CAD Technician	Data Collector	Task Hourly Subtotals
	\$ 145.00	\$ 115.00	\$ 85.00	\$ 65.00	\$ 55.00	
Task						
Task 1. Kick Off and recurring City Staff Meetings	20		20			40
Task 2. Perform field review and Data Collection	1	2			120	123
Task 3. Prepare Base Mapping		2	4	80		86
Task 4. Concept Development and Design	2	4	8	120		134
Task 5. Alternatives Analysis & Feasibility Study	4	8	120			132
Task 6. City Advisory Board & Community Outreach	12	12		40		64
Task 7. Prepare 30% Design Plans	2	4	8	120		134
Task 8. Document Findings and Recommendations	4	8	40	24		76
						0
						0
Labor Hours	45	40	200	384	120	789
Sub Total per Labor Category	\$6,525.00	\$4,600.00	\$17,000.00	\$24,960.00	\$6,600.00	

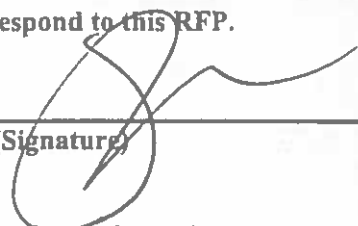
All rates are fully loaded and include all direct costs (e.g. printing, mileage, etc.)

\$59,685.00

Warrant of Legal Capacity

The Contractor warrants and represents that they have full right, power, and authority to respond to this RFP.

December 4, 2018


(Signature)

(Date)

Ziad A. Sabra, Ph.D., P.E., PTOE, President

(Name – Typed or Printed)

Sabra & Associates, Inc.

(Company)

7055 Samuel Morse Drive, Suite 100

Columbia, MD 21046

(Address)

443-741-3500

(Phone number)

443-741-3700

(Fax number)



(Federal Tax Identification number)

City Council Agenda Item Report

Meeting Date: February 25, 2019

Submitted by: Terri Hruby

Submitting Department: Planning

Item Type: OTHER BUSINESS

Agenda Section:

Subject:

Prince George's County Clean Water Partnership Project - Greenbrook Lake Improvement

Suggested Action:

Reference:

Email Green ACES Recommendations 5.29.18

Greenbrook Pond Photo Tour

Plan Sheet

On July 9, 2018, the City Council gave its consent for Prince George's County to apply for the required plan and permit approvals for the Greenbrook Lake Improvement Project. The County is proposing to make improvements to Greenbrook Lake and to construct a trail connection to Schrom Hills Park under the County's Clean Water Partnership program. The County is in the final phase of approvals and is looking for the City's support to move to the construction phase.

As requested by City Council, the County has conducted community outreach to the neighboring communities and held a community meeting on January 7, 2019. GreenACES has reviewed the project and its comments are included in Council's packet.

Staff recommends that the City Council approve the Greenbrook Lake Improvement project.

Attachments:

[Email__Green_ACES_Recommendations__5.29.18.pdf](#)

[Greenbrook_Pond_Photo_Tour.pdf](#)

[Plan sheet.pdf](#)

Shaniya Lashley-Mullen

From: ecolivingmag@aol.com
Sent: Tuesday, May 29, 2018 8:52 PM
To: Terri Hruby
Cc: Luisa Robles; Colin A. Byrd
Subject: Green ACES recommendations re: proposed Greenbrook Lake project

Hello Terri,

After Green ACES/Green Team's meeting with Jason Mills of Soltez, the group decided to seek outside expertise for this issue.

Bill Duncan, leader of Friends of Still Creek, and Jason Martin, Public Works Department, visited Greenbrook Lake and stream and reviewed a site map and proposed engineering plans. Based on these sources, Bill developed the following recommendations. The map, plans, and recommendations were then reviewed and approved by Green ACES, Greenbelt Green Team, and individuals from the three Greenbelt watershed groups: Friends of Still Creek; Beaverdam Creek Watershed Watch Group; and Citizens to Conserve and Restore Indian Creek.

Green ACES is satisfied with the proposed work, both at the Greenbrook Lake and upstream. There are details to work out regarding saving trees and adding back plantings, and maybe others, but we are comfortable saying that we support the project. The PDF file of the plans are not easy to go over, but we would think that the Planning Department and the Department of Public Works can iron out the details.

Based on what Jason Mills from Soltez shared with Green ACES, and on Bill Duncan's and Jason Martin's observations, Greenbrook Lake is filling up. It is almost covered with water-plants that are rooted not far beneath the surface, so improvements are needed. Green ACES believes that a forebay to catch sediment is a good idea. Jason M. and Bill D. observed the outflow concrete tower. They saw it is jammed with debris so they could not pinpoint the lower drain, although they could hear it.

Jason M. and Bill D. looked for evidence of wetland plants, but did not find any. There may have been wetland conditions in the flood plain years ago, but with the erosion of the stream bed, the water table has likely dropped, draining the wetlands, if there were any.

Green ACES wishes to emphasize that "there may be some details to work out regarding saving trees and adding back plantings." We ask that the planning office ensure that the contractor adequately addresses these

and any other details that will impact the work area to ensure that the project meets the highest possible standards for environmental sustainability.

Although not a part of the project at hand, we also believe that stream restoration work should be undertaken in the future on the segment of Still Creek located in the Sunrise Property that begins near the dog park to control the outflow at the base of Greenway Center. From that point, and for several hundred yards downstream, a regenerative stream restoration project would significantly improve water quality and mitigate flooding in heavy rain events. This part of the stream not only drains a large part of Greenway Center, but it is also fed by the outflow from the large lake on Hanover Parkway and perhaps Greenbrook Lake as well.

Best,

John

John Lippert

Chair, Greenbelt Advisory Committee on Environmental Sustainability (Green ACES) / Green Team
45 Lakeside Drive
Greenbelt, MD 20770
301-507-6765

Greenbrook Pond – Up-Stream Conditions Photo Tour (From Downstream to Upstream)



Downstream end of Reach 4 where stream outfalls into the pond.



Storm drain outfall into Reach 4 at stream outfall into the pond.



View upstream along Reach 4, channel over-widened with several sandy side and point bars.



View upstream along Reach 3, stream channel along this reach is narrow and slightly more incised than Reach 4.



View upstream along Reach 3, stream channel along this reach is narrow and slightly more incised than Reach 4. The streambanks along this reach are actively eroding and sending sand downstream.



View of possible sewer leak along Reach 3. Notice the discolored runoff near the sewage manhole.



View upstream along Reach 3. Stream channel is still narrow and contains some small rip rap.



View of upstream transition to Reach 2. Stream channel is starting to widen and has a sandy bottom.



View upstream along Reach 2 of exposed possible sewer/water line crossing in the stream channel.



View of sand bottom along Reach 2. The streambanks in this reach are actively eroding.



View of transition from Reach 2 to Reach 1 where the bottom material transitions to clay upstream.



View of Reach 1 where stream channel bottom transitions to a hard pan clay bottom. Stream channel is incised approximately 4-5 feet in this section.



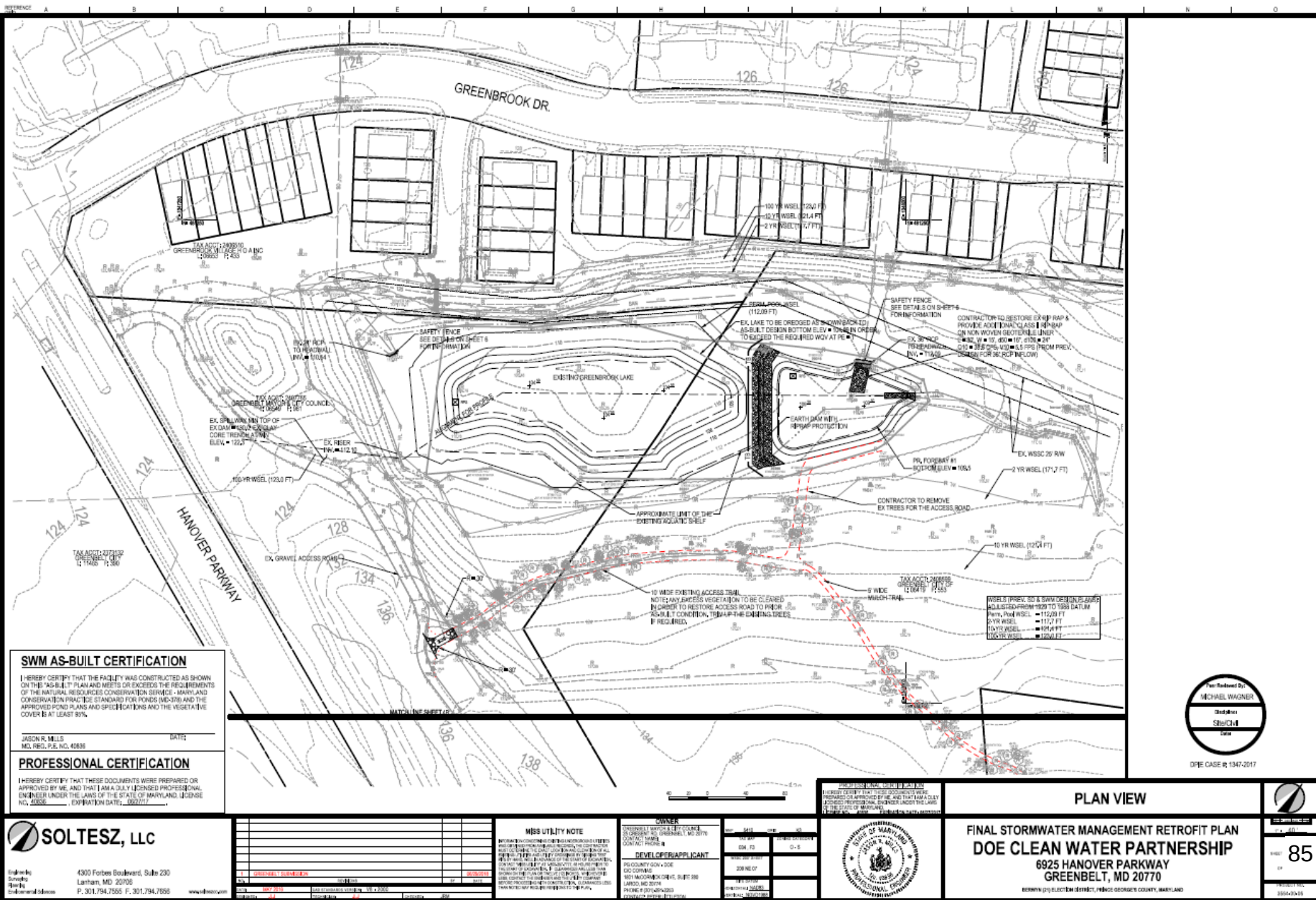
View upstream along Reach 1. In this section of the reach the stream channel narrows and is more of a box cut into the hard clay. The banks are a mixture of sand and clay and actively eroding.



View of the hard pan clay bottom and the eroding clay and sand streambanks along Reach 1.



Another view along Reach 1 just after the stream channel crosses onto the adjacent HOA property upstream.



City Council Agenda Item Report

Meeting Date: February 25, 2019

Submitted by: Terri Hruby

Submitting Department: Planning

Item Type: OTHER BUSINESS

Agenda Section:

Subject:

University Square Outfall Restoration Project

Suggested Action:

Reference:

Outfall 60 Grading Plan Showing Trees

Greenbelt - Outfall Pictures & Vicinity Map

Greenbelt City Council Presentation - Outfall Restoration

The Prince George's County Department of the Environment is proposing an outfall and stream restoration project northwest of the basketball courts at University Square Apartments. The stream feeds into the recently dredged forebay. The purpose of the project is to restore an outfall and stabilize a stream that is experiencing erosion and contributing sediments to the Greenbelt Lake Forebay.

The City Council held a work session on the project on December 3, 2018. The project was presented to Green ACES but staff has not received comments to date. As requested by City Council, prior to the construction starting residents living adjacent to the project will be invited to a walk through of the project.

Staff recommends the City Council support the project proceeding to construction. Ms. Joanna Smith with Prince George's County Department of the Environment will be present to address questions.

Attachments:

[Outfall 60 grading plan showing trees.pdf](#)

[Greenbelt - Outfall Pictures & Vicinity Map.pdf](#)

[Greenbelt City Council Presentation - Outfall Restoration.pdf](#)

MATCHLINE (SEE INSET, THIS SHEET)

STA: 10+00.00 BEGIN RESTORATION
TIE INTO EXISTING CONCRETE APRON
EXISTING STRUCTURE TO REMAIN.

66" RCP
STRUCTURE 64.00'
INV. EL: 18.24'

ADD 4' HIGH CHAIN LINK
FENCE ABOVE HEADWALL

REMOVE STONE SLOPE
PROTECTION REMNANTS
TIE IN SWALE

RECONNECT TRIBUTARY AND
PLACE 18" REINFORCED BED
MATERIAL.

LERNER DEVELOPMENT COMPANY
157 WESTWAY DR.
03369-00233

EXISTING 21" POPLAR TO BE SAVED.
PLACE FILL WITH CAUTION. REFER TO
ROOT PRUNING DETAIL AS NEEDED.

JONATHAN BARRETT
PINECREST CT.
095-00579

LLOYD AND LISA M. RAWLEY
7 PINECREST CT.
11542-00060

REINFORCED RIFFLE, AS SPECIFIED
ON THE DETAILS SHEET, TO BE
INSTALLED ALONG ENTIRE LENGTH
OF CHANNEL

JAMES SCHAEFER AND
ELAINE HENDRICKS
19 PINECREST CT.
13331-00688

SUSANNAH RUTHERGLEN
AND ERIG SWITZER
11 PINECREST CT.
38613-00137

MATTHEW AND LUCYANN DIRKSEN
43 PINECREST CT.
32179-00001

CITY OF GREENBELT
555 CRESCENT RD
00000-00000
PLAT NO. A-7311

LAKECREST
DRIVE

INLET
TOP: 121.40'
INV. EL: 114.02'

HEADWALL
TOP: 117.84'
INV. EL: 112.76'

EXISTING 21" POPLAR TO BE SAVED.
PLACE FILL WITH CAUTION. REFER TO
ROOT PRUNING DETAIL AS NEEDED.

TIE IN TO EXISTING CHANNEL
EXISTING STRUCTURE TO REMAIN

HEADWALL
TOP: 114.43'
INV. EL: 112.44'

END RESTORATION
AND TIE INTO
EXISTING GRADE
STA: 14+64.55

SCALE: 1" = 20'

GRADING LEGEND

- PROPERTY BOUNDARY
- EXISTING CONTOURS (0.5')
- PROPOSED CONTOURS (0.5')
- PROPOSED BANKFULL BENCH
- PROPOSED BANKFULL
- LOD — LIMITS OF DISTURBANCE
- TP — TREE PROTECTION FENCE
- PERENNIAL STREAM
- ☁ SURVEYED TREES
- STEP POOL
- MODIFIED CROSS VANE
- FEMA — FEMA FLOODPLAIN BOUNDARY
- FPL — EXISTING 100-YR FLOODPLAIN
- FPL — PROPOSED 100-YR FLOODPLAIN

INSET MATCHLINE

PROFESSIONAL CERTIFICATION

"I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR
APPROVED BY ME, AND THAT I AM DULY LICENSED PROFESSIONAL
ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND."
LICENSE NO. 51488 EXPIRATION DATE 8/29/2019

8/21/2018

HORIZ. DATUM: NAD 83; VERT. DATUM: NAVD 88
TOPOGRAPHY SOURCE:
AB CONSULTANTS, INC. (COMPLETED 2/23/2018);
PRINCE GEORGE'S COUNTY PG ATLAS 2014 CONTOURS

Engineers, Architects
Development Consultants
15825 Shady Grove Road, Rockville, MD 20850
Phone: 301-590-3939 Fax: 301-948-7174
www.sheladia.com



Wetland

1131 Benfield Boulevard • Suite L
Millersville, Maryland 21108
Phone: 410-672-5990 • Fax: 410-672-5993
www.wetlandstudies.com

DEPARTMENT OF THE ENVIRONMENT (DoE)

PRINCE GEORGE'S COUNTY, MARYLAND

PEER REVIEW APPROVAL STAMP

"I hereby certify that I have successfully completed
participation in DPIE's Peer Review Program. I have
reviewed these plans in Detail and they are in conformance
with the County's Code, General Specifications and
Standards."

APPROVAL DATE: _____

PEER REVIEWER'S NAME: MICHAEL WAGNER

PEER REVIEWER'S SIGNATURE: _____

COMPANY NAME: SOLTESZ

LICENSE NUMBER: 12270

PERMIT NUMBER: 10193-2018

DEPARTMENT

OF

THE ENVIRONMENT

STORMWATER MANAGEMENT DIVISION

PRINCE GEORGE'S COUNTY, MARYLAND

ASSOCIATE DIRECTOR _____ DATE _____

SCALE: 1" = 20' DWG. 2 OF 14

APPROVED _____ SECTION HEAD _____ DATE _____

DESIGNED: AMC

DRAWN: AMC

CHECKED BY: MAM

C.I.P.

JOANNA SMITH, PRINCIPAL ENGINEER
PROJECT MANAGER

S10-073A
CONTRACT NO.

DEPARTMENT OF ENVIRONMENTAL RESOURCES



CAPITAL PROJECTS SECTION STORMWATER
MANAGEMENT DIVISION
C.I.P. PRIORITY II PROJECT

OUTFALLS RESTORATION ASSESSMENT AND
DESIGN - ANACOSTIA RIVER WATERSHED
PRINCE GEORGE'S COUNTY, MARYLAND

OUTFALL 60
GRADING PLAN

Photo Exhibits



60-1. 09/28/2017: Outfall 60, facing southeast. Looking at the outfall.



60-2. 09/28/2017: Outfall 60, facing south. Looking at erosion around the end of the concrete channel.



60-3. 09/28/2017: Outfall 60, facing southwest. Looking at stormwater drainage pipes.



60-4. 09/28/2017: Outfall 60, facing northwest. Looking downstream.



60-5. 09/28/2017: Outfall 60, facing northwest. Looking at adjacent basketball court and wooded area behind it.



60-6. 09/28/2017: Outfall 60, facing north. Looking at eroded channel downstream.

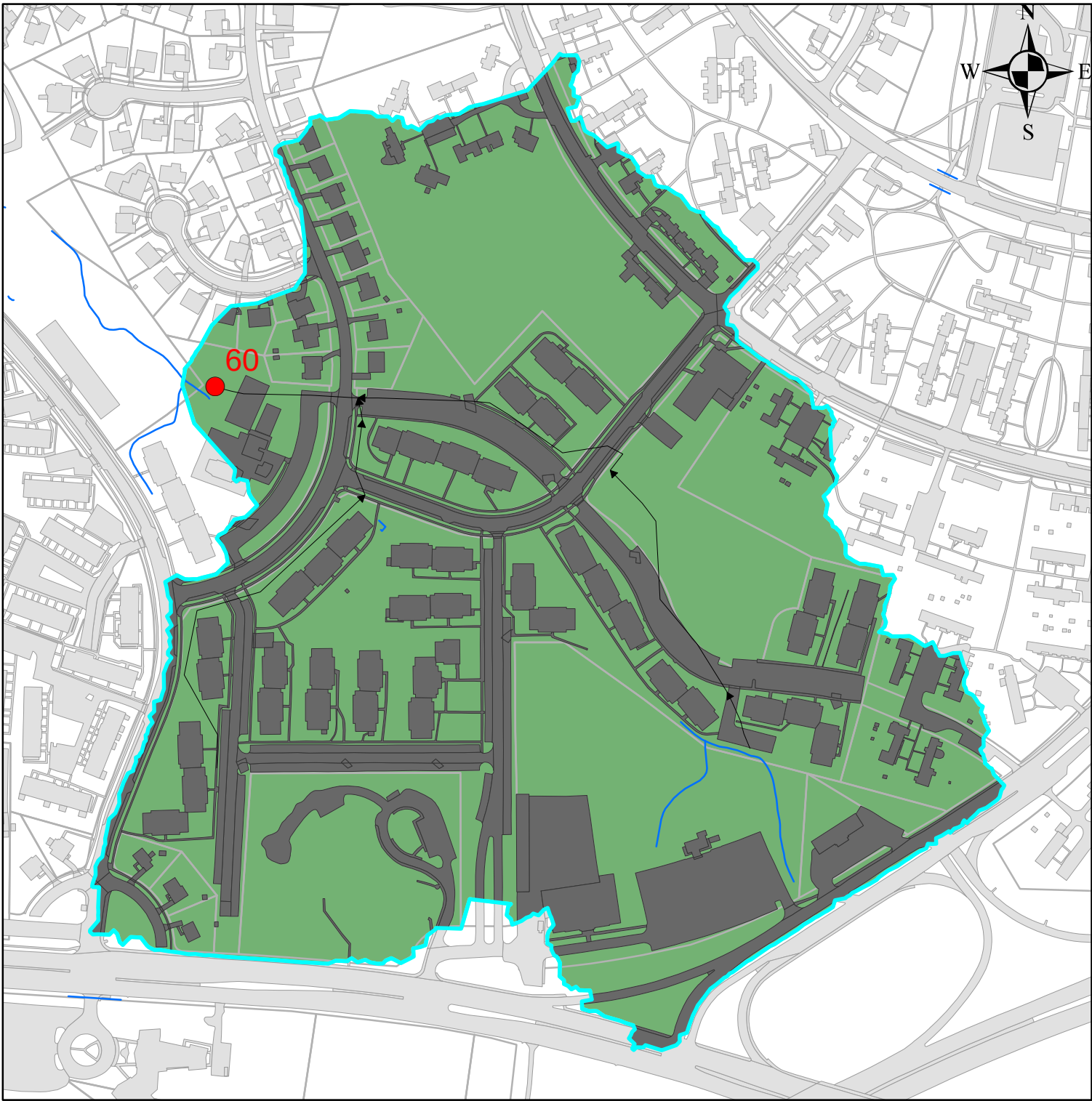


Exhibit . Drainage Area and Impervious Cover for Outfall 60

Outfall No	PG County ID	Drainage Area [acres]	Impervious Area [acres]	Impervious Area [percent]
60	64008	62.57	22.60	36.1

Legend

- Outfalls
- BMP
- Stormwater Network
- Impervious Area
- Impervious Outside DA
- Drainage Area
- Streams



(Source: Prince George's County Digital Data)

Greenbelt – Outfall 60

Outfall & Stream Restoration



Greenbelt – Outfall 60 Restoration

- Project Location
 - Greenbelt
 - Prince Georges County
 - 465 Linear feet
- Project Goals
 - Eliminate stream bed and bank erosion
 - Improve water quality in Greenbelt Lake and Anacostia Watershed
 - Reduce sediment supply to Nutrient reduction
 - Private Property Protection
 - Ecological uplift

Site Location



Project Area

Greenbelt – Outfall 60 Restoration

- Design Approach
 - Natural Channel Design
 - Restore ecological functions
 - Stable Structure
 - Aesthetically Pleasing
- Credits
 - 2.3 acres Impervious Acres
 - 935 TN lbs./ yr.
 - 431 TP lbs./ yr.
 - 820,000 TSS lbs./yr.
- General Notes
 - No known rare, threatened, or endangered species on the site.
 - No Known Historic features on the site.
 - Disturbed Area:0.78ac



Greenbelt – Outfall 60 Restoration

- Actively eroding bank and incised bed
- Increasing width of stream and height of banks
- Poorly functioning rip-rapian area
- Trash and refuse in stream and floodplain
- Tree undermining and fall
- High sediment load

Existing Conditions



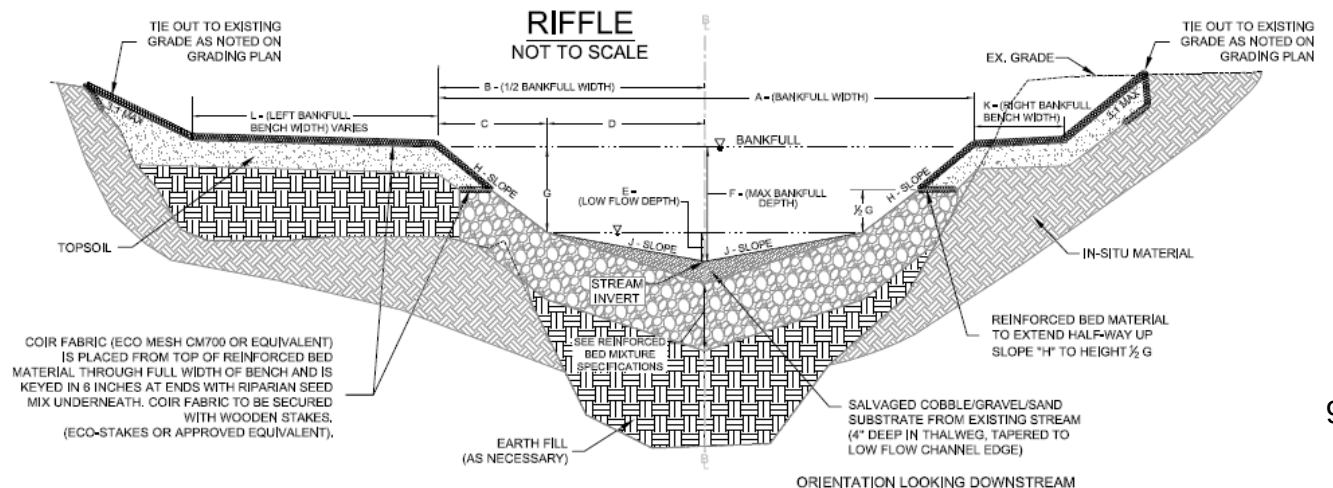
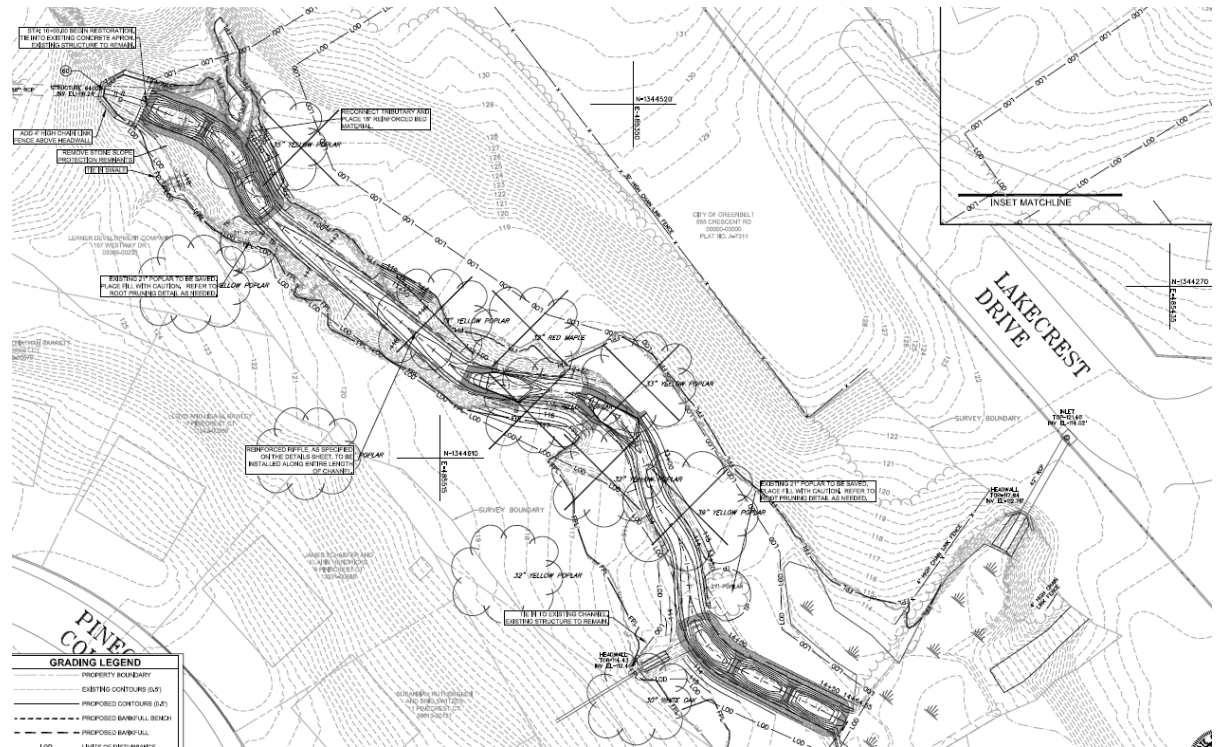
Greenbelt – Outfall 60 Restoration



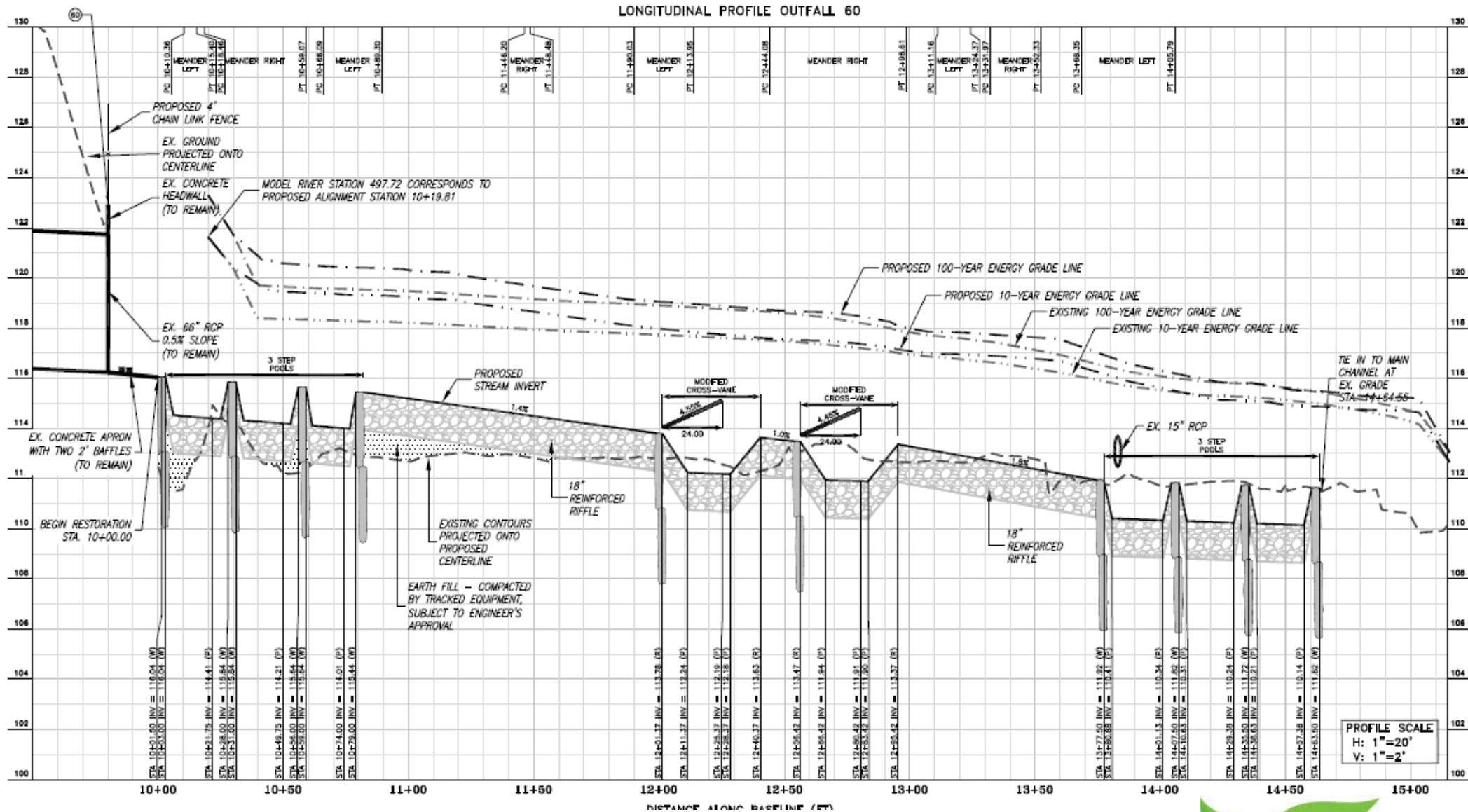
Restoration Design Approach

Greenbelt – Outfall 60 Restoration

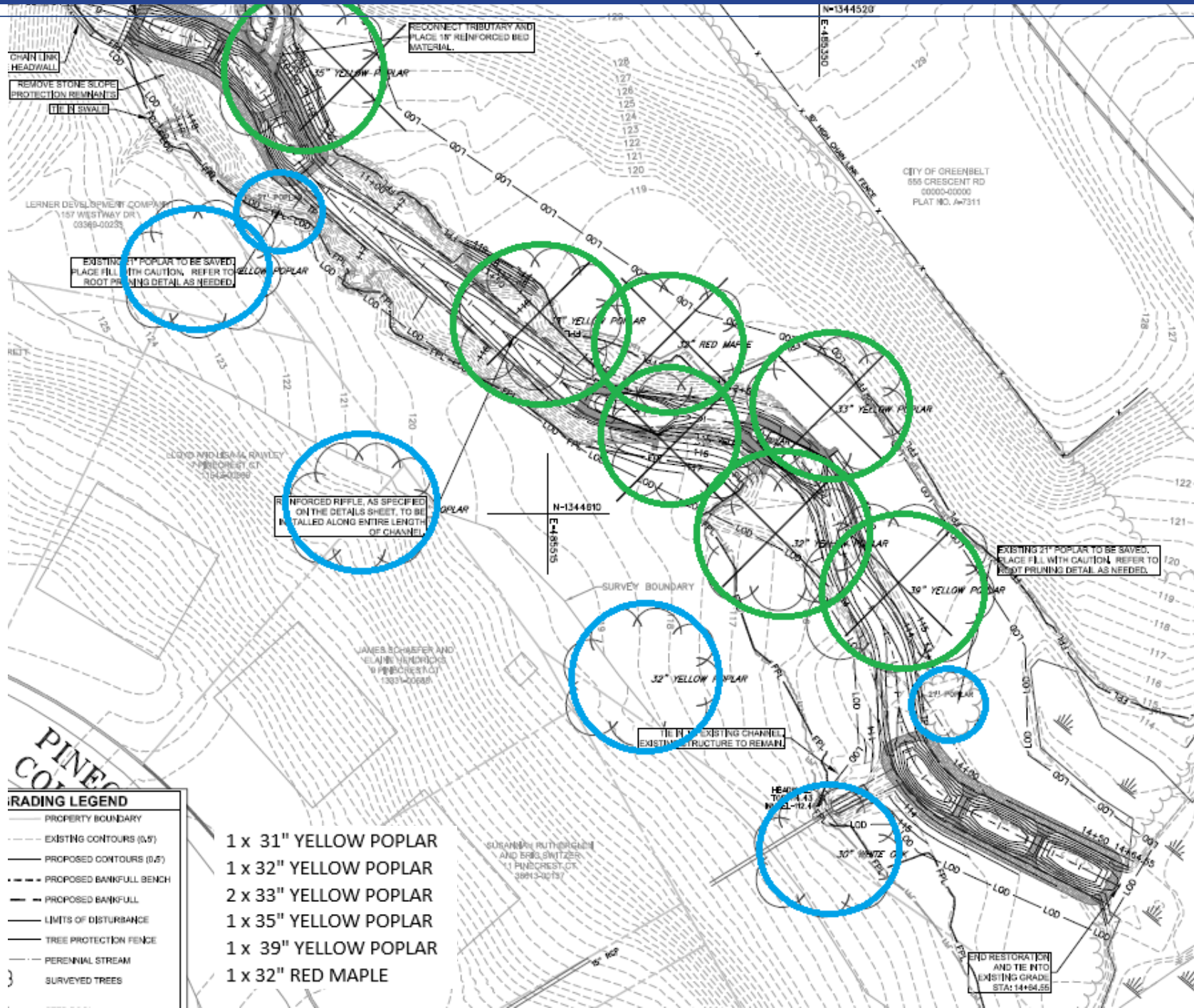
- Floodplain reconnection
 - Lowered 100-yr water surface elevation
- Re-use woody debris
- Create habitat
- Tree and Shrub planting
- Ecological Uplift



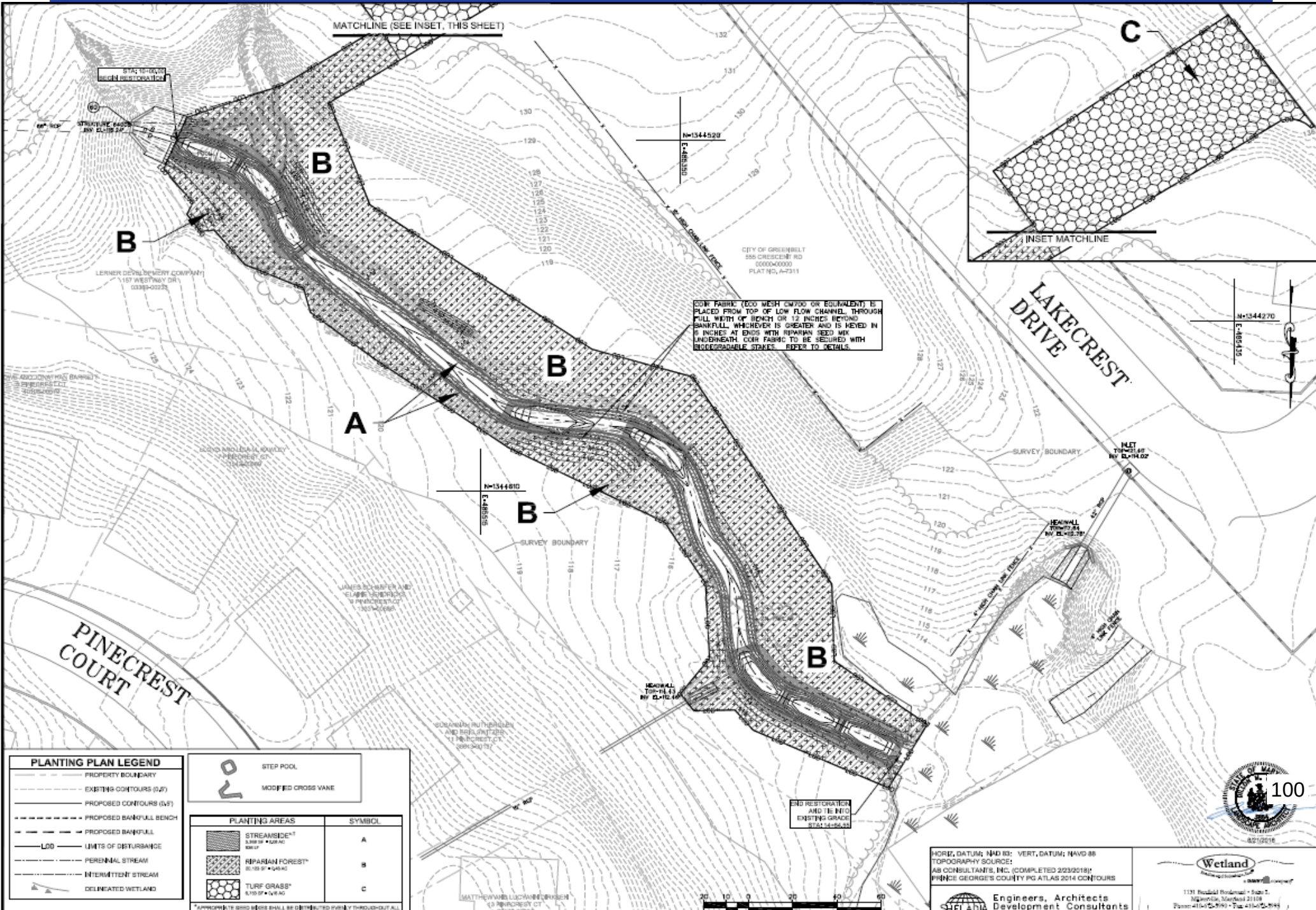
Greenbelt – Outfall 60 Restoration



Tree Clearing



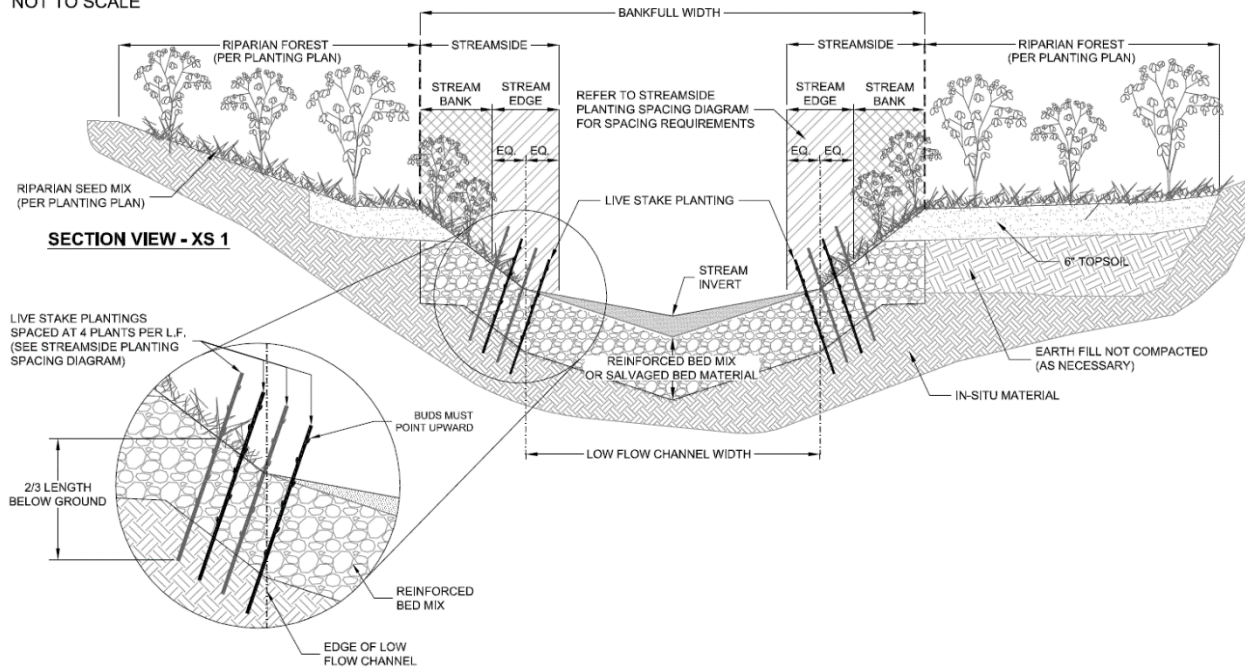
Planting Plan



Planting Plan

STREAMSIDE PLANTING DETAIL

NOT TO SCALE



STREAMSIDE PLANTING PLACEMENT DIAGRAM

LIVE STAKE PLANTINGS EXTENDED 1/2 THE LENGTH OF THE OUTER (LONG) VANE ARM (X) PAST THE END OF VANE ARM

LIVE STAKE PLANTINGS OVERLAPPED WITH 1/4 THE LENGTH OF THE OUTER (LONG) VANE ARM (X) FOR A MINIMUM OF 3'

LIVE STAKE PLANTINGS UPSTREAM OF STRUCTURE AT 1 PLANT PER L.F. STAGGERED

STREAM BANK PLANTING AREA

STREAM EDGE PLANTING AREA

STREAM BANK PLANTING AREA

STREAM EDGE PLANTING AREA

TYP. STREAM BANK SPECIES MASSING CONFIGURATION WITH 3-8 PLANTS OF THE SAME SPECIES PER CLUSTER SPACED AT AN AVERAGE OF 3' O.C.

TYP. LIVE STAKE PLANTING AREA DOWNSTREAM OF STRUCTURE AT 4 PLANTS PER L.F. STAGGERED PER SPACING DIAGRAM

TYP. STREAM EDGE SPECIES MASSING CONFIGURATION WITH 3-8 PLANTS OF THE SAME SPECIES PER CLUSTER SPACED AT AN AVERAGE OF 1 PLANT PER L.F.

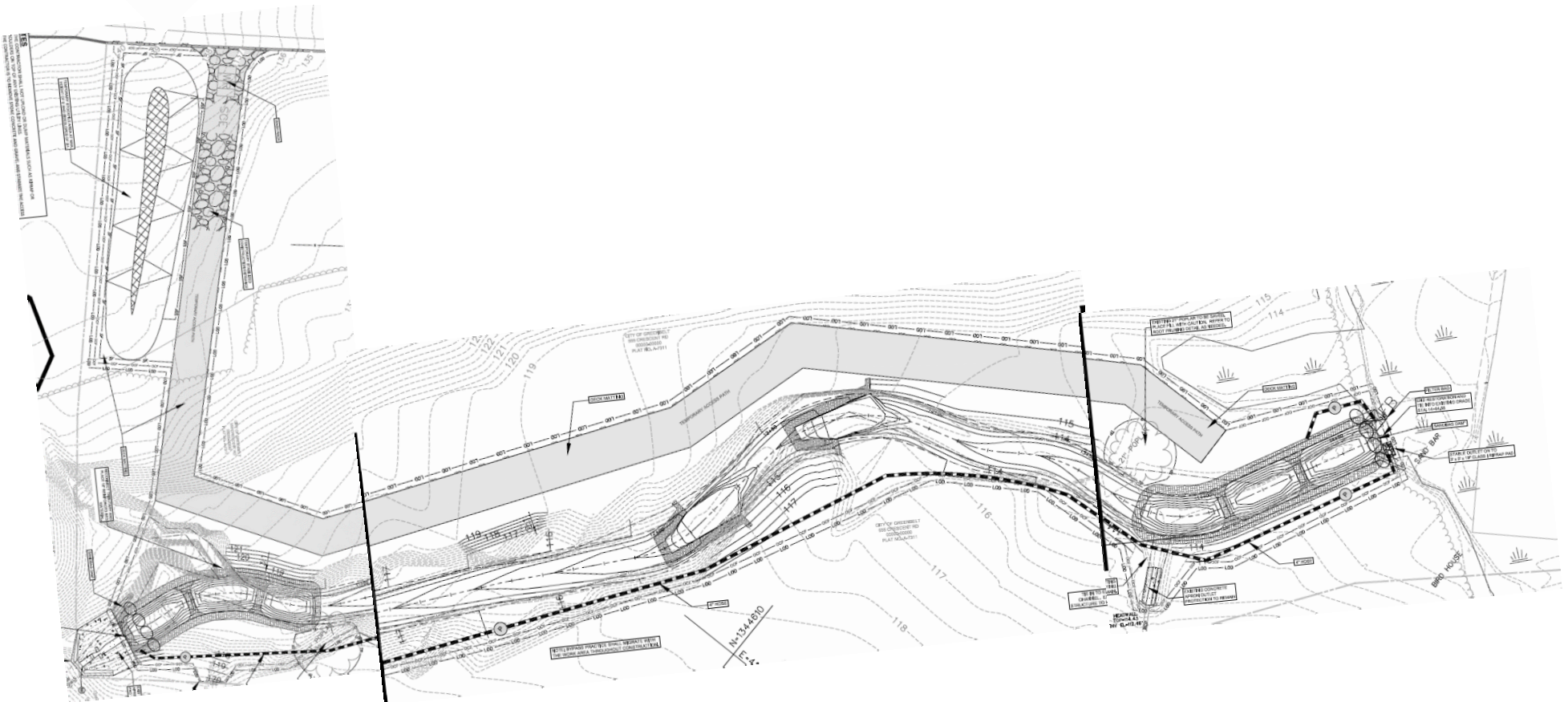
TYP. LIVE STAKE PLANTING AREA UPSTREAM OF STRUCTURE SPACED AT 1 PLANT PER L.F. STAGGERED

Planting Schedule

VEGETATION SCHEDULE - OUTFALL 60													
PLANTING SCHEDULE												PLANTING	
CONTAINER PLANTING ZONE	SPECIES GROUP ^{1,2}	SPECIES ²	INDICATOR STATUS	WILDLIFE VALUE				PLANT SPACING ³	CONTAINER SIZE, RATE, AND QUANTITY ⁴		AREA (SF): AREA (AC): LENGTH (LF):	A 3,368 0.08 936	B 20,123 0.46
				FUNCTIONS	PRIMARY SPECIES	PLANT PART	SEASON		PLANTS PER ACRE	# OF PLANTS			
RIPARIAN FOREST	TREE LAYER	QUERCUS BICOLOR (SWAMP WHITE OAK)	FACW+	Food	Blue jays, woodpeckers, turkey, deer, fox, raccoons, squirrels, other small mammals	Nuts	Fall, Winter	SEE NOTE #3	300 ONE-GAL -- or -- 600 TUBELINGS -- or -- MIX AT 1:2 RATIO (SEE NOTE #4)	138 (BASED ON ONE-GALLON)		-	138
		QUERCUS ALBA (WHITE OAK)	FACW										
		QUERCUS PALUSTRIS (PIN OAK)	FACW										
		QUERCUS PHELLOS (WILLOW OAK)	FAC+										
		QUERCUS RUBRA (NORTHERN RED OAK)	FACU-										
	TREE LAYER	ACER NEGUNDO (BOX ELDER)	FAC+	Food	Finches, chickadees, squirrels, robins, goldfinches, other birds	Seeds, buds, flowers, plant	Spring, summer	SEE NOTE #3	150 ONE-GALLON -- or -- 300 TUBELINGS -- or -- MIX AT 1:2 RATIO (SEE NOTE #4)	69 (BASED ON ONE-GALLON)		-	69
		ACER RUBRUM (RED MAPLE)	FAC	Food	Finches, chickadees, squirrels, robins, goldfinches, other birds	Seeds, buds, flowers, plant	Spring, summer						
		BETULA NIGRA (RIVER BIRCH)	FACW	Food, cover	Songbirds	Seeds, plant	All						
		LIQUIDAMBAR STYRACIFULA (SWEET GUM)	FAC	Food	Finches, cardinals, chickadees, sparrows, squirrels	Seed	Summer, fall, winter						
		PLATANUS OCCIDENTALIS (AMERICAN SYCAMORE)	FACW-	Food	Raccoons, opossum, wood duck, pileated and other woodpeckers	Hollow trunks	All						
	TREE LAYER	ILEX OPACA (AMERICAN HOLLY)	FACU+	Food, cover, reproductive areas	Robins, bluebirds, mockingbirds, hermit thrush	Fruit, plant	All	SEE NOTE #3	100 ONE-GALLON -- or -- 200 TUBELINGS -- or -- MIX AT 1:2 RATIO (SEE NOTE #4)	46 (BASED ON ONE-GALLON)		-	46
	SHRUB LAYER	AMELANCHIER CANADENSIS (CANADIAN SERVICEBERRY)	FAC	Food, cover	Songbirds, small mammals	Fruit, plant	All	SEE NOTE #3	150 ONE-GALLON -- or -- 300 TUBELINGS -- or -- MIX AT 1:2 RATIO (SEE NOTE #4)	69 (BASED ON ONE-GALLON)		-	69
		CERCIS CANADENSIS (EASTERN REDBUD)	FACU-	Food	Honeybees, butterfly caterpillars	Flowers, leaves	Spring, summer						
CORNUS FLORIDA (FLOWERING DOGWOOD)		FACU-	Food	Wild turkey, cardinal, cedar waxwing, robin, brown thrasher, wood thrush, rabbits	Flower, fruit	Spring, fall							
CORYLUS AMERICANA (AMERICAN HAZELNUT)		FACU-	Food, cover	Songbirds, small mammals	Fruit	Summer, fall							
LINDERA BENZON (NORTHERN SPICEBUSH)		FACW-	Food	Thrushes vireos, catbird, bluebird, butterfly caterpillars	Fruit, leaves	Spring, summer, fall							
ROSA PALUSTRIS (SWAMP ROSE)		OBL	Food, cover, reproductive areas	Brown thrasher, catbird, thrushes, pollinators	Flowers, seeds, and foliage	Spring, fall, winter							
VIBURNUM DENTATUM (SOUTHERN ARROWWOOD)		FAC	Food	Robins, bluebirds, other thrushes, thrashers, catbirds, vireos	Fruit	Fall							
VIBURNUM PRUNIFOLIUM (BLACK-HAW)		FACU	Food, cover	Catbirds, thrashers, thrushes, cover and nest sites for songbirds	Fruit, plant	Spring, fall							
RIPARIAN FOREST QUANTITY SUBTOTALS									700	322		-	322
STREAM BANK	TREE AND SHRUB LAYER	CORNUS AMOMUM (SILKY DOGWOOD)	FACW	Food	Catbird, thrasher, thrushes, woodpeckers	Fruit	Summer, fall	SEE NOTE #3 (AVERAGES 3' O.C. FOR ONE-GALLON)	N/A	312 (BASED ON ONE-GALLON)		312	-
		ILEX VERTICILLATA (COMMON WINTERBERRY)	FACW+	Food, cover, reproductive areas	Bluebird, catbird, brown thrasher, robin, yellow bellied sapsucker, mockingbird	Flower, seed, leaves	All						
		SAMBUCUS CANADENSIS (ELDERBERRY)	FACW-	Food, cover	Brown thrasher, catbird, woodpeckers, thrushes	Seed	Spring, fall, winter						
		VIBURNUM DENTATUM (SOUTHERN ARROWWOOD)	FAC	Food, cover, reproductive areas	Purple finch, goldfinch, robin, junco, bluebird, hermit thrush	Flower, fruit	Spring, summer, fall						
STREAM BANK QUANTITY SUBTOTALS									--	312		312	-
STREAM EDGE	TREE AND SHRUB LAYER	CORNUS AMOMUM (SILKY DOGWOOD)	FACW	Food, cover, reproductive areas	Catbird, thrasher, thrushes, cedar waxwings, rabbits	Flower, fruit	Summer, fall, winter	1' O.C. (SEE NOTES #5, #6)	N/A	936 (TUBELINGS OR LWISTAKES ONLY -- SEE NOTE #5)		936	-
		SALIX NIGRA (BLACK WILLOW)	FACW+	Food, cover	Beaver, porcupine, deer, muskrat, ducks, fish	Seeds, plant, leaves	Spring, summer, fall						
		ALNUS SERRULATA (BROOKSIDE ALDER)	OBL	Food, reproductive areas	Finches, sparrows, doves, yellow warbler, song sparrow, other songbirds	Seeds, buds, stems	Summer, fall, winter						
		VIBURNUM DENTATUM (SOUTHERN ARROWWOOD)	FAC	Food	Robins, bluebirds, other thrushes, thrashers, catbirds, vireos	Fruit	Fall						
STREAM EDGE QUANTITY SUBTOTALS									--	936		936	-

Stabilized Construction Entrance

LAKECREST
DRIVE



Construction

Greenbelt – Outfall 60 Restoration

- Equipment
 - Track Loaders
 - Dump Trucks
 - Excavators
 - Pumps
- Natural Resources
 - Tree Clearing
 - Temporary Stream Impacts
- Access
 - One Point access at Lake Crest Drive
- Timeline
 - 6 Months
 - Mobilization
 - Clearing
 - Construction
 - Planting



Greenbelt – Outfall 60 Restoration

QUESTIONS?

City Council Agenda Item Report

Meeting Date: February 25, 2019

Submitted by: Bonita Anderson

Submitting Department: Administration

Item Type: OTHER BUSINESS

Agenda Section:

Subject:

State Legislation

Suggested Action:

Reference:

HB 82/SB 116
HB 765/SB 914
HB 517/SB 460
SB 787/HB 1281
SB 713/HB 1020
HB 654/SB 937
SB 548
HB 961
Email, Lore Rosenthal, 2/20/19
Chesapeake Climate Action Network Fact Sheet

HB 82/SB 116 – Complete Streets - Access to Healthy Food

This legislation would mandate funding for the State's Complete Streets Program. It also adds access to healthy food as an element of the program. Delegate Washington is a co-sponsor.

It is recommended Council support HB 82/SB 116.

HB 765/SB 914 – Magnetic Levitation Projects - Requirements

This legislation requires consent by affected counties. It also requires the project owner to post a bond that covers future damage to land or infrastructure from a project. Senator Pinsky and Delegate Healey are co-sponsors of these bills.

It is recommended Council support HB 765/SB 914.

HB 517/SB 460 – Pedestrian Safety Fund Act of 2019

This legislation would create a Fund to improve pedestrian and bicycle safety. The Fund would support awareness programs and physical changes to State roadways traffic calming, sidewalks and bikeways. Delegates Healey and Washington are co-sponsors.

It is recommended Council support HB 517/SB 460.

SB 787/HB 1281 – Bikeways Network Program - Funding

This legislation would create a new program that provides grant support for development of bicycle networks.

It is recommended Council support SB 787/HB 1281.

SB 713/HB 1020 - Wireless Facilities - Permitting and Siting

This legislation is the MML Priority Bill regarding small cell infrastructure. It would allow local jurisdictions to adopt design standards and requirements for wireless facilities in their right-of-way. It also allows a local jurisdiction to charge appropriate fees.

It is recommended Council support SB 713/HB 1020.

HB 654/SB 937 - Wireless Facilities - Installation and Regulation

This legislation would establish statewide regulations for small cell wireless facilities in local rights-of-ways. It would generally preempt local laws and regulations, and significantly limit local authority.

It is recommended Council oppose HB 654/SB 937.

SB 548 – Renewable Energy Portfolio Standard - Eligible Sources

The Greenbelt Climate Action Network (GCAN) has requested Council support this legislation. It removes incineration from the renewable portfolio standard. Senator Pinsky is a co-sponsor.

Council direction is sought.

HB 961 – Renewable Energy Portfolio Standard - Tier 1 Sources

The Greenbelt Climate Action Network (GCAN) has requested Council support this legislation. It removes incineration from the renewable portfolio standard.

Council direction is sought.

Attachments:

[HB 82.pdf](#)

[HB 765.pdf](#)

[HB 517.pdf](#)

[SB 787.pdf](#)

[SB 713.pdf](#)

[Fiscal Note SB 713.pdf](#)

[HB 654.pdf](#)

[Fiscal Note HB 654.pdf](#)

[SB 548.pdf](#)

[HB 961.pdf](#)

[Email, Lore Rosenthal, 2.20.19.pdf](#)

[FEB UPDATE - HEALTH IMPACTS OF INCINERATION.pdf](#)

HOUSE BILL 82

R2

9lr0840
CF SB 116

By: **Delegates Charkoudian, Lierman, Feldmark, W. Fisher, Glenn, Guyton, Korman, Lehman, R. Lewis, Palakovich Carr, Stewart, Terrasa, Washington, and Wilkins**

Introduced and read first time: January 17, 2019

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Transportation – Complete Streets – Access to Healthy Food**

3 FOR the purpose of requiring a complete streets policy adopted by certain modal
4 administrations of the Department of Transportation to create access to healthy food
5 for certain individuals living in food deserts; authorizing grants under the Complete
6 Streets Program to be used to encourage certain certified jurisdictions to develop
7 ranking systems for certain projects that prioritize designs that create access to
8 healthy food in food deserts; specifying that a goal of the Program is to create access
9 to healthy food for certain individuals living in food deserts; requiring the Governor,
10 each fiscal year, to appropriate a certain amount from the Transportation Trust
11 Fund for the Program; defining the term “food desert”; altering a certain definition;
12 and generally relating to complete streets policies and the Complete Streets
13 Program.

14 BY repealing and reenacting, with amendments,
15 Article – Transportation
16 Section 2–112, 8–901, and 8–903
17 Annotated Code of Maryland
18 (2015 Replacement Volume and 2018 Supplement)

19 BY repealing
20 Article – Transportation
21 Section 8–904
22 Annotated Code of Maryland
23 (2015 Replacement Volume and 2018 Supplement)

24 BY adding to
25 Article – Transportation
26 Section 8–904

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.



Annotated Code of Maryland
(2015 Replacement Volume and 2018 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Transportation

2–112.

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

(2) (i) “Complete streets design features” means design features that
accommodate and facilitate safe and convenient access and mobility to facilities by all
users, including bicyclists, motorists, pedestrians, and public transportation users.

(ii) “Complete streets design features” includes:

1. Paved shoulders suitable for use by bicyclists;
2. Protected bicycle lanes;
3. Share the road signage;
4. Crosswalks;
5. Pedestrian control signals;
6. Bus access and safety measures;
7. Sidewalks;
8. Shared use pathways; [and]
9. Green stormwater infrastructure; **AND**

**10. ROUTES THAT CREATE ACCESS TO HEALTHY FOOD IN
FOOD DESERTS.**

(3) “Complete streets policy” means a policy that provides information for
the implementation of complete streets design features during the planning, design,
construction, and reconstruction of a facility.

(4) “Facility” means:

(i) An airport facility, as defined in § 5–101 of this article, that is
owned or operated by the State;

(ii) A State highway, as defined in § 8–101 of this article; and

(iii) A transit facility, as defined in § 7–101 of this article.

(5) “FOOD DESERT” MEANS A COMMUNITY THAT DOES NOT HAVE EASY ACCESS TO HEALTHY FOOD, INCLUDING FRESH FRUITS AND VEGETABLES, TYPICALLY IN THE FORM OF A SUPERMARKET, GROCERY STORE, OR FARMERS’ MARKET.

[(5)] (6) “Green stormwater infrastructure” means infrastructure implemented using best management practices that reduce the volume of stormwater runoff through infiltration, evapotranspiration, the beneficial reuse of water, or any other effective method.

(b) This section applies to a facility in:

(1) The Maryland Aviation Administration, as required under § 5–408.1 of this article;

(2) The Maryland Transit Administration, as required under § 7–310 of this article; and

(3) The State Highway Administration, as required under § 8–204.1 of this article.

(c) Except as provided in subsection (d) of this section, a complete streets policy adopted in accordance with this section shall:

(1) Be implemented with the objective of creating a comprehensive, integrated, and connected transportation network that allows users to choose among different modes of transportation;

(2) Ensure that all users are considered during the planning, design, construction, and reconstruction phases of a facility;

(3) Benefit all users equitably to the extent feasible while taking into consideration the needs of the most underinvested and underserved communities;

(4) When practicable, require the accommodation of other modes of transportation;

(5) Recognize that all facilities are different and user needs should be balanced to ensure community enhancement; [and]

(6) Incorporate best practices related to complete streets design features;

1 AND

2 **(7) CREATE ACCESS TO HEALTHY FOOD FOR INDIVIDUALS WITHOUT**
3 **PERSONAL VEHICLES LIVING IN FOOD DESERTS.**

4 (d) Exceptions to the requirements of this section may be adopted when
5 circumstances or laws exist that prohibit or limit the ability to provide favorable conditions
6 for all modes of transportation.

7 8–901.

8 (a) In this subtitle the following words have the meanings indicated.

9 (b) “Certified jurisdiction” means a local government that has been certified by
10 the Department in accordance with § 8–905 of this subtitle.

11 (c) “Complete streets” means streets that provide accommodations for users of
12 multiple modes of transportation.

13 (d) “Complete streets policy” means a law, a bylaw, an ordinance, or an
14 administrative policy adopted by a local government in accordance with § 8–905 of this
15 subtitle.

16 (e) “Eligible project” means a local government or State highway, street, or road
17 retrofit project that includes the addition of or significant repair to facilities that provide
18 access for users of multiple modes of transportation.

19 **(F) “FOOD DESERT” MEANS A COMMUNITY THAT DOES NOT HAVE EASY**
20 **ACCESS TO HEALTHY FOOD, INCLUDING FRESH FRUITS AND VEGETABLES,**
21 **TYPICALLY IN THE FORM OF A SUPERMARKET, GROCERY STORE, OR FARMERS’**
22 **MARKET.**

23 **[(f)] (G)** “Green stormwater infrastructure” means infrastructure implemented
24 using best management practices that reduce the volume of stormwater runoff through
25 infiltration, evapotranspiration, the beneficial reuse of water, or any other effective method.

26 **[(g)] (H)** “Local government” means a county or municipality in the State.

27 **[(h)] (I)** “Program” means the Complete Streets Program established under this
28 subtitle.

29 8–903.

30 (a) The purpose of the Program is to provide matching grants to certified
31 jurisdictions to encourage:

(1) The regular and routine inclusion of complete streets design elements and infrastructure during the planning, design, construction, and reconstruction of new or existing locally funded roads;

(2) The adoption of urban retrofit street ordinances designed to provide safe access to users of multiple modes of transportation; [and]

(3) The development of ranking systems for complete streets projects that consider the needs of underinvested and underserved communities in specific geographic regions of the State; AND

(4) THE DEVELOPMENT OF RANKING SYSTEMS FOR COMPLETE STREETS PROJECTS THAT PRIORITIZE DESIGNS TO CREATE ACCESS TO HEALTHY FOOD IN FOOD DESERTS.

(b) The goals of the Program are to:

(1) Promote healthy communities by encouraging the use of multiple modes of transportation other than single-occupancy motor vehicles;

(2) Improve safety by designing streets to include features such as:

(i) Wider sidewalks;

(ii) Dedicated bike facilities;

(iii) Medians;

(iv) Pedestrian streetscape features; and

(v) Green stormwater infrastructure;

(3) Protect the environment and improve water quality by using green stormwater infrastructure to reduce stormwater runoff from rights-of-way;

(4) Reduce congestion by providing safe alternatives to single-occupancy motor vehicle driving;

(5) Preserve community character by involving local and diverse communities and stakeholders in planning, prioritization, and design decisions; [and]

(6) Provide for the equitable distribution of complete streets funds that takes into consideration the needs of underinvested and underserved communities in specific geographic regions of the State; AND

(7) CREATE ACCESS TO HEALTHY FOOD FOR INDIVIDUALS WITHOUT

1 **PERSONAL VEHICLES LIVING IN FOOD DESERTS.**

2 **[8-904.**

3 Funds for the Program shall be as provided by the Governor in the State budget.]

4 **~~8-904.~~**

5 **FOR FISCAL YEAR 2021 AND EACH FISCAL YEAR THEREAFTER, THE**
6 **GOVERNOR SHALL APPROPRIATE AT LEAST \$1,000,000 FROM THE**
7 **TRANSPORTATION TRUST FUND FOR THE COMPLETE STREETS PROGRAM.**

8 **SECTION 2. AND BE IT FURTHER ENACTED,** That this Act shall take effect June
9 1, 2019.

HOUSE BILL 765

R2

9lr2274

By: **Delegates Valentino-Smith, Lehman, Pena-Melnyk, B. Barnes, Barron, Bartlett, Chang, Healey, Holmes, J. Lewis, and Malone**

Introduced and read first time: February 8, 2019

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Transportation – Magnetic Levitation Projects – Requirements**

3 FOR the purpose of establishing that a certain transportation project involving a magnetic
4 levitation propulsion system may not be constructed and the State may not authorize
5 the use of or access to a State-owned right-of-way or State property for the project
6 without the consent of a majority of the governing bodies of the affected counties
7 given after the project owner provides the affected counties with a complete listing
8 of any private property that will need to be condemned as part of the project;
9 requiring a project owner to provide to each governing body of an affected county a
10 bond that is subject to certain requirements; providing for the application of this Act;
11 and generally relating to requirements for transportation projects involving a
12 magnetic levitation propulsion system.

13 BY adding to
14 Article – Transportation
15 Section 9–101 to be under the new title “Title 9. Railroads”
16 Annotated Code of Maryland
17 (2015 Replacement Volume and 2018 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
19 That the Laws of Maryland read as follows:

20 **Article – Transportation**

21 **TITLE 9. RAILROADS.**

22 **9–101.**

23 **(A) THIS SECTION APPLIES TO A PRIVATELY OWNED TRANSPORTATION**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 PROJECT IN THE STATE THAT INCLUDES THE CONSTRUCTION OF A RAILROAD
2 POWERED BY A MAGNETIC LEVITATION PROPULSION SYSTEM.

3 (B) NOTWITHSTANDING ANY OTHER LAW, A PROJECT MAY NOT BE
4 CONSTRUCTED AND THE STATE MAY NOT AUTHORIZE THE USE OF OR ACCESS TO A
5 STATE-OWNED RIGHT-OF-WAY OR STATE PROPERTY FOR A PROJECT UNLESS:

6 (1) THE PROJECT OWNER PROVIDES THE AFFECTED COUNTIES WITH
7 A COMPLETE LISTING OF ANY PRIVATE PROPERTY THAT WILL NEED TO BE
8 CONDEMNED AS PART OF THE PROJECT; AND

9 (2) AFTER RECEIVING THE INFORMATION REQUIRED UNDER ITEM (1)
10 OF THIS SUBSECTION, A MAJORITY OF THE GOVERNING BODIES OF THE AFFECTED
11 COUNTIES GIVE EXPRESS CONSENT FOR THE PROJECT.

12 (C) A PROJECT OWNER SHALL PROVIDE TO EACH GOVERNING BODY OF AN
13 AFFECTED COUNTY A BOND THAT IS:

14 (1) PAYABLE TO THE AFFECTED COUNTY;

15 (2) ISSUED BY AN APPROVED SURETY;

16 (3) IN A FORM AND AN AMOUNT DETERMINED BY THE AFFECTED
17 COUNTY; AND

18 (4) CONDITIONED ON THE PROJECT OWNER COVERING:

19 (I) ANY FUTURE LIABILITY FOR DAMAGE TO LAND OR
20 INFRASTRUCTURE; AND

21 (II) ANY DAMAGES RELATED TO PROJECT FAILURE.

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
23 1, 2019.

HOUSE BILL 517

R5

9lr0904
CF SB 460

By: **Delegates Stewart, Ciliberti, Ivey, Solomon, Acevero, Attar, Bagnall, Barron, Bartlett, Bhandari, Boyce, Bridges, Cain, Cardin, Carr, Charkoudian, Clark, Crosby, Crutchfield, Cullison, Dumais, Ebersole, Feldmark, Guyton, Healey, Hettleman, Hill, Jalisi, Kaiser, Kelly, Kerr, Korman, Krimm, Lafferty, Lehman, R. Lewis, Lierman, Lopez, Love, Moon, Palakovich Carr, Patterson, Pena-Melnyk, Qi, Queen, Sample-Hughes, Shetty, Smith, Stein, Terrasa, Valderrama, Washington, Wells, Wilkins, K. Young, and P. Young**

Introduced and read first time: February 4, 2019

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Pedestrian Safety Fund Act of 2019**

3 FOR the purpose of establishing the minimum fine that may be imposed for a violation of
4 certain provisions of the Maryland Vehicle Law regarding crosswalks; establishing
5 the Pedestrian Safety Fund as a special, nonlapsing fund; requiring the Secretary of
6 Transportation to administer the Fund; requiring the State Treasurer to hold the
7 Fund separately, and the Comptroller to account for the Fund; specifying the
8 contents of the Fund; specifying the purpose for which the Fund may be used;
9 providing for the investment of money in the Fund; requiring interest earnings of
10 the Fund to be credited to the Fund; exempting the Fund from a certain provision of
11 law requiring interest earnings on State money to accrue to the General Fund of the
12 State; defining a certain term; and generally relating to the Pedestrian Safety Fund.

13 BY repealing and reenacting, without amendments,
14 Article – State Finance and Procurement
15 Section 6–226(a)(2)(i)
16 Annotated Code of Maryland
17 (2015 Replacement Volume and 2018 Supplement)

18 BY repealing and reenacting, with amendments,
19 Article – State Finance and Procurement
20 Section 6–226(a)(2)(ii) 112. and 113.
21 Annotated Code of Maryland
22 (2015 Replacement Volume and 2018 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



BY adding to

Article – State Finance and Procurement

Section 6–226(a)(2)(ii)114.

Annotated Code of Maryland

(2015 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 21–502

Annotated Code of Maryland

(2012 Replacement Volume and 2018 Supplement)

BY adding to

Article – Transportation

Section 21–502.1

Annotated Code of Maryland

(2012 Replacement Volume and 2018 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

That the Laws of Maryland read as follows:

Article – State Finance and Procurement

6–226.

(a) (2) (i) Notwithstanding any other provision of law, and unless inconsistent with a federal law, grant agreement, or other federal requirement or with the terms of a gift or settlement agreement, net interest on all State money allocated by the State Treasurer under this section to special funds or accounts, and otherwise entitled to receive interest earnings, as accounted for by the Comptroller, shall accrue to the General Fund of the State.

(ii) The provisions of subparagraph (i) of this paragraph do not apply to the following funds:

112. the Pretrial Services Program Grant Fund; [and]

113. the Veteran Employment and Transition Success Fund;

AND

114. THE PEDESTRIAN SAFETY FUND.

Article – Transportation

21–502.

(a) (1) This subsection does not apply where:

(i) A pedestrian tunnel or overhead pedestrian crossing is provided, as described in § 21-503(b) of this subtitle; or

(ii) A traffic control signal is in operation.

(2) The driver of a vehicle shall come to a stop when a pedestrian crossing the roadway in a crosswalk is:

(i) On the half of the roadway on which the vehicle is traveling; or

(ii) Approaching from an adjacent lane on the other half of the roadway.

(b) A pedestrian may not suddenly leave a curb or other place of safety and walk or run into the path of a vehicle which is so close that it is impossible for the driver to yield.

(c) If, at a marked crosswalk or at an unmarked crosswalk at an intersection, a vehicle is stopped to let a pedestrian cross the roadway, the driver of any other vehicle approaching from the rear may not overtake and pass the stopped vehicle.

(d) A person may not commit a violation of subsection (a) or (c) of this section that contributes to an accident.

(e) A person convicted of a violation of subsection (d) of this section is subject to imprisonment not exceeding 2 months or a fine **OF NOT LESS THAN \$150 AND** not exceeding \$500 or both.

21-502.1.

(A) IN THIS SECTION, "FUND" MEANS THE PEDESTRIAN SAFETY FUND.

(B) THERE IS A PEDESTRIAN SAFETY FUND.

(C) THE SECRETARY SHALL ADMINISTER THE FUND.

(D) (1) THE FUND IS A SPECIAL, NONLAPSING FUND WHICH IS NOT SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

(2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY, AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

(E) THE FUND CONSISTS OF:

(1) \$150 FROM EACH FINE COLLECTED UNDER § 21-502(E) OF THIS
SUBTITLE;

(2) MONEY APPROPRIATED IN THE STATE BUDGET FOR THE FUND;

(3) ANY INTEREST EARNINGS OF THE FUND; AND

(4) ANY OTHER MONEY FROM ANY SOURCE ACCEPTED FOR THE
BENEFIT OF THE FUND.

(F) THE FUND MAY BE USED ONLY FOR ENHANCING THE SAFETY AND
QUALITY OF PEDESTRIAN AND BICYCLE TRANSPORTATION, INCLUDING:

(1) DEVELOPING AND PROVIDING EDUCATIONAL PROGRAMMING FOR
BICYCLISTS, MOTORISTS, AND PEDESTRIANS THAT RAISES AWARENESS OF THEIR
JOINT RESPONSIBILITY TO FOLLOW THE RULES OF THE ROAD;

(2) PHYSICAL DESIGN CHANGES THAT CALM TRAFFIC, MINIMIZE
CONFLICTS AMONG STREET USERS, AND PROTECT BICYCLISTS, MOTORISTS, AND
PEDESTRIANS, INCLUDING DESIGN CHANGES SUCH AS:

(I) LANE NARROWING;

(II) ESTABLISHMENT OF BICYCLE WAYS;

(III) SIDEWALK CONSTRUCTION;

(IV) PEDESTRIAN CONTROL SIGNAL UPGRADES;

(V) SPEED BUMPS;

(VI) CURB EXTENSIONS; AND

(VII) SAFETY ZONES; AND

(3) INCREASING ENFORCEMENT OF EXISTING RULES OF THE ROAD,
SUCH AS BY USING RADAR SPEED DISPLAY SIGNS IN AREAS WHERE PEDESTRIAN
CRASHES HAVE OCCURRED.

(G) (1) THE TREASURER SHALL INVEST THE MONEY OF THE FUND IN THE
SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.

1 **(2) ANY INVESTMENT EARNINGS OF THE FUND SHALL BE CREDITED**
2 **TO THE FUND.**

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 October 1, 2019.

SENATE BILL 787

R2

9lr2017
CF 9lr1928

By: **Senators Rosapepe, Guzzone, and Peters**

Introduced and read first time: February 4, 2019

Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **Transportation – Bikeways Network Program – Funding**

3 FOR the purpose of codifying the Bikeways Network Program; specifying the purpose of
4 the Program; requiring the Department of Transportation to establish application
5 and eligibility criteria for the Program; requiring the Governor to provide in the
6 State budget a certain appropriation for the Program; requiring that a certain
7 amount of the appropriation be distributed for a certain purpose; and generally
8 relating to the Bikeways Network Program.

9 BY adding to
10 Article – Transportation
11 Section 2–608
12 Annotated Code of Maryland
13 (2015 Replacement Volume and 2018 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
15 That the Laws of Maryland read as follows:

16 **Article – Transportation**

17 **2–608.**

18 (A) IN THIS SECTION, “PROGRAM” MEANS THE BIKEWAYS NETWORK
19 PROGRAM.

20 (B) THERE IS A BIKEWAYS NETWORK PROGRAM IN THE DEPARTMENT.

21 (C) THE PURPOSE OF THE PROGRAM IS TO PROVIDE GRANT SUPPORT FOR
22 BICYCLE NETWORK DEVELOPMENT ACTIVITIES.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(D) THE DEPARTMENT SHALL ESTABLISH APPLICATION AND ELIGIBILITY**
2 **CRITERIA FOR THE PROGRAM.**

3 **(E) THE GOVERNOR SHALL INCLUDE IN THE ANNUAL STATE BUDGET AN**
4 **APPROPRIATION FROM THE TRANSPORTATION TRUST FUND FOR THE OPERATION**
5 **OF THE PROGRAM OF AT LEAST:**

6 **(1) FOR FISCAL YEAR 2021, \$4,500,000;**

7 **(2) FOR FISCAL YEAR 2022, \$5,300,000;**

8 **(3) FOR FISCAL YEAR 2023, \$6,100,000;**

9 **(4) FOR FISCAL YEAR 2024, \$6,900,000; AND**

10 **(5) FOR FISCAL YEAR 2025 AND EACH FISCAL YEAR THEREAFTER,**
11 **\$7,700,000.**

12 **(F) AT LEAST \$100,000 OF THE APPROPRIATION REQUIRED UNDER**
13 **SUBSECTION (E) OF THIS SECTION SHALL BE DISTRIBUTED TO THE MARYLAND**
14 **ASSOCIATION OF COUNTIES AND THE MARYLAND MUNICIPAL LEAGUE TO PROVIDE**
15 **TECHNICAL ASSISTANCE TO COUNTIES AND MUNICIPALITIES WITH THE DRAFTING**
16 **AND SUBMISSION OF GRANT PROPOSALS.**

17 **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July**
18 **1, 2019.**

SENATE BILL 713

C5, C2, L6

9lr2113
CF 9lr2089

By: **Senators Beidle, Elfreth, Guzzone, and Reilly**

Introduced and read first time: February 4, 2019

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Wireless Facilities – Permitting and Siting**

3 FOR the purpose of establishing procedures and requirements for the permitting,
4 installation, and regulation of certain wireless telecommunications facilities in the
5 State; authorizing a wireless provider to install and maintain certain facilities and
6 equipment in certain rights-of-way in accordance with certain provisions;
7 prohibiting the use of a public right-of-way from obstructing or hindering certain
8 other uses; prohibiting a certain local law from generally prohibiting the installation
9 of certain facilities and equipment or discriminating among certain providers and
10 services; authorizing an authority to adopt certain requirements or standards
11 governing the installation of certain facilities and equipment in a certain manner;
12 requiring a wireless provider to obtain certain approvals before collocating certain
13 facilities or installing or modifying certain facilities or equipment; authorizing an
14 authority to require certain applications and documents in connection with certain
15 applications; authorizing an authority to allow the filing and consideration of certain
16 consolidated applications; authorizing an authority to require that certain facilities
17 and equipment be operational within a certain period; authorizing the cancellation
18 of a certain approval in a certain manner; providing for the approval or disapproval
19 of certain applications within certain periods; authorizing a certain applicant to file
20 an action in a certain court under certain circumstances; authorizing an authority to
21 provide public notice and hearing before approval of an application; requiring an
22 applicant to be represented at a certain public hearing for certain purposes;
23 requiring an applicant to respond to certain inquiries about an application in a
24 timely manner; requiring an authority to notify an applicant of the basis of denying
25 an application in a certain manner; authorizing an authority to provide the option to
26 a wireless provider of performing certain make-ready work by certain means;
27 providing for the reimbursement to the authority of certain costs under certain
28 circumstances; requiring a wireless provider to promptly repair certain damages and
29 return certain rights-of-way to certain conditions under certain circumstances;
30 requiring a wireless provider to notify an authority of certain decisions to remove
31 certain facilities and equipment; requiring a wireless provider to remove certain

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



facilities and equipment from a certain right-of-way under certain circumstances; authorizing an authority to remove certain abandoned facilities and equipment and charge a wireless provider for certain costs; authorizing an authority to charge a wireless provider for certain costs, subject to certain limitations; requiring a wireless provider to indemnify and hold harmless an authority and certain persons against certain loss, damage, or liability; authorizing an authority to require a wireless provider to carry certain insurance, to include the authority as an additional insured, and to provide that the authority and certain persons are immune from certain liability; authorizing an authority to adopt certain surety bonding requirements for certain purposes; establishing the Digital Inclusion Fund as a special, nonlapsing fund; specifying the purpose of the Fund; requiring the Secretary of Housing and Community Development to administer the Fund; requiring the State Treasurer to hold the Fund and the Comptroller to account for the Fund; specifying the contents of the Fund; specifying the purpose for which the Fund may be used; providing for the investment of money in and expenditures from the Fund; requiring the Secretary to adopt certain regulations; establishing a certain surcharge on certain wireless producers; establishing the amount of the surcharge; requiring the surcharge to be deposited in the Fund; providing that the Comptroller shall administer the surcharge; authorizing the Comptroller to adopt certain regulations; providing that certain provisions of law apply to the administration of the surcharge; providing that certain circuit courts have jurisdiction over certain matters under this Act; requiring a circuit court to adjudicate certain actions within a certain time period; providing for the appeal of certain matters in a certain manner; providing that certain local laws and agreements prevail over this Act; providing that this Act is not subject to the jurisdiction of the Public Service Commission; providing for the construction of this Act; excluding this Act from the application of certain penalties; defining certain terms; providing for a delayed effective date; and generally relating to wireless telecommunications facilities.

BY adding to

Article – Public Utilities

Section 8–701 through 8–719 to be under the new subtitle “Subtitle 7. Wireless Facilities”

Annotated Code of Maryland

(2010 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Utilities

Section 13–101 and 13–201

Annotated Code of Maryland

(2010 Replacement Volume and 2018 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

That the Laws of Maryland read as follows:

Article – Public Utilities

SUBTITLE 7. WIRELESS FACILITIES.

8-701.

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) (1) “ANTENNA” MEANS AN APPARATUS DESIGNED TO EMIT RADIOFREQUENCY RADIATION AND OPERATE FROM A FIXED LOCATION TO PROVIDE WIRELESS SERVICES.

(2) “ANTENNA” INCLUDES MATERIALS USED FOR ARRANGING, SCREENING, AND CAMOUFLAGING ANTENNA EQUIPMENT.

(C) “ANTENNA EQUIPMENT” MEANS EQUIPMENT, SWITCHES, WIRING, CABLING, POWER SOURCES, SHELTERS, OR CABINETS ASSOCIATED WITH AN ANTENNA AND LOCATED AT THE SAME FIXED LOCATION AS THE ANTENNA.

(D) (1) “APPLICABLE STANDARDS” MEANS ENGINEERING AND SAFETY STANDARDS, INCLUDING BUILDING, FIRE, SAFETY, ELECTRICAL, PLUMBING, AND MECHANICAL CODES ADOPTED BY AN AUTHORITY THAT MAY REGULATE OR OTHERWISE AFFECT THE INSTALLATION, MAINTENANCE, AND OPERATION OF THE FACILITIES AUTHORIZED OR AFFECTED BY THIS SUBTITLE.

(2) “APPLICABLE STANDARDS” INCLUDES THE REGULATIONS OF THE FEDERAL COMMUNICATIONS COMMISSION AND THE OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION AS WELL AS ANY LOCAL STANDARDS OR REGULATIONS GOVERNING THE USE OF RIGHTS-OF-WAY.

(E) (1) “AUTHORITY” MEANS A COUNTY, A MUNICIPAL CORPORATION, THE STATE, OR AN INSTRUMENTALITY OF THE STATE THAT MAY APPROVE THE INSTALLATION OF WIRELESS FACILITIES OR POLES ON PUBLIC RIGHTS-OF-WAY.

(2) “AUTHORITY” DOES NOT INCLUDE A UTILITY OWNED BY A COUNTY OR MUNICIPAL CORPORATION.

(F) “COLLOCATE” MEANS TO INSTALL OR MOUNT A WIRELESS FACILITY ON A POLE.

(G) (1) “MAKE-READY WORK” MEANS WORK THAT AN AUTHORITY REASONABLY DETERMINES TO BE REQUIRED TO ACCOMMODATE A WIRELESS PROVIDER’S INSTALLATION UNDER THIS SUBTITLE AND TO COMPLY WITH ALL APPLICABLE STANDARDS.

(2) “MAKE-READY WORK” INCLUDES:

(I) REPAIR, REARRANGEMENT, REPLACEMENT, AND CONSTRUCTION OF A POLE;

(II) INSPECTIONS;

(III) ENGINEERING WORK AND CERTIFICATION;

(IV) PERMITTING WORK;

(V) TREE TRIMMING OTHER THAN TRIMMING PERFORMED FOR NORMAL MAINTENANCE PURPOSES;

(VI) SITE PREPARATION; AND

(VII) ELECTRICAL POWER CONFIGURATION.

(3) “MAKE-READY WORK” DOES NOT INCLUDE A WIRELESS PROVIDER’S ROUTINE MAINTENANCE.

(H) “PERSON” DOES NOT INCLUDE AN AUTHORITY.

(I) “POLE” MEANS A POLE OR SIMILAR STRUCTURE THAT IS USED OR IS CAPABLE OF BEING USED, AS AN AUTHORITY DETERMINES, WHOLLY OR PARTLY FOR THE COLLOCATION OF A WIRELESS FACILITY.

(J) (1) “PRECONSTRUCTION SURVEY” MEANS ALL WORK OR OPERATIONS REQUIRED BY APPLICABLE STANDARDS OR AN AUTHORITY TO DETERMINE THE MAKE-READY WORK NECESSARY TO ACCOMMODATE A WIRELESS PROVIDER’S FACILITIES.

(2) “PRECONSTRUCTION SURVEY” INCLUDES FIELD INSPECTION AND ADMINISTRATIVE PROCESSING.

(K) “SURETY BOND” MEANS A PERFORMANCE BOND ISSUED BY A COMMERCIAL SURETY THAT GUARANTEES THERE WILL BE FUNDS AVAILABLE:

(1) FOR THE REMOVAL OF ABANDONED OR IMPROPERLY MAINTAINED WIRELESS FACILITIES OR POLES; OR

(2) TO RECOUP RATES OR FEES PAYABLE TO THE AUTHORITY.

(L) (1) “WIRELESS FACILITY” MEANS EQUIPMENT AT A FIXED LOCATION THAT ENABLES WIRELESS COMMUNICATIONS BETWEEN USER EQUIPMENT AND A COMMUNICATIONS NETWORK.

(2) “WIRELESS FACILITY” INCLUDES:

(I) EQUIPMENT ASSOCIATED WITH WIRELESS COMMUNICATIONS; AND

(II) ANY RADIO TRANSCEIVER, ANTENNA, COAXIAL OR FIBER–OPTIC CABLE, REGULAR OR BACKUP POWER SUPPLY, AND COMPARABLE EQUIPMENT, REGARDLESS OF TECHNOLOGICAL CONFIGURATION.

(3) “WIRELESS FACILITY” DOES NOT INCLUDE:

(I) THE STRUCTURE OR IMPROVEMENTS ON, UNDER, OR WITHIN WHICH THE EQUIPMENT IS LOCATED;

(II) A POLE; OR

(III) COAXIAL OR FIBER–OPTIC CABLE THAT IS:

1. LOCATED BETWEEN WIRELESS STRUCTURES OR POLES; OR

2. NOT OTHERWISE IMMEDIATELY ADJACENT TO OR DIRECTLY ASSOCIATED WITH A PARTICULAR ANTENNA.

(M) “WIRELESS PROVIDER” MEANS A PERSON THAT INSTALLS OR HAS INSTALLED ON THE PERSON’S BEHALF WIRELESS FACILITIES OR POLES TO PROVIDE WIRELESS SERVICES.

(N) “WIRELESS SERVICES” MEANS ANY SERVICES PROVIDED TO THE PUBLIC USING LICENSED OR UNLICENSED SPECTRUM, WHETHER AT A FIXED LOCATION OR USING MOBILE EQUIPMENT.

8–702.

EXCEPT AS OTHERWISE PROVIDED BY LAW, THE PROVISIONS OF THIS SUBTITLE ARE NOT SUBJECT TO THE JURISDICTION OF THE COMMISSION.

8–703.

(A) A WIRELESS PROVIDER MAY INSTALL AND MAINTAIN WIRELESS FACILITIES AND POLES IN A PUBLIC RIGHT-OF-WAY IN ACCORDANCE WITH ANY APPLICABLE LOCAL LAW OR REGULATIONS, FRANCHISES, PERMITS, LICENSES, AGREEMENTS, OR OTHER APPROVALS REQUIRED BY AN AUTHORITY.

(B) THE USE OF A PUBLIC RIGHT-OF-WAY OR THE ATTACHMENT OF WIRELESS FACILITIES TO PUBLIC ASSETS BY A WIRELESS PROVIDER MAY NOT OBSTRUCT OR HINDER:

(1) THE TRAVEL OR PUBLIC SAFETY ON THE PUBLIC RIGHT-OF-WAY;
OR

(2) THE LEGAL USE OF THE PUBLIC RIGHT-OF-WAY OR PUBLIC ASSETS BY OTHERS.

(C) THE APPLICABLE LOCAL LAW AND REGULATION PROVIDED IN SUBSECTION (A) OF THIS SECTION:

(1) MAY NOT GENERALLY PROHIBIT THE INSTALLATION OF ALL WIRELESS FACILITIES OR POLES IN THE PUBLIC RIGHT-OF-WAY OR ON PRIVATE PROPERTY; AND

(2) MAY NOT DISCRIMINATE AMONG WIRELESS PROVIDERS OF FUNCTIONALLY EQUIVALENT WIRELESS SERVICES.

8-704.

(A) AN AUTHORITY MAY ADOPT DESIGN AND AESTHETIC REQUIREMENTS OR STANDARDS THAT GOVERN THE INSTALLATION OF WIRELESS FACILITIES AND POLES.

(B) THE REQUIREMENTS OR STANDARDS MAY INCLUDE:

(1) THE APPEARANCE OF WIRELESS FACILITIES, INCLUDING THOSE RELATING TO MATERIALS USED FOR ARRANGING, SCREENING, LANDSCAPING, AND CAMOUFLAGING;

(2) THE LOCATION OF WIRELESS FACILITIES, INCLUDING SPACING REQUIREMENTS BETWEEN WIRELESS FACILITIES;

(3) THE HEIGHT OF WIRELESS FACILITIES;

1 (4) THE DESIGN AND APPEARANCE OF POLES OWNED BY A WIRELESS
2 PROVIDER;

3 (5) THE LOCATION OF POLES, INCLUDING SPACING REQUIREMENTS
4 BETWEEN POLES;

5 (6) THE HEIGHT OF POLES;

6 (7) THE UNDERGROUNDING OF WIRELESS FACILITIES; AND

7 (8) ANY OTHER DESIGN OR AESTHETIC REQUIREMENT THAT SEEKS
8 TO PRESERVE THE VISUAL CHARACTER OF A NEIGHBORHOOD THAT MAY BE
9 AFFECTED BY THE INSTALLATION OF A WIRELESS FACILITY OR POLE.

10 (C) THE DESIGN AND AESTHETIC REQUIREMENTS OR STANDARDS OF AN
11 AUTHORITY MAY NOT HAVE THE EFFECT OF PROHIBITING ANY WIRELESS
12 PROVIDER'S WIRELESS SERVICE.

13 (D) ANY ADOPTED DESIGN AND AESTHETIC REQUIREMENTS OR STANDARDS
14 SHALL BE PUBLISHED IN ADVANCE OF THEIR EFFECTIVE DATE.

15 8-705.

16 (A) A WIRELESS PROVIDER SHALL BE REQUIRED TO OBTAIN ANY
17 APPROVALS, INCLUDING FRANCHISES, PERMITS, LICENSES, LEASES, AND
18 AGREEMENTS, THAT MAY BE REQUIRED BY AN AUTHORITY BEFORE:

19 (1) THE COLLOCATION OF A WIRELESS FACILITY;

20 (2) THE ATTACHMENT OF A WIRELESS FACILITY TO A POLE OWNED BY
21 AN AUTHORITY;

22 (3) THE INSTALLATION OF A POLE; OR

23 (4) THE MODIFICATION OF A WIRELESS FACILITY OR A POLE.

24 (B) THE APPLICATIONS AND DOCUMENTS THAT AN AUTHORITY MAY
25 REQUIRE MAY INCLUDE:

26 (1) DETAILED PLANS DESCRIBING THE COLLOCATION,
27 MODIFICATION, OR ATTACHMENT, INCLUDING ANY CERTIFICATIONS THAT MAY BE
28 REQUIRED;

(2) A PRECONSTRUCTION SURVEY;

(3) A DESCRIPTION OF ANY NECESSARY MAKE-READY WORK;

**(4) A PROPOSED SCHEDULE FOR COMPLETION, CERTIFIED BY A
LICENSED PROFESSIONAL ENGINEER; AND**

**(5) ANY OTHER INFORMATION REQUIRED BY AN AUTHORITY THAT
WILL ALLOW THE AUTHORITY TO PROPERLY EVALUATE:**

**(I) THE SAFETY OF THE INSTALLATION, MODIFICATION, OR
ATTACHMENT;**

(II) THE EFFECT, IF ANY, ON THE PUBLIC RIGHT-OF-WAY; AND

**(III) THE COMPATIBILITY OF THE INSTALLATION IN THE
NEIGHBORHOOD IN WHICH THE INSTALLATION IS TO BE LOCATED.**

**(C) AN AUTHORITY MAY ALLOW A WIRELESS PROVIDER TO FILE A
CONSOLIDATED APPLICATION FOR ALL WIRELESS FACILITIES TO BE COLLOCATED
WITHIN THE JURISDICTION CONTROLLED BY THE AUTHORITY UNDER RULES AND
GUIDELINES ESTABLISHED BY THE AUTHORITY.**

8-706.

**(A) AS PART OF THE APPLICATION PROCESS, AN AUTHORITY MAY REQUIRE
A WIRELESS FACILITY TO BE FULLY OPERATIONAL WITHIN 120 DAYS AFTER THE
DATE THE LAST OR FINAL PERMIT IS ISSUED, UNLESS THE AUTHORITY AND THE
APPLICANT AGREE TO EXTEND THE PERIOD.**

**(B) THE FAILURE OF A WIRELESS FACILITY TO OPERATE IN THE TIME
ESTABLISHED UNDER SUBSECTION (A) OF THIS SECTION SHALL ALLOW THE
AUTHORITY TO:**

**(1) CANCEL THE AUTHORITY'S APPROVAL OF THE WIRELESS
FACILITY; AND**

**(2) CAUSE THE REMOVAL OF THE WIRELESS FACILITY BY THE
WIRELESS PROVIDER AT THE WIRELESS PROVIDER'S SOLE EXPENSE AND IN A TIME
THE AUTHORITY SPECIFIES.**

8-707.

1 (A) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, AN
2 APPLICATION TO INSTALL A WIRELESS FACILITY SHALL BE APPROVED OR
3 DISAPPROVED BY THE AUTHORITY WITHIN THE TIME FRAME ESTABLISHED IN
4 FEDERAL LAW OR REGULATION.

5 (B) IN THE ABSENCE OF FEDERAL LAW OR REGULATION, AN APPLICATION
6 THAT IS DEEMED COMPLETE BY AN AUTHORITY SHALL BE APPROVED OR
7 DISAPPROVED WITHIN 180 DAYS AFTER THE RECEIPT OF THE COMPLETE
8 APPLICATION.

9 8-708.

10 IF AN AUTHORITY FAILS TO ACT ON A COMPLETE APPLICATION AS PROVIDED
11 IN § 8-706 OF THIS SUBTITLE, THE APPLICANT MAY FILE AN ACTION IN THE CIRCUIT
12 COURT FOR THE COUNTY IN WHICH THE AUTHORITY IS LOCATED AS PROVIDED IN
13 THIS SUBTITLE ALLEGING A VIOLATION OF THIS SUBTITLE.

14 8-709.

15 (A) AN AUTHORITY MAY ELECT TO PROVIDE PUBLIC NOTICE OF AN
16 APPLICATION AND HOLD A PUBLIC HEARING BEFORE THE APPROVAL OF AN
17 APPLICATION.

18 (B) IF AN AUTHORITY ELECTS TO HOLD A PUBLIC HEARING ON AN
19 APPLICATION, THE APPLICANT SHALL BE REPRESENTED AT THE PUBLIC HEARING
20 AND BE AVAILABLE TO ANSWER INQUIRIES ABOUT THE APPLICATION.

21 (C) IF THE AUTHORITY RECEIVES WRITTEN INQUIRIES ABOUT AN
22 APPLICATION, IT MAY ELECT TO FORWARD THE WRITTEN INQUIRIES TO THE
23 APPLICANT FOR A RESPONSE, AND THE APPLICANT MUST RESPOND IN A TIMELY
24 MANNER.

25 (D) IF THE APPLICANT AGREES, THE TIME FOR APPROVING OR DENYING AN
26 APPLICATION CAN BE EXTENDED AN ADDITIONAL 10 BUSINESS DAYS FOLLOWING A
27 PUBLIC HEARING.

28 8-710.

29 IF AN AUTHORITY DENIES A PERMIT, THE AUTHORITY SHALL NOTIFY THE
30 APPLICANT IN WRITING OF THE BASIS FOR THE DENIAL, INCLUDING ANY
31 DOCUMENTATION REGARDING THE DENIAL.

32 8-711.

1 (A) AN AUTHORITY MAY PROVIDE A WIRELESS PROVIDER THE OPTION OF
2 EITHER HAVING THE WIRELESS PROVIDER PERFORM ANY NECESSARY MAKE-READY
3 WORK THROUGH THE USE OF QUALIFIED CONTRACTORS AUTHORIZED BY THE
4 AUTHORITY, OR HAVING THE AUTHORITY PERFORM ANY NECESSARY MAKE-READY
5 WORK AT THE SOLE COST OF THE WIRELESS PROVIDER.

6 (B) ON COMPLETION OF THE MAKE-READY WORK PERFORMED BY AN
7 AUTHORITY AT THE REQUEST OF A WIRELESS PROVIDER, THE WIRELESS PROVIDER
8 SHALL REIMBURSE THE AUTHORITY FOR THE AUTHORITY'S ACTUAL AND
9 DOCUMENTED COST OF THE MAKE-READY WORK.

10 8-712.

11 A WIRELESS PROVIDER SHALL BE REQUIRED TO PROMPTLY:

12 (1) REPAIR ANY DAMAGE TO THE PUBLIC RIGHT-OF-WAY OR ANY
13 DAMAGES TO FACILITIES IN THE RIGHT-OF-WAY DIRECTLY CAUSED BY THE
14 ACTIVITIES OF THE WIRELESS PROVIDER; AND

15 (2) RETURN THE RIGHT-OF-WAY TO THE RIGHT-OF-WAY'S
16 CONDITION BEFORE THE DAMAGES CAUSED BY THE WIRELESS PROVIDER.

17 8-713.

18 (A) A WIRELESS PROVIDER SHALL NOTIFY AN AUTHORITY WITHIN 30 DAYS
19 AFTER A DECISION TO REMOVE FROM SERVICE A WIRELESS FACILITY OR A POLE
20 LOCATED ON A PUBLIC RIGHT-OF-WAY.

21 (B) A WIRELESS PROVIDER SHALL REMOVE A WIRELESS FACILITY OR A
22 POLE THAT IS NO LONGER NEEDED FOR SERVICE AND LOCATED ON A PUBLIC
23 RIGHT-OF-WAY AT THE SOLE COST AND EXPENSE OF THE WIRELESS PROVIDER.

24 (C) IF AN AUTHORITY CONCLUDES THAT A WIRELESS FACILITY OR A POLE
25 HAS BEEN ABANDONED IN PLACE, THE AUTHORITY MAY REMOVE THE WIRELESS
26 FACILITY OR POLE AND CHARGE THE WIRELESS PROVIDER FOR THE ACTUAL AND
27 DOCUMENTED COST INCURRED BY THE AUTHORITY FOR REMOVAL.

28 (D) UNTIL A WIRELESS FACILITY OR A POLE THAT IS LOCATED ON A PUBLIC
29 RIGHT-OF-WAY IS REMOVED FROM THE PUBLIC RIGHT-OF-WAY, A WIRELESS
30 PROVIDER SHALL PAY ALL FEES AND CHARGES DUE THE AUTHORITY, REGARDLESS
31 OF WHETHER A WIRELESS FACILITY IS OPERATIONAL.

1 8-714.

2 (A) AN AUTHORITY MAY CHARGE A WIRELESS PROVIDER:

3 (1) FOR THE COSTS OF PROCESSING APPLICATIONS AND PERMITS;

4 (2) FOR THE ATTACHMENT OR USE OF A POLE OWNED BY THE
5 AUTHORITY;

6 (3) FOR THE PRIVILEGE OF USING A PUBLIC RIGHT-OF-WAY
7 (FRANCHISE); AND

8 (4) FOR THE COST OF RELOCATING WIRELESS FACILITIES OR POLES
9 WHEN RELOCATION IS REQUIRED BY THE ALTERATION OF A PUBLIC RIGHT-OF-WAY
10 OR ITS APPURTENANCE.

11 (B) THE ATTACHMENT OR USE CHARGE UNDER SUBSECTION (A)(2) OF THIS
12 SECTION MAY NOT EXCEED THE GREATER OF:

13 (1) \$2,500; OR

14 (2) 2% OF THE GROSS REVENUE REALIZED BY A WIRELESS PROVIDER
15 FROM THE USE OF THE POLE.

16 8-715.

17 (A) A WIRELESS PROVIDER SHALL INDEMNIFY AND HOLD HARMLESS THE
18 AUTHORITY AND ITS OFFICERS AND EMPLOYEES AGAINST ANY LOSS, DAMAGE, OR
19 LIABILITY RESULTING FROM THE WIRELESS FACILITY OR POLE.

20 (B) DURING THE PERIOD IN WHICH THE FACILITIES OF A WIRELESS
21 PROVIDER ARE LOCATED ON OR ATTACHED TO THE AUTHORITY'S ASSETS OR
22 RIGHTS-OF-WAY, THE AUTHORITY MAY REQUIRE A WIRELESS PROVIDER TO:

23 (1) CARRY, AT THE WIRELESS PROVIDER'S SOLE COST AND EXPENSE,
24 THE FOLLOWING TYPES OF THIRD-PARTY INSURANCE:

25 (I) PROPERTY INSURANCE FOR THE REPLACEMENT COST OF
26 ALL WIRELESS FACILITIES AND POLES AGAINST ALL RISKS;

27 (II) WORKERS' COMPENSATION INSURANCE, AS REQUIRED BY
28 LAW;

(III) COMMERCIAL GENERAL LIABILITY INSURANCE OF AT LEAST \$2,000,000 PER CLAIM, WITH RESPECT TO THE WIRELESS PROVIDER'S ACTIVITIES IN, ON, OR AROUND THE AUTHORITY IMPROVEMENTS OR RIGHTS-OF-WAY, INCLUDING COVERAGE FOR BODILY INJURY AND PROPERTY DAMAGE; AND

(IV) ENVIRONMENTAL INSURANCE;

(2) INCLUDE THE AUTHORITY AS AN ADDITIONAL INSURED ON THE COMMERCIAL GENERAL LIABILITY POLICY AND PROVIDE CERTIFICATION AND DOCUMENTATION OF INCLUSION OF THE AUTHORITY IN A COMMERCIAL GENERAL LIABILITY POLICY AS REASONABLY REQUIRED BY THE AUTHORITY; AND

(3) PROVIDE THAT AN AUTHORITY AND ITS EMPLOYEES, OFFICERS, AND OFFICIALS ARE IMMUNE FROM LIABILITY FOR ANY CLAIM, INCLUDING A TORT CLAIM, ARISING FROM THE INSTALLATION OR OPERATION OF WIRELESS FACILITIES AND WIRELESS SUPPORT STRUCTURES.

8-716.

(A) AN AUTHORITY MAY ADOPT SURETY BONDING REQUIREMENTS FOR WIRELESS PROVIDERS, WHICH MAY INCLUDE PROVISIONS TO TERMINATE THE RIGHT TO OCCUPY A PUBLIC RIGHT-OF-WAY FOR FAILURE TO MEET THE SURETY BONDING REQUIREMENTS.

(B) THE PURPOSE OF A SURETY BOND REQUIRED UNDER SUBSECTION (A) OF THIS SECTION SHALL BE TO:

(1) PROVIDE FOR THE REMOVAL OF ABANDONED OR IMPROPERLY MAINTAINED WIRELESS FACILITIES OR POLES, INCLUDING THOSE THAT THE AUTHORITY DETERMINES NEED TO BE REMOVED TO PROTECT PUBLIC HEALTH, SAFETY, OR WELFARE AND RESTORE THE RIGHT-OF-WAY; AND

(2) RECOUP RATES OR FEES THAT HAVE NOT BEEN PAID BY A WIRELESS PROVIDER, AS LONG AS THE AUTHORITY HAS GIVEN REASONABLE NOTICE TO THE WIRELESS PROVIDER AND THE OPPORTUNITY TO PAY THE RATES OR FEES OUTSTANDING.

8-717.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) "FUND" MEANS THE DIGITAL INCLUSION FUND.

1 (3) "SECRETARY" MEANS THE SECRETARY OF HOUSING AND
2 COMMUNITY DEVELOPMENT.

3 (B) THERE IS A DIGITAL INCLUSION FUND IN THE DEPARTMENT OF
4 HOUSING AND COMMUNITY DEVELOPMENT.

5 (C) THE PURPOSE OF THE FUND IS TO PROVIDE FUNDING TO AUTHORITIES
6 FOR THE PURPOSE OF EXPANDING THE DEPLOYMENT OF WIRELESS FACILITIES AND
7 POLES IN GEOGRAPHICAL AREAS OF THE STATE THAT ARE UNDERSERVED BY
8 WIRELESS PROVIDERS.

9 (D) THE SECRETARY SHALL ADMINISTER THE FUND.

10 (E) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT
11 SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

12 (2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY,
13 AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

14 (F) THE FUND CONSISTS OF:

15 (1) REVENUES FROM THE SURCHARGE ESTABLISHED UNDER
16 SUBSECTION (J) OF THIS SECTION;

17 (2) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND; AND

18 (3) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR
19 THE BENEFIT OF THE FUND.

20 (G) THE FUND MAY BE USED ONLY FOR PROVIDING FINANCIAL ASSISTANCE
21 IN THE FORM OF GRANTS AND LOANS TO AUTHORITIES TO FUND THE INSTALLATION
22 OF WIRELESS FACILITIES AND POLES IN UNDERSERVED AREAS OF THE STATE.

23 (H) (1) THE STATE TREASURER SHALL INVEST THE MONEY OF THE FUND
24 IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.

25 (2) ANY INTEREST EARNINGS OF THE FUND SHALL BE CREDITED TO
26 THE GENERAL FUND OF THE STATE.

27 (I) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN ACCORDANCE
28 WITH THE STATE BUDGET.

(J) (1) THERE IS A SURCHARGE LEVIED AND COLLECTED FROM WIRELESS PROVIDERS THAT INSTALL WIRELESS FACILITIES AND POLES UNDER THIS SUBTITLE.

(2) THE AMOUNT OF THE SURCHARGE IS 1% OF THE GROSS REVENUE REALIZED BY A WIRELESS PROVIDER FROM THE SALE OF WIRELESS SERVICES IN THE STATE.

(3) ALL REVENUES FROM THE SURCHARGE SHALL BE DEPOSITED IN THE FUND.

(4) THE COMPTROLLER:

(I) SHALL ADMINISTER THE SURCHARGE; AND

(II) MAY ADOPT REGULATIONS APPROPRIATE FOR THE COLLECTION, ADMINISTRATION, AND ENFORCEMENT OF THE SURCHARGE.

(5) EXCEPT TO THE EXTENT THEY ARE INCONSISTENT WITH THIS SECTION, THE PROVISIONS OF TITLE 13 OF THE TAX – GENERAL ARTICLE APPLICABLE TO THE SALES AND USE TAX SHALL GOVERN THE ADMINISTRATION, COLLECTION, AND ENFORCEMENT OF THE SURCHARGE PROVIDED UNDER THIS SUBSECTION.

(K) (1) THE SECRETARY SHALL ADOPT REGULATIONS TO IMPLEMENT THIS SECTION.

(2) THE REGULATIONS SHALL INCLUDE:

(I) PROCEDURES FOR AUTHORITIES TO APPLY FOR FINANCIAL ASSISTANCE FROM THE FUND; AND

(II) PRIORITIES FOR ALLOCATING, SELECTING, AND DISTRIBUTING FINANCIAL ASSISTANCE FROM THE FUND TO AUTHORITIES IN AREAS OF THE STATE UNDERSERVED BY WIRELESS FACILITIES AND WIRELESS SERVICES.

8–718.

(A) THE CIRCUIT COURT FOR THE COUNTY IN WHICH THE AUTHORITY IS LOCATED SHALL HAVE JURISDICTION OVER ANY DISPUTE ARISING UNDER THIS SUBTITLE.

(B) THE CIRCUIT COURT SHALL ADJUDICATE A CASE ARISING FROM A

DISPUTE UNDER THIS SUBTITLE WITHIN 180 DAYS AFTER THE COMPLAINT OR PETITION IS FILED.

(C) A PARTY TO THE JUDICIAL REVIEW MAY APPEAL THE COURT'S FINAL JUDGMENT IN ACCORDANCE WITH THE MARYLAND RULES.

8-719.

IF THERE IS AN INCONSISTENCY BETWEEN THIS SUBTITLE AND THE PROVISIONS OF ANY LOCAL LAW OR AGREEMENT OF AN AUTHORITY IN EFFECT BEFORE JANUARY 1, 2020, AND AS THE LOCAL LAW OR AGREEMENT MAY BE AMENDED FROM TIME TO TIME, THE PROVISIONS OF THE LOCAL LAW OR AGREEMENT SHALL PREVAIL OVER THIS SUBTITLE TO THE EXTENT OF THE INCONSISTENCY.

13-101.

(a) This section does not apply to a violation of the following provisions of this article:

(1) Title 5, Subtitle 4;

(2) Title 7, Subtitle 1;

(3) Title 8, Subtitles [1 and] 1, 3, AND 7; and

(4) Title 9, Subtitle 3.

(b) A person may not fail, neglect, or refuse to comply with any provision of this division or any effective and outstanding direction, ruling, order, rule, regulation, or decision of the Commission.

(c) An individual who knowingly violates or knowingly aids or abets a public service company in the violation of subsection (b) of this section or any provision of this division:

(1) is guilty of a misdemeanor; and

(2) unless a different punishment is specifically provided by law, on conviction is subject to a fine not exceeding \$1,000 for a first offense and not exceeding \$5,000 for each additional or subsequent offense.

13-201.

(a) This section does not apply to a violation of the following provisions of this article:

1 (1) Title 5, Subtitle 4;

2 (2) Title 7, Subtitle 1;

3 (3) § 7–213 as it applies to electric cooperatives;

4 (4) Title 8, Subtitles [1 and] 1, 3, AND 7;

5 (5) Title 9, Subtitle 3; and

6 (6) Title 8, Subtitle 4.

7 (b) (1) Except as provided in paragraph (2) of this subsection, the Commission
8 may impose a civil penalty not exceeding \$25,000 against a person who violates a provision
9 of this division, or an effective and outstanding direction, ruling, order, rule, or regulation
10 of the Commission.

11 (2) The civil penalty that the Commission may impose on a common carrier
12 for each violation may not exceed \$2,500.

13 (c) (1) A civil penalty may be imposed in addition to any other penalty
14 authorized by this division.

15 (2) Each violation is a separate offense.

16 (3) Each day or part of a day the violation continues is a separate offense.

17 (d) The Commission shall determine the amount of any civil penalty after
18 considering:

19 (1) the number of previous violations of any provision of this article;

20 (2) the gravity of the current violation;

21 (3) the good faith efforts of the violator in attempting to achieve compliance
22 after notification of the violation; and

23 (4) any other matter that the Commission considers appropriate and
24 relevant.

25 (e) (1) Except as provided in paragraphs (2) and (3) of this subsection, a civil
26 penalty collected under this section shall be paid into the General Fund of the State.

27 (2) A civil penalty assessed for a violation of a service quality and reliability
28 standard under § 7–213 of this article shall be paid into the Electric Reliability Remediation
29 Fund under § 7–213(j) of this article.

1 (3) A civil penalty assessed for a violation of § 7–505(b)(7), § 7–507, §
2 7–603, § 7–604, or § 7–606 of this article, or a rule, an order, or a regulation adopted under
3 any of those sections, shall be paid into the Retail Choice Customer Education and
4 Protection Fund under § 7–310 of this article.

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
6 January 1, 2020.

Department of Legislative Services
Maryland General Assembly
2019 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 713
Finance

(Senator Beidle, *et al.*)

Wireless Facilities - Permitting and Siting

This bill establishes procedures and requirements for the permitting, installation, and regulation of wireless facilities. The bill also establishes a wireless facilities surcharge, administered by the Comptroller, and directs the surcharge revenue to the Digital Inclusion Fund established in the Department of Housing and Community Development (DHCD). Except as otherwise provided by law, the provisions of the bill are not subject to the jurisdiction of the Public Service Commission. **The bill takes effect January 1, 2020.**

Fiscal Summary

State Effect: General fund expenditures increase by \$0.5 million in FY 2020 and by about \$0.5 million to \$0.7 million annually thereafter. Special fund revenues and expenditures increase significantly beginning in FY 2020. General fund revenues increase from interest earned on the new fund. The effect on State finances and operations due specifically to the bill's permitting/installation provisions cannot be reliably estimated at this time (and are not shown) but are likely significant, as discussed below.

(\$ in millions)	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024
GF Revenue	-	-	-	-	-
SF Revenue	-	-	-	-	-
GF Expenditure	\$0.5	\$0.7	\$0.5	\$0.6	\$0.6
SF Expenditure	-	-	-	-	-
Net Effect	(\$0.5)	(\$0.7)	(\$0.5)	(\$0.6)	(\$0.6)

Note: (-) = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate increase; (-) = indeterminate decrease

Local Effect: Potential significant impact on local government revenues and expenditures depending on the number of small wireless facilities permit applications. **This bill may impose a mandate on a unit of local government.**

Small Business Effect: Minimal.

Analysis

Bill Summary:

Definitions

The bill establishes comprehensive and interwoven definitions related to wireless facilities. “Authority” means a county, a municipality, the State, or an instrumentality of the State that may approve the installation of wireless facilities on poles of public rights-of-way.

“Wireless facility” means equipment at a fixed location that enables wireless communications between user equipment and a communications network. It includes equipment associated with wireless communications and any radio transceiver, antenna, coaxial or fiber-optic cable, regular or backup power supply, and comparable equipment, regardless of technological configuration. It does not include (1) the structure or improvements on, under, or within which the equipment is located; (2) a pole; or (3) coaxial or fiber-optic cable that is located between wireless structures or poles or not otherwise immediately adjacent to or directly associated with a particular antenna.

Grandfathering of Existing Local Laws

If there is an inconsistency between the bill and the provisions of any local law or agreement of an authority in effect before January 1, 2020, and as the local law or agreement may be amended from time to time, the provisions of the local law or agreement must prevail over the bill to the extent of the inconsistency.

Installation of Wireless Facilities – Generally

A wireless provider may install and maintain wireless facilities and poles in a public right-of-way in accordance with any applicable local law or regulations, franchises, permits, licenses, agreements, or other approvals required by an authority. The applicable local law and regulation may not (1) generally prohibit the installation of all wireless facilities or poles in the public right-of-way or on private property and (2) discriminate among wireless providers of functionally equivalent wireless services.

The use of a public right-of-way or the attachment of wireless facilities to public assets by a wireless provider may not obstruct or hinder (1) the travel or public safety on the public right-of-way or (2) the legal use of the public right-of-way or public assets by others.

Local Standards and Requirements

An authority may adopt design and aesthetic requirements or standards that govern the installation of wireless facilities and poles, including their appearance, location, and height, provided that the requirements or standards do not prohibit any wireless provider's wireless service. A wireless provider must obtain any approvals, including franchises, permits, licenses, leases, and agreements, which may be required by an authority before:

- the collocation of a wireless facility;
- the attachment of a wireless facility to a pole owned by an authority;
- the installation of a pole; or
- the modification of a wireless facility or a pole.

Subject to a specified application process and requirements, the applications and documents that an authority may require may include:

- detailed plans describing the collocation, modification, or attachment, including any certifications that may be required;
- a preconstruction survey;
- a description of any necessary make-ready work;
- a proposed schedule for completion, certified by a licensed professional engineer; and
- any other information required by an authority that will allow the authority to properly evaluate specified aspects of the proposed facility.

Fees

An authority may charge a wireless provider:

- for the costs of processing applications and permits;
- for the attachment or use of a pole owned by the authority;
- for the privilege of using a public right-of-way (franchise); and
- for the cost of relocating wireless facilities or poles when relocation is required by the alteration of a public right-of-way or its appurtenance.

The attachment or use charge may be up to the greater of \$2,500 or 2% of the gross revenue realized by a wireless provider from the use of the pole.

Liability and Insurance

A wireless provider must indemnify and hold harmless the authority and its officers and employees against any loss, damage, or liability resulting from the wireless facility or pole. During the period in which the facilities of a wireless provider are located on or attached to the authority's assets or rights-of-way, the authority may require a wireless provider to carry specified insurances, subject to certain requirements. An authority may also adopt surety bonding requirements for wireless providers, which may include provisions to terminate the right to occupy a public right-of-way for failure to meet the surety bonding requirements.

Circuit Court Jurisdiction over Disputes

The circuit court for the county in which the authority is located has jurisdiction over any dispute arising under the bill. The court must adjudicate a case arising from a dispute within 180 days after the complaint or petition is filed. A party to the judicial review may appeal the court's final judgment in accordance with the Maryland Rules.

Wireless Facility Surcharge and Digital Inclusion Fund

A surcharge must be levied and collected from wireless providers that install wireless facilities and poles under the bill. The amount of the surcharge is 1% of the gross revenue realized by a wireless provider from the sale of wireless services in the State. The Comptroller must administer the surcharge, generally under the same requirements for the administration of the sales and use tax, and may adopt regulations appropriate for collection, administration, and enforcement.

All surcharge revenues must be deposited into the Digital Inclusion Fund established as a special, nonlapsing fund in DHCD. The purpose of the fund is to provide funding to authorities to expand the deployment of wireless facilities and poles in geographical areas of the State that are underserved by wireless providers. The Secretary of Housing and Community Development must administer the fund, which consists of:

- revenues from the surcharge established under the bill;
- money appropriated in the State budget to the fund; and
- any other money from any other source accepted for the benefit of the fund.

The fund may be used only for providing financial assistance in the form of grants and loans to authorities to fund the installation of wireless facilities and poles in underserved areas of the State. Expenditures from the fund may be made only in accordance with the State budget. Any interest earnings of the fund must be credited to the general fund.

The Secretary of Housing and Community Development must adopt regulations to implement the fund, which must include:

- procedures for authorities to apply for financial assistance from the fund; and
- priorities for allocating, selecting, and distributing financial assistance from the fund to authorities in areas of the State underserved by wireless facilities and wireless services.

Current Law/Background: As demand for high speed Internet access has increased, wireless providers are seeking new ways to meet this demand. One method used by wireless providers to increase network speed and density is through the deployment of small wireless facilities. Small wireless facilities include antennas and poles of various sizes and heights.

However, this desire to meet customer demands for faster, more accessible, and more reliable high speed Internet service and the general lack of a regulatory framework at the State level, in many instances, has led to conflict between the wireless industry and local governments. One such conflict is over the use of public rights-of-way and publicly owned property and equipment. The wireless industry has argued that they should have access to local rights-of-way and locally owned equipment as the infrastructure is already in place for the siting of small wireless facilities. Local governments, on the other hand, have argued the need to have systems in place to allow for uniformity in siting, design, permitting, and maintenance of these wireless facilities. Local jurisdictions typically have this jurisdiction over other users of local rights-of-way, including telecommunications companies and cable television providers.

Several states have enacted legislation limiting local control of the permitting and siting process for small wireless facilities. There are similar components shared in the legislation of these states, including (1) expedited application processing; (2) limited or capped fees for applications and for the use of rights-of-way; (3) presumed application approvals and limitations on denying applications; and (4) limitations or prohibitions on zoning for new equipment, including poles.

The 2019 [report](#) by the Task Force on Rural Internet, Broadband, Wireless, and Cellular Service discusses many of these and other related issues.

State Fiscal Effect: The bill's permitting/installation requirements affect State finances in several ways. The direction and magnitude of the effect depends on a variety of factors, including the number of wireless providers that choose to install wireless facilities on State rights-of-way and the associated State costs paid and revenues received as a result of the installations. The net effect cannot be reliably estimated but is likely significant, particularly due to the fee limitations, permit approval times, and the general prioritization

of wireless facility installations. For example, the Maryland Department of Transportation, which is responsible for a significant amount of State rights-of-way, advises that the bill creates conflicts with its existing resource sharing agreements and related uses of its rights-of-way, including permitting timelines and associated fees.

Digital Inclusion Fund and Associated Surcharge

The Comptroller must administer the surcharge established under the bill. General fund expenditures for the Comptroller increase by \$61,877 in fiscal 2020, which accounts for the bill's January 1, 2020 effective date. This estimate reflects the cost of hiring two revenue examiners to administer the surcharge. It includes salaries, fringe benefits, one-time start-up costs, and ongoing operating expenses.

Positions	2
Salaries and Fringe Benefits	\$51,472
Operating Expenses	<u>10,405</u>
Total FY 2020 Comptroller Expenditures	\$61,877

Future year expenditures reflect full salaries with annual increases and employee turnover and ongoing operating expenses.

Special fund revenues and expenditures for the Digital Inclusion Fund increase significantly beginning in fiscal 2020. The amount cannot be reliably estimated at this time, but, based on information provided by the Comptroller and DHCD, is potentially tens of millions of dollars annually. To administer a fund of this size, DHCD requires several dedicated staff and some initial consultant services. As administrative expenses are not an explicitly authorized use of the Digital Inclusion Fund, this analysis assumes general funds are used.

Therefore, general fund expenditures for DHCD increase by \$411,439 in fiscal 2020, which accounts for the bill's January 1, 2020 effective date. This estimate reflects the cost of hiring one director, one technical staff, and one administrative staff to begin administration of the fund. It includes salaries, fringe benefits, one-time start-up costs, consultant costs, and ongoing operating expenses.

Positions	3
Salaries and Fringe Benefits	\$141,269
Consultant Services	250,000
Other Operating Expenses	<u>20,170</u>
Total FY 2020 DHCD Expenditures	\$411,439

Future year expenditures reflect full salaries with annual increases and employee turnover and ongoing operating expenses, as well as an additional \$250,000 in consultant costs in fiscal 2021 and two additional staff, effective January 1, 2021.

General fund revenues increase, likely minimally, from interest earnings of the new fund.

Local Fiscal Effect: The bill may have an effect on local revenues and expenditures in several ways. The actual effect varies by local jurisdiction and depends on a variety of factors, including the number of wireless providers operating in a jurisdiction, the number of permits that may be applied for, and the number of small wireless facilities that may be located in a jurisdiction. The actual effect on local revenues and expenditures cannot be reliably estimated; however, in some jurisdictions, the effect may be significant. The effect is mitigated to some extent by the bill's grandfathering provisions.

The effect on the circuit courts is likewise unknown; however, barring a significant number of cases, the overall effect is likely absorbable within existing budgeted resources.

Additional Comments: The Comptroller advises that the likely outcome of the surcharge as currently established by the bill is that wireless providers will not install any equipment unless they are planning to install a large amount. The marginal tax cost of installing the first piece of equipment is 1% of a company's gross revenues from wireless service. The marginal tax cost on each successive piece is \$0.

Additional Information

Prior Introductions: None.

Cross File: HB 1020 (Delegate Lisanti, *et al.*) - Economic Matters.

Information Source(s): Comptroller's Office; Department of Housing and Community Development; Judiciary (Administrative Office of the Courts); Maryland Department of Transportation; Baltimore City; Montgomery and Prince George's counties; City of Takoma Park; Maryland Association of Counties; Maryland Municipal League; Department of Legislative Services

Fiscal Note History: First Reader - February 20, 2019
mm/lgc

Analysis by: Stephen M. Ross

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HOUSE BILL 654

C5, C2, C8

9lr2039
CF 9lr3159

By: **Delegate D.E. Davis**

Introduced and read first time: February 6, 2019

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Wireless Facilities – Installation and Regulation**

3 FOR the purpose of establishing procedures and requirements for the deployment,
4 installation, and regulation of certain wireless telecommunications facilities in the
5 State; prohibiting an authority from entering into an exclusive agreement for the use
6 of certain rights-of-way for certain purposes; authorizing an authority to impose
7 certain rates and fees for use of certain rights-of-way in a certain manner and
8 subject to certain limitations; authorizing a wireless provider to collocate certain
9 facilities and use certain rights-of-way in certain manners as a matter of right;
10 establishing certain limitations on the installation and maintenance of certain
11 facilities in certain rights-of-way; authorizing an authority to adopt certain
12 guidelines for the location, appearance, and design of certain facilities; authorizing
13 the collocation of certain facilities on certain equipment; authorizing an authority to
14 restrict the use of certain attachments under certain circumstances and in a certain
15 manner; requiring an authority to provide for waivers of certain requirements;
16 providing for the character and administration of certain requirements for certain
17 facilities; authorizing an authority to require the repair of certain damage and the
18 restoration of certain rights-of-way to certain conditions under certain
19 circumstances; requiring a wireless provider to notify an authority of the
20 abandonment of certain facilities; providing for the removal of certain abandoned
21 facilities; providing for the collocation of certain facilities in certain areas and on
22 certain property; providing that certain collocation is not subject to certain review
23 and is a permitted use; authorizing an authority to require a permit for collocation
24 or installation of certain equipment under certain circumstances; prohibiting an
25 authority from requiring certain services or certain actions of an applicant for a
26 certain permit; authorizing an authority to require an applicant for a certain permit
27 to provide certain information; authorizing an authority to propose an alternate
28 location for certain facilities; authorizing an authority to require that certain
29 facilities be operational within a certain time period; establishing certain time
30 periods for certain applications and for decisions on the applications; providing for
31 an opportunity for an applicant to revise an application for a permit and have the

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



application considered; providing for the automatic approval of an application for a permit under certain circumstances; authorizing the denial of a permit under certain circumstances; providing that a certain permit authorizes the applicant to install or collocate and operate certain equipment for a certain time period and to renew the permit at the applicant's discretion; prohibiting an authority from instituting a moratorium on the receipt of applications or the issuance of certain permits; prohibiting an authority from requiring a permit for certain maintenance and replacement activities; prohibiting certain persons from entering into an exclusive agreement for the use of certain authority utility poles; requiring an authority to authorize the collocation of certain facilities on certain equipment; providing for certain rates, fees, and terms for certain collocations and certain associated work activities; requiring certain make-ready work to be completed in a certain manner within a certain time period; prohibiting the imposition of certain fees for certain uses, locations, and activities; establishing certain limitations for certain fees and rates; providing that the District Court has jurisdiction over certain matters and shall adjudicate certain cases within a certain time period; prohibiting an authority from requiring a wireless provider to indemnify and hold harmless the authority and certain persons for certain activities under certain circumstances; authorizing an authority to require a certain wireless provider to carry certain insurance coverage for certain risks and activities in a certain manner; authorizing a wireless provider to self-insure against certain risks in a certain manner; authorizing an authority to adopt certain surety bonding requirements for certain purposes; authorizing an authority to enact a local law to carry out this Act; providing that this Act prevails over local law; providing for the effect of certain agreements and ordinances in effect before a certain date; limiting the authority of an authority over certain facilities; requiring an authority to evaluate certain structure classifications in a certain manner; providing that this Act is not subject to the jurisdiction of the Public Service Commission; providing for the construction of this Act; excluding this Act from the application of certain penalties; defining certain terms; and generally relating to wireless telecommunications facilities.

BY adding to

Article – Public Utilities

Section 8–701 through 8–709 to be under the new subtitle “Subtitle 7. Wireless Facilities”

Annotated Code of Maryland

(2010 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Utilities

Section 13–101 and 13–201

Annotated Code of Maryland

(2010 Replacement Volume and 2018 Supplement)

Preamble

WHEREAS, Encouraging the deployment of small wireless facilities and other

1 next-generation wireless and broadband network facilities will attract new investment in
2 wireless infrastructure technology that supports enhanced network and next-generation
3 smart cities and other solutions and is a matter of statewide concern and interest; and

4 WHEREAS, Wireless and broadband products and services are a significant and
5 continually growing part of the State's economy and, accordingly, encouraging the
6 development of strong and robust wireless and broadband communications networks
7 throughout the State is integral to the State's economic competitiveness; and

8 WHEREAS, Rapid deployment of small wireless facilities will serve numerous
9 important statewide goals of meeting growing consumer demand for wireless data,
10 including increasing competitive options for communications services available to the
11 State's residents, promoting the ability of the State's citizens to communicate with other
12 citizens and with their State and local governments and promoting public safety; and

13 WHEREAS, Small wireless facilities, including facilities commonly referred to as
14 small cells and distributed antenna systems, often may be deployed most effectively in
15 rights-of-way; and

16 WHEREAS, To meet the key objectives of this Act, wireless providers must have
17 access to rights-of-way and the ability to attach infrastructure in rights-of-way to increase
18 the density of their networks and provide next-generation wireless services; and

19 WHEREAS, Uniform rates and fees for the permitting and deployment of small
20 wireless facilities in rights-of-way and on local government-owned infrastructure,
21 including poles, throughout the State are reasonable and will encourage the development
22 of robust next-generation wireless and broadband networks for the benefit of people
23 throughout the State; and

24 WHEREAS, The rates and fees provided for in this Act are fair and reasonable when
25 viewed from the perspective of the State's citizens and the State's interest in encouraging
26 investment in wireless infrastructure and having robust, reliable, and technologically
27 advanced wireless and broadband networks, and reflect a balancing of the interests of the
28 wireless providers in deploying new facilities and the interests of the State and local
29 governments in recovering their costs of managing access to rights-of-way and the
30 attachment space provided on public infrastructure and receiving the fair value of the
31 rights-of-way; now, therefore,

32 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
33 That the Laws of Maryland read as follows:

34 Article – Public Utilities

35 SUBTITLE 7. WIRELESS FACILITIES.

36 8-701.

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) (1) "ANTENNA" MEANS AN APPARATUS DESIGNED FOR THE PURPOSE OF EMITTING RADIOFREQUENCY RADIATION, TO BE OPERATED OR OPERATING FROM A FIXED LOCATION IN ACCORDANCE WITH FEDERAL COMMUNICATIONS COMMISSION AUTHORIZATION, TO PROVIDE PERSONAL WIRELESS SERVICE AND ANY COMMINGLED INFORMATION SERVICES.

(2) "ANTENNA" DOES NOT INCLUDE AN UNINTENTIONAL RADIATOR, MOBILE STATION, OR DEVICE AUTHORIZED UNDER 47 C.F.R. PART 15.

(C) (1) "ANTENNA EQUIPMENT" MEANS EQUIPMENT, SWITCHES, WIRING, CABLING, POWER SOURCES, SHELTERS, OR CABINETS ASSOCIATED WITH AN ANTENNA THAT IS LOCATED AT THE SAME FIXED LOCATION AS THE ANTENNA AND, WHEN COLLOCATED ON A STRUCTURE, IS MOUNTED OR INSTALLED AT THE SAME TIME AS THE ANTENNA.

(2) "ANTENNA EQUIPMENT" DOES NOT INCLUDE:

(I) THE STRUCTURE OR IMPROVEMENTS ON, UNDER, OR WITHIN WHICH THE EQUIPMENT IS COLLOCATED; OR

(II) WIRELINE BACKHAUL FACILITIES, COAXIAL OR FIBER OPTIC CABLE THAT IS BETWEEN WIRELESS SUPPORT STRUCTURES OR UTILITY POLES, OR COAXIAL OR FIBER OPTIC CABLE THAT IS OTHERWISE NOT IMMEDIATELY ADJACENT TO OR DIRECTLY ASSOCIATED WITH AN ANTENNA.

(D) "ANTENNA FACILITY" MEANS AN ANTENNA AND ASSOCIATED ANTENNA EQUIPMENT.

(E) (1) "APPLICABLE CODES" MEANS UNIFORM BUILDING, FIRE, SAFETY, ELECTRICAL, PLUMBING, OR MECHANICAL CODES ADOPTED BY A RECOGNIZED NATIONAL CODE ORGANIZATION TO THE EXTENT AN AUTHORITY HAS ADOPTED THE CODES.

(2) "APPLICABLE CODES" INCLUDES ANY AMENDMENT AN AUTHORITY HAS ADOPTED THAT IS OF GENERAL APPLICATION, ADDRESSES PUBLIC SAFETY, AND IS CONSISTENT WITH THIS SUBTITLE.

(F) (1) "AUTHORITY" MEANS THE STATE OR ANY UNIT, COUNTY, MUNICIPALITY, DISTRICT, OR SUBDIVISION, OR ANY INSTRUMENTALITY OF THOSE UNITS, IN THE STATE.

1 (2) “AUTHORITY” INCLUDES A PUBLIC UTILITY DISTRICT, AN
2 IRRIGATION DISTRICT, AND A MUNICIPAL ELECTRIC UTILITY.

3 (3) “AUTHORITY” DOES NOT INCLUDE:

4 (I) A STATE COURT; OR

5 (II) THE GOVERNING BODY OF AN UNINCORPORATED,
6 CENSUS-DESIGNATED PLANNED COMMUNITY IN THE STATE.

7 (G) “AUTHORITY POLE” MEANS A UTILITY POLE THAT IS OWNED, MANAGED,
8 OR OPERATED BY OR ON BEHALF OF AN AUTHORITY.

9 (H) “COLLOCATE” MEANS TO INSTALL OR MOUNT AN ANTENNA FACILITY ON
10 A PREEXISTING STRUCTURE, OR TO MODIFY A STRUCTURE FOR THE PURPOSE OF
11 MOUNTING OR INSTALLING AN ANTENNA FACILITY ON THAT STRUCTURE.

12 (I) “COMMUNICATIONS FACILITY” MEANS THE SET OF EQUIPMENT AND
13 NETWORK COMPONENTS, INCLUDING WIRES AND CABLES AND ASSOCIATED
14 FACILITIES, THAT A COMMUNICATIONS SERVICE PROVIDER USES TO PROVIDE
15 COMMUNICATIONS SERVICE.

16 (J) “COMMUNICATIONS SERVICE” MEANS:

17 (1) CABLE SERVICE, AS DEFINED IN 47 U.S.C. § 522(6);

18 (2) TELECOMMUNICATIONS SERVICE, AS DEFINED IN 47 U.S.C. §
19 153(53);

20 (3) INFORMATION SERVICE, AS DEFINED IN 47 U.S.C. § 153(24); OR

21 (4) WIRELESS SERVICE.

22 (K) “COMMUNICATIONS SERVICE PROVIDER” OR “PROVIDER” MEANS:

23 (1) A CABLE OPERATOR, AS DEFINED IN 47 U.S.C. § 522(5);

24 (2) A TELECOMMUNICATIONS CARRIER, AS DEFINED IN 47 U.S.C. §
25 153(51);

26 (3) A PROVIDER OF INFORMATION SERVICE, AS DEFINED IN 47 U.S.C.
27 § 153(24); OR

1 (4) A WIRELESS PROVIDER.

2 (L) “DECORATIVE POLE” MEANS AN AUTHORITY POLE THAT IS SPECIALLY
3 DESIGNED AND PLACED FOR AESTHETIC PURPOSES AND ON WHICH NO
4 ATTACHMENTS ARE PLACED OR ALLOWED TO BE PLACED ACCORDING TO
5 NONDISCRIMINATORY LOCAL LAWS, OTHER THAN:

6 (1) A SMALL WIRELESS FACILITY;

7 (2) LIGHTING;

8 (3) SPECIALLY DESIGNED INFORMATIONAL OR DIRECTIONAL
9 SIGNAGE; OR

10 (4) A TEMPORARY HOLIDAY OR SPECIAL EVENT ATTACHMENT.

11 (M) “FACILITY” MEANS AN ANTENNA FACILITY OR A STRUCTURE THAT IS
12 USED TO PROVIDE PERSONAL WIRELESS SERVICE, WHETHER THE SERVICE IS
13 PROVIDED ON A STAND-ALONE BASIS OR IS COMMINGLED WITH OTHER WIRELESS
14 COMMUNICATIONS SERVICES.

15 (N) “HISTORIC DISTRICT” MEANS A GROUP OF BUILDINGS, PROPERTIES, OR
16 SITES THAT ARE:

17 (1) LISTED IN THE NATIONAL REGISTER OF HISTORIC PLACES OR
18 FORMALLY DETERMINED AS ELIGIBLE FOR LISTING BY THE KEEPER OF THE
19 NATIONAL REGISTER, IN ACCORDANCE WITH SECTION VI.D.1.A.I-V OF THE
20 NATIONWIDE PROGRAMMATIC AGREEMENT CODIFIED AT 47 C.F.R. PART 1,
21 APPENDIX C; OR

22 (2) LOCATED IN A HISTORIC DISTRICT ESTABLISHED UNDER TITLE 8
23 OF THE LAND USE ARTICLE AS OF JUNE 1, 2019.

24 (O) “MAKE-READY WORK” MEANS ANY REARRANGEMENT OF EXISTING
25 UTILITY POLE ATTACHMENTS OR UTILITY POLE REPLACEMENTS THAT MUST BE
26 COMPLETED BEFORE A PERSON COLLOCATES NEW WIRELESS FACILITIES ON A
27 UTILITY POLE IN ORDER TO ENSURE THE PROPER SPACING OF EQUIPMENT AND
28 COMPLIANCE WITH APPLICABLE CODES.

29 (P) “MICRO WIRELESS FACILITY” MEANS A SMALL WIRELESS FACILITY
30 THAT:

1 (1) IS NOT LARGER THAN 24 INCHES LONG, 15 INCHES WIDE, AND 12
2 INCHES HIGH; AND

3 (2) HAS AN EXTERIOR ANTENNA, IF ANY, NOT MORE THAN 11 INCHES
4 LONG.

5 (q) “RIGHT-OF-WAY” OR “ROW” MEANS THE AREA ON, BELOW, OR ABOVE
6 A PUBLIC ROADWAY, HIGHWAY, STREET, SIDEWALK, ALLEY, UTILITY EASEMENT, OR
7 SIMILAR PROPERTY OTHER THAN A FEDERAL INTERSTATE HIGHWAY.

8 (r) “SMALL WIRELESS FACILITY” MEANS A FACILITY THAT MEETS EACH OF
9 THE FOLLOWING SPECIFICATIONS:

10 (1) THE FACILITIES:

11 (i) ARE MOUNTED ON STRUCTURES 50 FEET OR LESS IN
12 HEIGHT, INCLUDING THE ANTENNAS;

13 (ii) ARE MOUNTED ON STRUCTURES NOT MORE THAN 10%
14 TALLER THAN OTHER ADJACENT STRUCTURES; OR

15 (iii) DO NOT EXTEND EXISTING STRUCTURES ON WHICH THEY
16 ARE LOCATED TO THE GREATER OF:

17 1. A HEIGHT OF MORE THAN 50 FEET; OR

18 2. AN EXTENSION OF MORE THAN 10%;

19 (2) EACH ANTENNA ASSOCIATED WITH THE DEPLOYMENT IS NOT
20 MORE THAN 3 CUBIC FEET IN VOLUME, EXCLUDING ASSOCIATED ANTENNA
21 EQUIPMENT;

22 (3) ALL OTHER WIRELESS EQUIPMENT ASSOCIATED WITH THE
23 STRUCTURE, INCLUDING WIRELESS EQUIPMENT ASSOCIATED WITH THE ANTENNA
24 AND ANY PREEXISTING ASSOCIATED EQUIPMENT ON THE STRUCTURE, IS NOT MORE
25 THAN 28 CUBIC FEET IN VOLUME;

26 (4) THE FACILITIES DO NOT REQUIRE ANTENNA STRUCTURE
27 REGISTRATION UNDER 47 C.F.R. PART 17;

28 (5) THE FACILITIES ARE NOT LOCATED ON TRIBAL LANDS, AS
29 DEFINED UNDER 36 C.F.R. 800.16(x); AND

(6) THE WIRELESS FACILITIES DO NOT RESULT IN HUMAN EXPOSURE TO RADIO FREQUENCY IN EXCESS OF THE APPLICABLE SAFETY STANDARDS SPECIFIED IN 47 C.F.R. 1.1307(B).

(S) "STRUCTURE" MEANS A UTILITY POLE OR WIRELESS SUPPORT STRUCTURE, WHETHER OR NOT IT HAS AN EXISTING ANTENNA FACILITY, THAT IS USED OR TO BE USED TO PROVIDE PERSONAL WIRELESS SERVICE, EITHER ON ITS OWN OR COMMINGLED WITH OTHER TYPES OF SERVICES.

(T) "TECHNICALLY FEASIBLE" MEANS, WITH RESPECT TO A PROPOSED PLACEMENT FOR A SMALL WIRELESS FACILITY, THAT THE PLACEMENT CAN BE IMPLEMENTED WITHOUT A REDUCTION IN THE FUNCTIONALITY OF THE FACILITY BECAUSE OF:

(1) THE FACILITY'S ENGINEERING OR SPECTRUM USAGE; OR

(2) THE FACILITY'S DESIGN, CONCEALMENT MEASURES, OR SITE LOCATION.

(U) "UTILITY EASEMENT" MEANS A LOCATION WITHIN AN AUTHORITY ON PRIVATE PROPERTY WHERE PUBLIC UTILITIES ARE AUTHORIZED BY LAW, DEED, OR AGREEMENT TO PLACE, MAINTAIN, AND ALLOW ACCESS TO UTILITY FACILITIES.

(V) (1) "UTILITY POLE" MEANS A POLE OR SIMILAR STRUCTURE THAT IS OR MAY BE USED WHOLLY OR PARTLY BY OR FOR WIRELINE COMMUNICATIONS, ELECTRIC DISTRIBUTION, LIGHTING, TRAFFIC CONTROL, SIGNAGE, OR A SIMILAR FUNCTION, OR FOR THE COLLOCATION OF SMALL WIRELESS FACILITIES.

(2) "UTILITY POLE" DOES NOT INCLUDE WIRELESS SUPPORT STRUCTURES OR ELECTRIC TRANSMISSION STRUCTURES.

(W) "WIRELESS INFRASTRUCTURE PROVIDER" MEANS A PERSON WHO:

(1) BUILDS OR INSTALLS WIRELESS COMMUNICATIONS TRANSMISSION EQUIPMENT, A WIRELESS FACILITY, OR A WIRELESS SUPPORT STRUCTURE; BUT

(2) IS NOT A WIRELESS SERVICES PROVIDER.

(X) "WIRELESS PROVIDER" MEANS A WIRELESS INFRASTRUCTURE PROVIDER OR A WIRELESS SERVICES PROVIDER.

(Y) "WIRELESS SERVICES" MEANS ANY SERVICES PROVIDED TO THE

1 PUBLIC USING LICENSED OR UNLICENSED SPECTRUM, INCLUDING THE USE OF
2 WI-FI, WHETHER AT A FIXED LOCATION OR USING MOBILE EQUIPMENT.

3 (Z) "WIRELESS SERVICES PROVIDER" MEANS A PERSON WHO PROVIDES
4 WIRELESS SERVICES.

5 (AA) (1) "WIRELESS SUPPORT STRUCTURE" MEANS A STRUCTURE THAT IS
6 DESIGNED TO SUPPORT OR CAPABLE OF SUPPORTING WIRELESS FACILITIES.

7 (2) "WIRELESS SUPPORT STRUCTURE" DOES NOT INCLUDE:

8 (I) A UTILITY POLE; OR

9 (II) A STRUCTURE DESIGNED SOLELY FOR THE COLLOCATION
10 OF SMALL WIRELESS FACILITIES.

11 8-702.

12 (A) EXCEPT AS OTHERWISE PROVIDED BY LAW, THE PROVISIONS OF THIS
13 SUBTITLE ARE NOT SUBJECT TO THE JURISDICTION OF THE COMMISSION.

14 (B) THIS SUBTITLE MAY NOT BE CONSTRUED OR INTERPRETED TO:

15 (1) AUTHORIZE ANY PERSON TO PROVIDE SERVICES THAT ARE
16 REGULATED UNDER 47 U.S.C. §§ 521 THROUGH 573 WITHOUT COMPLYING WITH ALL
17 LAWS APPLICABLE TO THOSE SERVICES AND PROVIDERS; OR

18 (2) IMPOSE ANY NEW REQUIREMENTS ON CABLE PROVIDERS FOR THE
19 PROVISION OF CABLE SERVICE IN THE STATE.

20 8-703.

21 (A) THIS SECTION APPLIES ONLY TO THE DEPLOYMENT OF SMALL
22 WIRELESS FACILITIES AND ASSOCIATED UTILITY POLES IN A RIGHT-OF-WAY.

23 (B) AN AUTHORITY MAY NOT ENTER INTO AN EXCLUSIVE AGREEMENT WITH
24 ANY PERSON FOR THE USE OF A RIGHT-OF-WAY FOR:

25 (1) THE COLLOCATION OF SMALL WIRELESS FACILITIES; OR

26 (2) THE INSTALLATION, OPERATION, MARKETING, MODIFICATION,
27 MAINTENANCE, OR REPLACEMENT OF UTILITY POLES ASSOCIATED WITH A SMALL
28 WIRELESS FACILITY.

1 (C) IF AN AUTHORITY IMPOSES A RATE OR FEE FOR THE USE OF A
2 RIGHT-OF-WAY FOR UTILITY PURPOSES, THE AUTHORITY MAY IMPOSE A RATE OR
3 FEE FOR THE USE OF A RIGHT-OF-WAY IN ACCORDANCE WITH THIS SECTION.

4 (D) IN ACCORDANCE WITH THIS SECTION, A WIRELESS PROVIDER SHALL
5 HAVE THE RIGHT, AS A PERMITTED USE NOT SUBJECT TO ZONING REVIEW OR
6 APPROVAL, TO COLLOCATE SMALL WIRELESS FACILITIES AND INSTALL, OPERATE,
7 MODIFY, MAINTAIN, AND REPLACE UTILITY POLES ALONG, ACROSS, ON, AND UNDER
8 A RIGHT-OF-WAY.

9 (E) A WIRELESS PROVIDER SHALL INSTALL AND MAINTAIN SMALL
10 WIRELESS FACILITIES AND UTILITY POLES IN A RIGHT-OF-WAY IN A MANNER THAT
11 DOES NOT OBSTRUCT OR HINDER:

12 (1) THE USUAL TRAVEL OR PUBLIC SAFETY ON THE RIGHT-OF-WAY;
13 OR

14 (2) THE LEGAL USE OF THE RIGHT-OF-WAY BY OTHERS.

15 (F) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A
16 NEW OR MODIFIED UTILITY POLE INSTALLED UNDER THIS SECTION MAY NOT
17 EXCEED THE GREATER OF:

18 (I) 10% IN HEIGHT ABOVE ADJACENT STRUCTURES WITHIN 500
19 FEET OF THE NEW OR MODIFIED UTILITY POLE IN THE SAME RIGHT-OF-WAY; OR

20 (II) 50 FEET IN HEIGHT ABOVE GROUND LEVEL.

21 (2) IN ACCORDANCE WITH LOCAL ZONING LAWS, AN AUTHORITY MAY
22 AUTHORIZE THE INSTALLATION OF A NEW OR MODIFIED UTILITY POLE THAT
23 EXCEEDS THE HEIGHT LIMITS SET IN PARAGRAPH (1) OF THIS SUBSECTION.

24 (3) UNLESS OTHERWISE AUTHORIZED BY AN AUTHORITY, A SMALL
25 WIRELESS FACILITY UNDER THIS SECTION MAY NOT EXTEND EXISTING STRUCTURES
26 ON WHICH THEY ARE LOCATED TO THE GREATER OF:

27 (I) A HEIGHT OF MORE THAN 50 FEET ABOVE GROUND LEVEL;
28 OR

29 (II) AN EXTENSION OF MORE THAN 10%.

30 (G) (1) AN AUTHORITY MAY ADOPT REASONABLE WRITTEN DESIGN

1 GUIDELINES WITH OBJECTIVE, TECHNICALLY FEASIBLE CRITERIA THAT
2 REASONABLY MATCH THE AESTHETICS AND CHARACTER OF AN IMMEDIATE AREA
3 REGARDING ALL OF THE FOLLOWING:

4 (I) THE LOCATION OF ANY GROUND-MOUNTED SMALL
5 WIRELESS FACILITIES;

6 (II) THE LOCATION OF A SMALL WIRELESS FACILITY ON A
7 UTILITY POLE OR WIRELESS SUPPORT STRUCTURE;

8 (III) THE APPEARANCE AND CONCEALMENT OF SMALL WIRELESS
9 FACILITIES, INCLUDING THOSE RELATING TO MATERIALS USED FOR ARRANGING,
10 SCREENING, OR LANDSCAPING; AND

11 (IV) THE DESIGN AND APPEARANCE OF A UTILITY POLE.

12 (2) THE GUIDELINES SHALL BE APPLIED IN A NONDISCRIMINATORY
13 MANNER.

14 (3) MATERIALS USED TO COMPLY WITH THE APPEARANCE AND
15 CONCEALMENT CRITERIA ESTABLISHED IN THE GUIDELINES MAY NOT BE
16 CONSIDERED PART OF THE SMALL WIRELESS FACILITY FOR PURPOSES OF FACILITY
17 SIZE RESTRICTIONS UNDER THIS SUBTITLE.

18 (4) EACH NEW OR MODIFIED SMALL WIRELESS FACILITY OR UTILITY
19 POLE INSTALLED IN THE RIGHT-OF-WAY SHALL COMPLY WITH AN AUTHORITY'S
20 CURRENT DESIGN GUIDELINES.

21 (H) (1) A WIRELESS PROVIDER SHALL BE AUTHORIZED TO COLLOCATE
22 ON OR REPLACE DECORATIVE POLES WHEN NECESSARY TO DEPLOY A SMALL
23 WIRELESS FACILITY.

24 (2) THE COLLOCATION OR DECORATIVE POLE REPLACEMENT SHALL
25 REASONABLY CONFORM TO THE DESIGN AESTHETICS OF THE ORIGINAL
26 DECORATIVE POLE AND ANY APPLICABLE DESIGN GUIDELINE ADOPTED UNDER
27 SUBSECTION (G) OF THIS SECTION.

28 (I) (1) AN AUTHORITY MAY RESTRICT A WIRELESS PROVIDER TO THE USE
29 OF ATTACHMENTS TO EXISTING STRUCTURES IN AN AREA DESIGNATED SOLELY FOR
30 UNDERGROUND CABLE AND UTILITY FACILITIES, OR THE AUTHORITY MAY PROHIBIT
31 A WIRELESS PROVIDER FROM INSTALLING A STRUCTURE IN A RIGHT-OF-WAY
32 LOCATED IN AN AREA DESIGNATED SOLELY FOR UNDERGROUND CABLE AND UTILITY
33 FACILITIES, IF:

(I) THE AUTHORITY REQUIRES ALL CABLE AND UTILITY FACILITIES OTHER THAN THOSE OWNED BY THE AUTHORITY TO BE PLACED UNDERGROUND BY A SPECIFIC DATE AT LEAST 3 MONTHS PRECEDING THE APPLICATION OF A WIRELESS PROVIDER TO INSTALL A STRUCTURE;

(II) THE AUTHORITY DOES NOT PROHIBIT THE REPLACEMENT OF UTILITY POLES OWNED BY THE AUTHORITY IN THE DESIGNATED AREA; AND

(III) THE AUTHORITY PROVIDES FOR A NONDISCRIMINATORY WAIVER PROCESS FOR THE PLACEMENT OF A NEW POLE TO SUPPORT A SMALL WIRELESS FACILITY IN THE DESIGNATED AREA.

(2) AN AUTHORITY SHALL PROCESS WAIVERS UNDER PARAGRAPH (1)(III) OF THIS SUBSECTION IN A REASONABLE AND NONDISCRIMINATORY MANNER THAT DOES NOT HAVE THE EFFECT OF PROHIBITING THE PROVISION OF WIRELESS SERVICE.

(J) (1) EXCEPT AS OTHERWISE PROVIDED BY LAW, AN AUTHORITY MAY REQUIRE A WIRELESS PROVIDER TO USE TECHNICALLY FEASIBLE, NONDISCRIMINATORY, AND TECHNOLOGICALLY NEUTRAL DESIGN OR CONCEALMENT MEASURES WHEN COLLOCATING WIRELESS FACILITIES IN A HISTORIC DISTRICT.

(2) THE DESIGN OR CONCEALMENT MEASURES MAY NOT:

(I) HAVE THE EFFECT OF PROHIBITING ANY WIRELESS PROVIDER'S TECHNOLOGY; OR

(II) BE CONSIDERED A PART OF THE SMALL WIRELESS FACILITY FOR PURPOSES OF THE SIZE RESTRICTIONS FOR SMALL WIRELESS FACILITIES.

(K) (1) ANY REQUIREMENTS AN AUTHORITY ADOPTS UNDER SUBSECTIONS (G) THROUGH (J) OF THIS SECTION MUST BE:

(I) REASONABLE, IN THAT THEY ARE TECHNICALLY FEASIBLE AND REASONABLY DIRECTED TO AVOIDING OR REMEDYING THE INTANGIBLE PUBLIC HARM OF UNSIGHTLY OR OUT-OF-CHARACTER DEPLOYMENTS;

(II) NO MORE BURDENSOME THAN THOSE APPLIED TO OTHER TYPES OF INFRASTRUCTURE DEPLOYMENTS; AND

(III) OBJECTIVE AND PUBLISHED IN ADVANCE.

1 **(2) AN AUTHORITY SHALL BE NEUTRAL AND NONDISCRIMINATORY IN**
2 **THE EXERCISE OF ITS ADMINISTRATION AND REGULATION OF THE USES AND USERS**
3 **OF RIGHTS-OF-WAY IN THE AUTHORITY'S JURISDICTION.**

4 **(L) AN AUTHORITY MAY REQUIRE A WIRELESS PROVIDER TO:**

5 **(1) REPAIR ANY DAMAGE TO THE RIGHT-OF-WAY OR ANY FACILITIES**
6 **IN THE RIGHT-OF-WAY DIRECTLY CAUSED BY THE ACTIVITIES OF THE WIRELESS**
7 **PROVIDER; AND**

8 **(2) RETURN THE RIGHT-OF-WAY TO THE CONDITION THAT EXISTED**
9 **BEFORE ANY DAMAGE WAS INCURRED IN ACCORDANCE WITH THE NEUTRAL,**
10 **REASONABLE REQUIREMENTS AND SPECIFICATIONS OF THE AUTHORITY.**

11 **(M) (1) A WIRELESS PROVIDER SHALL NOTIFY THE AUTHORITY OF**
12 **ABANDONMENT OF ANY SMALL WIRELESS FACILITY AT THE TIME THE DECISION TO**
13 **ABANDON IS MADE AND NOT LESS THAN 30 DAYS BEFORE ABANDONMENT.**

14 **(2) AFTER RECEIVING THE NOTICE, THE AUTHORITY MAY DIRECT**
15 **THE WIRELESS PROVIDER TO REMOVE ALL OR ANY PORTION OF THE SMALL**
16 **WIRELESS FACILITY THAT THE AUTHORITY DETERMINES WOULD BE IN THE BEST**
17 **INTEREST OF THE PUBLIC SAFETY AND PUBLIC WELFARE TO REMOVE.**

18 **(3) A SMALL WIRELESS FACILITY THAT IS NOT OPERATED FOR A**
19 **CONTINUOUS PERIOD OF 12 MONTHS SHALL BE CONSIDERED ABANDONED, AND THE**
20 **WIRELESS PROVIDER MUST REMOVE THE SMALL WIRELESS FACILITY WITHIN 60**
21 **DAYS AFTER RECEIVING WRITTEN NOTICE FROM THE AUTHORITY NOTIFYING THE**
22 **WIRELESS PROVIDER OF THE ABANDONMENT.**

23 **(4) IF THE WIRELESS PROVIDER FAILS TO REMOVE THE ABANDONED**
24 **FACILITY WITHIN 60 DAYS AFTER THE NOTICE, THE AUTHORITY MAY REMOVE THE**
25 **FACILITY AND RECOVER THE ACTUAL AND REASONABLE EXPENSES OF THE**
26 **REMOVAL FROM THE WIRELESS PROVIDER OR ITS SUCCESSORS OR ASSIGNS.**

27 **8-704.**

28 **(A) THIS SECTION APPLIES TO:**

29 **(1) THE COLLOCATION OF SMALL WIRELESS FACILITIES AND THE**
30 **INSTALLATION, MODIFICATION, AND REPLACEMENT OF UTILITY POLES IN A**
31 **RIGHT-OF-WAY; AND**

1 **(2) THE COLLOCATION OF SMALL WIRELESS FACILITIES OUTSIDE A**
2 **RIGHT-OF-WAY ON PROPERTY NOT ZONED EXCLUSIVELY FOR SINGLE-FAMILY**
3 **RESIDENTIAL USE.**

4 **(B) EXCEPT AS PROVIDED IN THIS SUBTITLE, AN AUTHORITY MAY NOT**
5 **PROHIBIT, REGULATE, OR IMPOSE A RATE OR FEE FOR THE COLLOCATION OF SMALL**
6 **WIRELESS FACILITIES.**

7 **(C) THE COLLOCATION OF SMALL WIRELESS FACILITIES UNDER THIS**
8 **SECTION IS A PERMITTED USE AND IS NOT SUBJECT TO LOCAL ZONING REVIEW AND**
9 **APPROVAL IF THE FACILITIES ARE COLLOCATED:**

10 **(1) IN A RIGHT-OF-WAY; OR**

11 **(2) OUTSIDE A RIGHT-OF-WAY ON PROPERTY NOT ZONED AND USED**
12 **EXCLUSIVELY FOR SINGLE-FAMILY RESIDENTIAL USE.**

13 **(D) IF A PERMIT IS NOT EXCLUSIVELY APPLIED TO WIRELESS FACILITIES,**
14 **AN AUTHORITY MAY REQUIRE A PERSON TO OBTAIN A PERMIT TO COLLOCATE A**
15 **SMALL WIRELESS FACILITY OR INSTALL A NEW, MODIFIED, OR REPLACEMENT**
16 **UTILITY POLE ASSOCIATED WITH THE SMALL WIRELESS FACILITY.**

17 **(E) AN AUTHORITY MAY NOT REQUIRE AN APPLICANT FOR A PERMIT UNDER**
18 **THIS SECTION TO:**

19 **(1) PERFORM SERVICES OR PROVIDE GOODS UNRELATED TO THE**
20 **PERMIT, INCLUDING RESERVING FIBER, CONDUIT, OR UTILITY POLE SPACE FOR THE**
21 **AUTHORITY;**

22 **(2) PROVIDE INFORMATION IN ADDITION TO THAT REQUIRED OF**
23 **COMMUNICATIONS SERVICE PROVIDERS OTHER THAN WIRELESS PROVIDERS;**

24 **(3) PLACE SMALL WIRELESS FACILITIES ON A SPECIFIC UTILITY POLE**
25 **OR CATEGORY OF UTILITY POLES OR PLACE MULTIPLE ANTENNA SYSTEMS ON A**
26 **SINGLE UTILITY POLE; OR**

27 **(4) PLACE SMALL WIRELESS FACILITIES A CERTAIN MINIMUM**
28 **DISTANCE APART IN ORDER TO LIMIT THE PLACEMENT OF SMALL WIRELESS**
29 **FACILITIES.**

30 **(F) AN AUTHORITY MAY REQUIRE AN APPLICANT FOR A PERMIT TO**
31 **INCLUDE CONSTRUCTION AND ENGINEERING DRAWINGS AND INFORMATION**
32 **DEMONSTRATING THAT THE SMALL WIRELESS FACILITY OR ASSOCIATED UTILITY**

1 POLE:

2 (1) WILL NOT MATERIALLY INTERFERE WITH:

3 (I) THE SAFE OPERATION OF TRAFFIC CONTROL EQUIPMENT;

4 (II) SIGHT LINES OR CLEAR ZONES FOR TRANSPORTATION OR
5 PEDESTRIANS; OR

6 (III) COMPLIANCE WITH THE FEDERAL AMERICANS WITH
7 DISABILITIES ACT OR SIMILAR FEDERAL OR STATE LAWS REGARDING PEDESTRIAN
8 ACCESS OR MOVEMENT; AND

9 (2) SHALL COMPLY WITH:

10 (I) ANY LOCAL REQUIREMENTS FOR THE REASONABLE AND
11 NONDISCRIMINATORY SPACING OF GROUND-MOUNTED EQUIPMENT AND NEW
12 UTILITY POLES IF THE SPACING REQUIREMENTS DO NOT PREVENT A WIRELESS
13 PROVIDER FROM SERVING ANY LOCATION; AND

14 (II) APPLICABLE CODES AND THE CRITERIA UNDER
15 SUBSECTION (J) OF THIS SECTION.

16 (G) (1) AN AUTHORITY MAY PROPOSE AN ALTERNATE LOCATION WITHIN
17 THE RIGHT-OF-WAY TO THE LOCATION PROPOSED BY A WIRELESS PROVIDER FOR A
18 NEW UTILITY POLE TO SUPPORT A SMALL WIRELESS FACILITY THAT IS WITHIN 50
19 FEET OF THE LOCATION PROPOSED BY THE WIRELESS PROVIDER.

20 (2) THE WIRELESS PROVIDER SHALL USE THE ALTERNATE LOCATION
21 IF THE ALTERNATE LOCATION DOES NOT MATERIALLY LIMIT OR INHIBIT THE
22 WIRELESS PROVIDER'S ABILITY TO OFFER WIRELESS SERVICE AS COMPARED TO THE
23 LOCATION PROPOSED BY THE WIRELESS PROVIDER, OR IMPOSE ADDITIONAL
24 TECHNICAL LIMITATIONS OR ADDITIONAL COSTS, AS DETERMINED BY THE
25 APPLICANT.

26 (H) AN AUTHORITY MAY REQUIRE AN APPLICANT FOR A PERMIT TO ATTEST
27 THAT THE SMALL WIRELESS FACILITY FOR WHICH A PERMIT IS APPLIED WILL BE
28 OPERATIONAL FOR USE BY A WIRELESS PROVIDER WITHIN 1 YEAR AFTER THE DATE
29 THE PERMIT IS ISSUED, UNLESS:

30 (1) THE AUTHORITY AND THE APPLICANT AGREE TO EXTEND THE
31 PERIOD; OR

1 **(2) A DELAY IS CAUSED BY A LACK OF COMMERCIAL POWER OR**
2 **COMMUNICATIONS TRANSPORT FACILITIES TO THE AREA WHERE THE SMALL**
3 **WIRELESS FACILITY IS TO BE COLLOCATED.**

4 **(I) (1) WITHIN 10 DAYS AFTER RECEIVING THE APPLICATION FOR A**
5 **PERMIT, THE AUTHORITY SHALL VERIFY THAT THE APPLICATION IS COMPLETE.**

6 **(2) (I) IF THE APPLICATION IS NOT COMPLETE, THE AUTHORITY**
7 **SHALL NOTIFY THE APPLICANT IN WRITING IDENTIFYING THE PARTS OF THE**
8 **APPLICATION THAT ARE INCOMPLETE AND THE RULE OR REGULATION CREATING**
9 **THE OBLIGATION TO SUBMIT THE MISSING INFORMATION.**

10 **(II) THE PROCESSING DEADLINES IN PARAGRAPH (3) OF THIS**
11 **SUBSECTION WILL RESTART FROM THE BEGINNING ON THE DATE THE APPLICANT**
12 **PROVIDES THE INFORMATION IDENTIFIED BY THE AUTHORITY TO RENDER THE**
13 **APPLICATION COMPLETE.**

14 **(3) (I) WITHIN 60 DAYS AFTER RECEIVING AN APPLICATION TO**
15 **COLLOCATE A SMALL WIRELESS FACILITY AND WITHIN 90 DAYS AFTER RECEIVING**
16 **AN APPLICATION TO INSTALL, MODIFY, OR REPLACE A UTILITY POLE IN THE**
17 **RIGHT-OF-WAY, THE AUTHORITY SHALL EITHER APPROVE OR DENY THE PERMIT.**

18 **(II) IF AN AUTHORITY FAILS TO ACT ON A COMPLETE PERMIT**
19 **APPLICATION WITHIN THE APPLICABLE DEADLINE, THE PERMIT SHALL BE DEEMED**
20 **TO BE APPROVED ON WRITTEN NOTICE BY THE APPLICANT TO THE AUTHORITY THAT**
21 **THE TIME PERIOD FOR ACTING ON THE APPLICATION HAS LAPSED.**

22 **(III) THE PROCESSING DEADLINE MAY BE TOLLED BY**
23 **AGREEMENT OF THE APPLICANT AND THE AUTHORITY.**

24 **(4) (I) IF AN AUTHORITY DENIES A PERMIT, THE AUTHORITY**
25 **SHALL NOTIFY THE APPLICANT IN WRITING OF THE BASIS FOR THE DENIAL AND**
26 **SHALL INCLUDE ANY DOCUMENTATION REGARDING THE DENIAL.**

27 **(II) AN APPLICANT SHALL HAVE 30 DAYS AFTER RECEIVING**
28 **NOTICE OF A DENIAL OF A PERMIT TO REVISE THE APPLICATION TO CURE THE**
29 **DEFICIENCIES NOTED BY THE AUTHORITY THAT FORM THE BASIS FOR THE DENIAL.**

30 **(III) AN AUTHORITY MAY NOT CHARGE AN ADDITIONAL**
31 **APPLICATION FEE FOR A REVISED APPLICATION RECEIVED WITHIN 30 DAYS AFTER**
32 **A DENIAL OF THE ORIGINAL APPLICATION.**

33 **(IV) WITHIN 30 DAYS AFTER RECEIVING A REVISED**

1 APPLICATION, AN AUTHORITY SHALL APPROVE OR DENY THE PERMIT.

2 (5) (I) AN APPLICANT MAY FILE A CONSOLIDATED APPLICATION
3 FOR ALL SMALL WIRELESS FACILITIES TO BE COLLOCATED WITHIN THE
4 JURISDICTION OF AN AUTHORITY.

5 (II) IF AN APPLICANT FILES A CONSOLIDATED APPLICATION
6 AND AN AUTHORITY DENIES THE COLLOCATION OF ONE OR MORE OF THE SMALL
7 WIRELESS FACILITIES IDENTIFIED IN THE APPLICATION, THAT DENIAL MAY NOT
8 DELAY THE PROCESSING OF THE PERMITTING OF ANY OTHER SMALL WIRELESS
9 FACILITY IDENTIFIED IN THE CONSOLIDATED APPLICATION.

10 (J) AN AUTHORITY MAY DENY AN APPLICATION FOR A PERMIT TO
11 COLLOCATE A SMALL WIRELESS FACILITY OR FOR THE INSTALLATION,
12 MODIFICATION, OR REPLACEMENT OF A UTILITY POLE ONLY IF THE SUBJECT OF THE
13 APPLICATION:

14 (1) MATERIALLY INTERFERES WITH THE SAFE OPERATION OF
15 TRAFFIC CONTROL EQUIPMENT;

16 (2) MATERIALLY INTERFERES WITH SIGHT LINES OR CLEAR ZONES
17 FOR TRANSPORTATION OR PEDESTRIANS;

18 (3) MATERIALLY INTERFERES WITH COMPLIANCE WITH THE
19 FEDERAL AMERICANS WITH DISABILITIES ACT OR SIMILAR FEDERAL OR STATE
20 LAWS REGARDING PEDESTRIAN ACCESS OR MOVEMENT;

21 (4) FAILS TO COMPLY WITH A LOCAL LAW REGARDING THE
22 REASONABLE AND NONDISCRIMINATORY SPACING OF GROUND-MOUNTED
23 EQUIPMENT AND NEW UTILITY POLES AS LONG AS THE SPACING REQUIREMENTS DO
24 NOT PREVENT A WIRELESS PROVIDER FROM SERVING ANY LOCATION;

25 (5) FAILS TO COMPLY WITH APPLICABLE CODES AND GENERALLY
26 APPLICABLE STANDARDS THAT ARE CONSISTENT WITH THIS SUBTITLE AND
27 ADOPTED BY AN AUTHORITY FOR CONSTRUCTION AND PUBLIC SAFETY IN THE
28 RIGHTS-OF-WAY, INCLUDING REASONABLE AND NONDISCRIMINATORY WIRING AND
29 CABLING REQUIREMENTS, GROUNDING REQUIREMENTS, AND ABANDONMENT AND
30 REMOVAL PROVISIONS;

31 (6) FAILS TO COMPLY WITH APPLICABLE DESIGN GUIDELINES
32 ADOPTED UNDER § 8-703(G) OF THIS SUBTITLE; OR

33 (7) FAILS TO ATTEST THAT A SMALL WIRELESS FACILITY WILL

COMPLY WITH RELEVANT FEDERAL COMMUNICATIONS COMMISSION REGULATIONS CONCERNING RADIOFREQUENCY EMISSIONS FROM RADIO TRANSMITTERS AND UNACCEPTABLE INTERFERENCE WITH PUBLIC SAFETY SPECTRUM, INCLUDING COMPLIANCE WITH THE ABATEMENT AND RESOLUTION PROCEDURES FOR INTERFERENCE WITH PUBLIC SAFETY SPECTRUM ESTABLISHED BY THE FCC UNDER 47 C.F.R. 22.970 THROUGH 47 C.F.R. 22.973 AND 47 C.F.R. 90.672 THROUGH 47 C.F.R. 90.675.

(K) SUBJECT TO APPLICABLE RELOCATION REQUIREMENTS AND THE APPLICANT'S RIGHT TO TERMINATE AT ANY TIME, A PERMIT AUTHORIZES THE APPLICANT TO INSTALL OR COLLOCATE AND OPERATE AND MAINTAIN THE SMALL WIRELESS FACILITIES AND ANY ASSOCIATED UTILITY POLE COVERED BY THE PERMIT FOR A PERIOD OF NOT LESS THAN 10 YEARS, WITH AN OPTION OF RENEWAL AT THE APPLICANT'S DISCRETION.

(L) AN AUTHORITY MAY NOT INSTITUTE A MORATORIUM ON:

(1) THE RECEIPT AND PROCESSING OF APPLICATIONS FOR A PERMIT UNDER THIS SECTION; OR

(2) THE ISSUANCE OF PERMITS OR OTHER APPROVALS UNDER THIS SECTION.

(M) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, AN AUTHORITY MAY NOT REQUIRE A PERMIT UNDER THIS SECTION FOR:

(I) ROUTINE MAINTENANCE;

(II) THE REPLACEMENT OF SMALL WIRELESS FACILITIES WITH SMALL WIRELESS FACILITIES THAT ARE SUBSTANTIALLY SIMILAR TO OR NOT LARGER THAN THE FACILITIES BEING REPLACED; OR

(III) THE INSTALLATION, PLACEMENT, MAINTENANCE, OPERATION, OR REPLACEMENT OF MICRO WIRELESS FACILITIES THAT ARE STRUNG ON CABLES BETWEEN EXISTING UTILITY POLES IN COMPLIANCE WITH THE NATIONAL ELECTRICAL SAFETY CODE.

(2) (I) AN AUTHORITY MAY REQUIRE A PERMIT TO WORK WITHIN A RIGHT-OF-WAY FOR THE ACTIVITIES LISTED IN PARAGRAPH (1) OF THIS SUBSECTION AND UNDER SUBSECTION (D) OF THIS SECTION.

(II) IF AN AUTHORITY REQUIRES A WORK PERMIT UNDER THIS PARAGRAPH, THE AUTHORITY SHALL PROCESS AND APPROVE THE PERMIT

1 CONCURRENTLY WITH A PERMIT UNDER SUBSECTION (D) OF THIS SUBSECTION AND
2 WITHIN THE SAME PROCESSING DEADLINE IN SUBSECTION (I)(3) OF THIS SECTION.

3 (3) (I) AN AUTHORITY MAY REQUIRE ADVANCE NOTICE OF AN
4 ACTIVITY DESCRIBED IN THIS SUBSECTION.

5 (II) A WIRELESS PROVIDER MAY REPLACE OR UPGRADE A
6 UTILITY POLE ONLY WITH THE APPROVAL OF THE UTILITY POLE'S OWNER.

7 8-705.

8 (A) THIS SECTION APPLIES TO ACTIVITIES OF A WIRELESS PROVIDER IN A
9 RIGHT-OF-WAY.

10 (B) A PERSON THAT OWNS, MANAGES, OR CONTROLS AUTHORITY UTILITY
11 POLES IN A RIGHT-OF-WAY MAY NOT ENTER INTO AN EXCLUSIVE AGREEMENT WITH
12 ANY PERSON FOR THE RIGHT TO ATTACH EQUIPMENT TO THE AUTHORITY UTILITY
13 POLES.

14 (C) AN AUTHORITY SHALL AUTHORIZE THE COLLOCATION OF SMALL
15 WIRELESS FACILITIES ON AUTHORITY UTILITY POLES IN ACCORDANCE WITH § 8-704
16 OF THIS SUBTITLE.

17 (D) THE RATE TO COLLOCATE WIRELESS FACILITIES ON AUTHORITY
18 UTILITY POLES SHALL BE:

19 (1) NONDISCRIMINATORY REGARDLESS OF THE SERVICES PROVIDED
20 BY THE PERSON PERFORMING THE COLLOCATION; AND

21 (2) AS PROVIDED UNDER § 8-706 OF THIS SUBTITLE.

22 (E) (1) ALL RATES, FEES, AND TERMS AND CONDITIONS FOR
23 MAKE-READY WORK ON AN AUTHORITY UTILITY POLE SHALL BE
24 NONDISCRIMINATORY, COMPETITIVELY NEUTRAL, AND COMMERCIALY
25 REASONABLE.

26 (2) WITHIN 60 DAYS AFTER RECEIVING A COMPLETE APPLICATION
27 FOR A PERMIT IN ACCORDANCE WITH § 8-704(D) OF THIS SUBTITLE, AN AUTHORITY
28 SHALL PROVIDE A GOOD FAITH ESTIMATE FOR ANY MAKE-READY WORK, INCLUDING
29 UTILITY POLE REPLACEMENT, IF NECESSARY.

30 (3) WITHIN 60 DAYS AFTER AN APPLICANT ACCEPTS A GOOD FAITH
31 ESTIMATE UNDER PARAGRAPH (2) OF THIS SUBSECTION, AN AUTHORITY SHALL

1 COMPLETE ALL NECESSARY MAKE-READY WORK, INCLUDING REPLACEMENT OF AN
2 AUTHORITY UTILITY POLE IF THE AUTHORITY DEMONSTRATES THAT THE
3 COLLOCATION WILL RENDER THE UTILITY POLE STRUCTURALLY UNSOUND.

4 (4) AN AUTHORITY SHALL MAKE AVAILABLE AND KEEP CURRENT A
5 REASONABLY SUFFICIENT LIST OF CONTRACTORS THAT THE AUTHORITY
6 AUTHORIZES TO PERFORM SURVEYS FOR GOOD FAITH ESTIMATES AND
7 MAKE-READY WORK ON AUTHORITY POLES IF THE AUTHORITY ELECTS TO HAVE A
8 CONTRACTOR PERFORM THE AUTHORITY'S DUTIES UNDER THIS SECTION WHEN THE
9 AUTHORITY HAS FAILED TO MEET THE DEADLINES SPECIFIED IN THIS SECTION.

10 (5) A PERSON OWNING, MANAGING, OR CONTROLLING AN AUTHORITY
11 UTILITY POLE MAY NOT REQUIRE MORE MAKE-READY WORK THAN IS REQUIRED TO
12 SATISFY ANY APPLICABLE CODES OR INDUSTRY STANDARDS.

13 (6) A FEE FOR MAKE-READY WORK MAY NOT:

14 (I) INCLUDE COSTS RELATED TO PREEXISTING OR PRIOR
15 DAMAGE OR NONCOMPLIANCE;

16 (II) EXCEED ACTUAL COSTS OR THE AMOUNT CHARGED TO ANY
17 OTHER CABLE, INFORMATION SERVICE, OR TELECOMMUNICATIONS PROVIDER FOR
18 SIMILAR WORK; OR

19 (III) INCLUDE ANY CONSULTANT FEES OR EXPENSES.

20 8-706.

21 (A) AN AUTHORITY MAY NOT REQUIRE A WIRELESS PROVIDER TO PAY ANY
22 RATE, FEE, OR OTHER COMPENSATION TO THE AUTHORITY OR ANY OTHER PERSON
23 EXCEPT AS AUTHORIZED BY THIS SUBTITLE FOR:

24 (1) THE RIGHT TO USE OR OCCUPY A RIGHT-OF-WAY;

25 (2) THE COLLOCATION OF SMALL WIRELESS FACILITIES ON UTILITY
26 POLES IN A RIGHT-OF-WAY; OR

27 (3) THE INSTALLATION, MAINTENANCE, MODIFICATION, OPERATION,
28 OR REPLACEMENT OF UTILITY POLES IN A RIGHT-OF-WAY.

29 (B) AN APPLICATION FEE FOR A PERMIT ISSUED UNDER THIS SUBTITLE
30 FOR:

1 **(1) THE COLLOCATION OF SMALL WIRELESS FACILITIES ON EXISTING**
2 **OR REPLACEMENT AUTHORITY UTILITY POLES MAY NOT EXCEED \$500 FOR A SINGLE**
3 **UP-FRONT APPLICATION THAT INCLUDES UP TO FIVE SMALL WIRELESS FACILITIES,**
4 **WITH AN ADDITIONAL \$100 FOR EACH SMALL WIRELESS FACILITY BEYOND THE**
5 **INITIAL FIVE ON THE SAME APPLICATION;**

6 **(2) THE INSTALLATION, MODIFICATION, OR REPLACEMENT OF A**
7 **UTILITY POLE TOGETHER WITH THE COLLOCATION OF AN ASSOCIATED SMALL**
8 **WIRELESS FACILITY THAT ARE PERMITTED USES AS OF RIGHT UNDER § 8-703 OF**
9 **THIS SUBTITLE MAY NOT EXCEED \$1,000 PER UTILITY POLE; AND**

10 **(3) THE INSTALLATION, MODIFICATION, OR REPLACEMENT OF A NEW**
11 **UTILITY POLE ASSOCIATED WITH A SMALL WIRELESS FACILITY THAT IS NOT A**
12 **PERMITTED USE AS OF RIGHT UNDER § 8-703 OF THIS SUBTITLE MAY NOT EXCEED**
13 **\$1,000.**

14 **(C) A RATE FOR THE OCCUPANCY OF A RIGHT-OF-WAY MAY NOT EXCEED**
15 **\$20 PER YEAR FOR EACH SMALL WIRELESS FACILITY.**

16 **(D) A RATE FOR THE COLLOCATION OF A SMALL WIRELESS FACILITY**
17 **ATTACHED TO AN AUTHORITY UTILITY POLE SHALL BE SET AT \$100 PER YEAR FOR**
18 **EACH SMALL WIRELESS FACILITY CONNECTED TO AN AUTHORITY UTILITY POLE.**

19 **8-707.**

20 **(A) THE DISTRICT COURT SHALL HAVE JURISDICTION OVER ANY DISPUTE**
21 **ARISING UNDER THIS SUBTITLE.**

22 **(B) THE DISTRICT COURT SHALL ADJUDICATE A CASE ARISING FROM A**
23 **DISPUTE UNDER THIS SUBTITLE WITHIN 180 DAYS AFTER THE COMPLAINT OR**
24 **PETITION IS FILED.**

25 **8-708.**

26 **(A) AN AUTHORITY MAY NOT REQUIRE A WIRELESS PROVIDER TO**
27 **INDEMNIFY AND HOLD HARMLESS THE AUTHORITY AND ITS OFFICERS AND**
28 **EMPLOYEES AGAINST ANY LOSS, DAMAGE, OR LIABILITY, EXCEPT WHEN A COURT OF**
29 **COMPETENT JURISDICTION HAS FOUND THAT THE LOSS, DAMAGE, OR LIABILITY**
30 **WAS DIRECTLY CAUSED BY THE NEGLIGENCE OF THE WIRELESS PROVIDER WHEN**
31 **INSTALLING, REPAIRING, OR MAINTAINING SMALL WIRELESS FACILITIES AND**
32 **ASSOCIATED UTILITY POLES.**

33 **(B) (1) EXCEPT FOR A WIRELESS PROVIDER WITH AN EXISTING**

1 AGREEMENT OR LICENSE TO OCCUPY AND OPERATE IN THE RIGHTS-OF-WAY,
2 DURING THE PERIOD IN WHICH THE WIRELESS PROVIDER'S FACILITIES ARE
3 LOCATED ON THE AUTHORITY IMPROVEMENTS OR RIGHTS-OF-WAY, THE
4 AUTHORITY MAY REQUIRE THE WIRELESS PROVIDER TO CARRY, AT THE WIRELESS
5 PROVIDER'S OWN COST AND EXPENSE, THE FOLLOWING INSURANCE:

6 (I) PROPERTY INSURANCE FOR THE AUTHORITY'S PROPERTY'S
7 REPLACEMENT COST AGAINST ALL RISKS;

8 (II) WORKERS' COMPENSATION INSURANCE, AS REQUIRED BY
9 LAW; OR

10 (III) COMMERCIAL GENERAL LIABILITY INSURANCE WITH
11 RESPECT TO THE WIRELESS PROVIDER'S ACTIVITIES ON THE AUTHORITY
12 IMPROVEMENTS OR RIGHTS-OF-WAY TO AFFORD MINIMUM PROTECTION LIMITS
13 CONSISTENT WITH THE AUTHORITY'S REQUIREMENTS OF OTHER USERS OF
14 AUTHORITY IMPROVEMENTS OR RIGHTS-OF-WAY, INCLUDING COVERAGE FOR
15 BODILY INJURY AND PROPERTY DAMAGE.

16 (2) AN AUTHORITY MAY REQUIRE A WIRELESS PROVIDER TO INCLUDE
17 THE AUTHORITY AS AN ADDITIONAL INSURED ON THE COMMERCIAL GENERAL
18 LIABILITY POLICY AND PROVIDE CERTIFICATION AND DOCUMENTATION OF
19 INCLUSION OF THE AUTHORITY IN A COMMERCIAL GENERAL LIABILITY POLICY AS
20 REASONABLY REQUIRED BY THE AUTHORITY.

21 (3) (I) A WIRELESS PROVIDER MAY SELF-INSURE ALL OR A
22 PORTION OF THE INSURANCE COVERAGE AND LIMIT REQUIREMENTS REQUIRED BY
23 AN AUTHORITY.

24 (II) A WIRELESS PROVIDER THAT SELF-INSURES IS NOT
25 REQUIRED, TO THE EXTENT OF THE SELF-INSURANCE, TO COMPLY WITH THE
26 REQUIREMENT FOR THE NAMING OF ADDITIONAL INSURED UNDER THIS SECTION.

27 (III) A WIRELESS PROVIDER THAT ELECTS TO SELF-INSURE
28 SHALL PROVIDE TO THE AUTHORITY EVIDENCE SUFFICIENT TO DEMONSTRATE THE
29 WIRELESS PROVIDER'S FINANCIAL ABILITY TO SELF-INSURE THE INSURANCE
30 COVERAGE AND LIMITS REQUIRED BY THE AUTHORITY.

31 (C) (1) AN AUTHORITY MAY ADOPT, THROUGH LOCAL LAW, SURETY
32 BONDING REQUIREMENTS FOR WIRELESS PROVIDERS COLLOCATING SMALL
33 WIRELESS FACILITIES ONLY IF THE AUTHORITY IMPOSES SIMILAR SURETY BONDING
34 REQUIREMENTS ON OTHER PERSONS USING A RIGHT-OF-WAY.

(2) THE PURPOSE OF A SURETY BOND REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE TO:

(I) PROVIDE FOR THE REMOVAL OF ABANDONED OR IMPROPERLY MAINTAINED SMALL WIRELESS FACILITIES, INCLUDING THOSE THAT THE AUTHORITY DETERMINES NEED TO BE REMOVED TO PROTECT PUBLIC HEALTH, SAFETY, OR WELFARE AND RESTORE THE RIGHT-OF-WAY; OR

(II) RECOUP RATES OR FEES THAT HAVE NOT BEEN PAID BY A WIRELESS PROVIDER IN MORE THAN 12 MONTHS, IF THE AUTHORITY HAS GIVEN REASONABLE NOTICE TO THE WIRELESS PROVIDER AND THE OPPORTUNITY TO PAY THE RATES OR FEES OUTSTANDING.

(3) SURETY BONDING REQUIREMENTS UNDER THIS SUBSECTION MAY NOT EXCEED \$200 FOR EACH SMALL WIRELESS FACILITY, UP TO A MAXIMUM AMOUNT OF \$10,000 FOR ALL SMALL WIRELESS FACILITIES OWNED BY A WIRELESS PROVIDER IN THE JURISDICTION.

8-709.

(A) (1) AN AUTHORITY MAY ENACT A LOCAL LAW TO CARRY OUT THE REQUIREMENTS OF THIS SUBTITLE.

(2) IF AN AUTHORITY DOES NOT ENACT A LOCAL LAW TO CARRY OUT THE REQUIREMENTS OF THIS SUBTITLE, A WIRELESS PROVIDER MAY INSTALL AND OPERATE SMALL WIRELESS FACILITIES AND UTILITY POLES IN ACCORDANCE WITH THIS SUBTITLE.

(B) (1) IF THERE IS AN INCONSISTENCY BETWEEN THIS SUBTITLE AND A LOCAL LAW THAT APPLIES TO SMALL WIRELESS FACILITIES AND ASSOCIATED UTILITY POLES, THIS SUBTITLE SHALL PREVAIL OVER THE LOCAL LAW TO THE EXTENT OF THE INCONSISTENCY.

(2) AN AGREEMENT OR ORDINANCE THAT APPLIES TO SMALL WIRELESS FACILITIES OR UTILITY POLES THAT WAS IN EFFECT BEFORE JUNE 1, 2019, IS VALID AND ENFORCEABLE ONLY AS TO SMALL WIRELESS FACILITIES THAT BECAME OPERATIONAL OR WERE CONSTRUCTED BEFORE JUNE 1, 2019.

(C) (1) EXCEPT TO ENSURE COMPLIANCE WITH APPLICABLE CODES THAT ARE BUILDING, ELECTRICAL, PLUMBING, OR MECHANICAL CODES, AN AUTHORITY DOES NOT HAVE ANY AUTHORITY OVER THE DESIGN, ENGINEERING, CONSTRUCTION, INSTALLATION, OR OPERATION OF A SMALL WIRELESS FACILITY THAT IS NOT LOCATED ON PROPERTY OWNED OR CONTROLLED BY THE AUTHORITY.

(2) AN AUTHORITY SHALL EVALUATE THE STRUCTURE CLASSIFICATION FOR WIRELESS SUPPORT STRUCTURES UNDER THE LATEST VERSION OF ANSI/TIA-222.

(D) NOTHING IN THIS SUBTITLE AUTHORIZES THE STATE OR AN AUTHORITY TO:

(1) REQUIRE WIRELESS FACILITY DEPLOYMENT; OR

(2) REGULATE WIRELESS SERVICES.

(E) NOTHING IN THIS SECTION MAY BE CONSTRUED TO IMPOSE OR OTHERWISE AFFECT ANY RIGHTS, CONTROLS, TARIFFS, OR CONTRACTUAL OBLIGATIONS THAT MAY BE ESTABLISHED WITH REGARD TO THE UTILITY POLES, SIMILAR STRUCTURES, OR EQUIPMENT OF ANY TYPE THAT ARE OWNED OR CONTROLLED BY AN INVESTOR-OWNED ELECTRIC UTILITY WHOSE RATES ARE REGULATED BY THE COMMISSION OR ANY OF THE UTILITY'S AFFILIATES, OR BY ANY INDEPENDENT TRANSMISSION COMPANY.

13-101.

(a) This section does not apply to a violation of the following provisions of this article:

(1) Title 5, Subtitle 4;

(2) Title 7, Subtitle 1;

(3) Title 8, Subtitles [1 and] 1, 3, AND 7; and

(4) Title 9, Subtitle 3.

(b) A person may not fail, neglect, or refuse to comply with any provision of this division or any effective and outstanding direction, ruling, order, rule, regulation, or decision of the Commission.

(c) An individual who knowingly violates or knowingly aids or abets a public service company in the violation of subsection (b) of this section or any provision of this division:

(1) is guilty of a misdemeanor; and

(2) unless a different punishment is specifically provided by law, on conviction is subject to a fine not exceeding \$1,000 for a first offense and not exceeding

1 \$5,000 for each additional or subsequent offense.

2 13–201.

3 (a) This section does not apply to a violation of the following provisions of this
4 article:

5 (1) Title 5, Subtitle 4;

6 (2) Title 7, Subtitle 1;

7 (3) § 7–213 as it applies to electric cooperatives;

8 (4) Title 8, Subtitles [1 and] 1, 3, AND 7;

9 (5) Title 9, Subtitle 3; and

10 (6) Title 8, Subtitle 4.

11 (b) (1) Except as provided in paragraph (2) of this subsection, the Commission
12 may impose a civil penalty not exceeding \$25,000 against a person who violates a provision
13 of this division, or an effective and outstanding direction, ruling, order, rule, or regulation
14 of the Commission.

15 (2) The civil penalty that the Commission may impose on a common carrier
16 for each violation may not exceed \$2,500.

17 (c) (1) A civil penalty may be imposed in addition to any other penalty
18 authorized by this division.

19 (2) Each violation is a separate offense.

20 (3) Each day or part of a day the violation continues is a separate offense.

21 (d) The Commission shall determine the amount of any civil penalty after
22 considering:

23 (1) the number of previous violations of any provision of this article;

24 (2) the gravity of the current violation;

25 (3) the good faith efforts of the violator in attempting to achieve compliance
26 after notification of the violation; and

27 (4) any other matter that the Commission considers appropriate and
28 relevant.

1 (e) (1) Except as provided in paragraphs (2) and (3) of this subsection, a civil
2 penalty collected under this section shall be paid into the General Fund of the State.

3 (2) A civil penalty assessed for a violation of a service quality and reliability
4 standard under § 7–213 of this article shall be paid into the Electric Reliability Remediation
5 Fund under § 7–213(j) of this article.

6 (3) A civil penalty assessed for a violation of § 7–505(b)(7), § 7–507, §
7 7–603, § 7–604, or § 7–606 of this article, or a rule, an order, or a regulation adopted under
8 any of those sections, shall be paid into the Retail Choice Customer Education and
9 Protection Fund under § 7–310 of this article.

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
11 1, 2019.

Department of Legislative Services
Maryland General Assembly
2019 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 654
Economic Matters

(Delegate D.E. Davis)

Wireless Facilities - Installation and Regulation

This bill establishes procedures and requirements for the deployment, installation, and regulation of small wireless facilities. Except as otherwise provided by law, the provisions of the bill are not subject to the jurisdiction of the Public Service Commission. **The bill takes effect June 1, 2019.**

Fiscal Summary

State Effect: The effect on State finances and operations cannot be estimated at this time but is likely significant, as discussed below.

Local Effect: Significant impact on local government revenues and expenditures depending on the number of small wireless facilities permit applications. **This bill imposes a mandate on a unit of local government.**

Small Business Effect: Minimal.

Analysis

Bill Summary:

Definitions

The bill establishes comprehensive and interwoven definitions related to small wireless facilities. “Authority” means the State or any unit, county, municipality, district, or subdivision, or any instrumentality of those units, in the State. It includes a public utility district, an irrigation district, and a municipal electric utility.

“Small wireless facility” means a facility that meets specified requirements, including that:

- the facilities (1) are mounted on structures 50 feet or less in height, including the antennas; (2) are mounted on structures not more than 10% taller than other adjacent structures; or (3) do not extend existing structures on which they are located to the greater of either a height of more than 50 feet or an extension of more than 10%;
- each antenna associated with the deployment is not more than three cubic feet in volume, excluding associated antenna equipment; and
- all other wireless equipment associated with the structure, including wireless equipment associated with the antenna and any preexisting associated equipment on the structure, is not more than 28 cubic feet in volume.

State Preemption Generally, Except for Grandfathered Agreements or Ordinances

An authority may enact a local law to carry out the requirements of the bill. If an authority does not, a wireless provider may install and operate small wireless facilities and utility poles in accordance with the bill. If there is an inconsistency between the bill and an applicable local law, the bill must prevail over the local law to the extent of the inconsistency. Further, an agreement or ordinance that applies to small wireless facilities or utility poles that was in effect before June 1, 2019, is valid and enforceable only as to small wireless facilities that became operational or were constructed before that date.

Deployment of Small Wireless Facilities – Generally

Subject to specified requirements, a wireless provider has the right, as a permitted use not subject to zoning review or approval, to collocate small wireless facilities and install, operate, modify, maintain, and replace utility poles along, across, on, and under a right-of-way. Subject to specified requirements and the applicant’s right to terminate at any time, a permit is valid for least 10 years, with an option of renewal at the applicant’s discretion. Except as provided in the bill, an authority may not prohibit, regulate, or impose a rate or fee for the collocation of small wireless facilities.

An authority may not require an applicant for a permit to:

- perform services or provide goods unrelated to the permit, including reserving fiber, conduit, or utility pole space for the authority;
- provide information in addition to that required of communications service providers other than wireless providers;

- place small wireless facilities on a specific utility pole or category of utility poles or place multiple antenna systems on a single utility pole; or
- place small wireless facilities a certain minimum distance apart in order to limit the placement of small wireless facilities.

An authority may deny an application for a permit to collocate a small wireless facility or for the installation, modification, or replacement of a utility pole only if the subject of the application meets specified criteria.

The bill also specifies limitations on liability and generally authorizes an authority to require a wireless provider to carry insurance and/or a surety bond, subject to specified requirements.

Fees

An authority may not require a wireless provider to pay any rate, fee, or other compensation to the authority or any other person except as authorized by the bill for:

- the right to use or occupy a right-of-way;
- the collocation of small wireless facilities on utility poles in a right-of-way; or
- the installation, maintenance, modification, operation, or replacement of utility poles in a right-of-way.

An application fee for a permit for the collocation of small wireless facilities on existing or replacement authority utility poles may be no more than \$500 for a single up-front application that includes up to five small wireless facilities, with an additional \$100 for each small wireless facility beyond the initial five on the same application. The application fee for the installation, modification, or replacement of a utility pole together with the collocation of an associated small wireless facility may be no more than \$1,000 per utility pole. A rate for the occupancy of a right-of-way may be no more than \$20 per year for each small wireless facility. A rate for the collocation of a small wireless facility attached to an authority utility pole must be set at \$100 per year for each small wireless facility connected to an authority utility pole.

Facility Abandonment

Generally, a wireless provider must notify the authority of abandonment of any small wireless facility at the time the decision to abandon is made and at least 30 days before abandonment. After receiving the notice, the authority may direct the wireless provider to remove all or any portion of the small wireless facility that the authority determines would

be in the best interest of the public safety and public welfare to remove. There are also provisions for facilities deemed abandoned.

Applicability of Federal Law

The bill may not be construed or interpreted to (1) authorize any person to provide cable services that are regulated under federal law without complying with all laws applicable to those services and providers or (2) impose any new requirements on cable providers for the provision of cable service in the State.

District Court Jurisdiction over Disputes

The District Court has jurisdiction over any dispute arising under the bill. The court must adjudicate a case arising from a dispute within 180 days after the complaint or petition is filed.

Current Law/Background: As demand for high speed Internet access has increased, wireless providers are seeking new ways to meet this demand. One method used by wireless providers to increase network speed and density is through the deployment of small wireless facilities. Small wireless facilities include antennas and poles of various sizes and heights.

However, this desire to meet customer demands for faster, more accessible, and more reliable high speed Internet service and the general lack of a regulatory framework at the State level, in many instances, has led to conflict between the wireless industry and local governments. One such conflict is over the use of public rights-of-way and publicly owned property and equipment. The wireless industry has argued that they should have access to local rights-of-way and locally owned equipment as the infrastructure is already in place for the siting of small wireless facilities. Local governments, on the other hand, have argued the need to have systems in place to allow for uniformity in siting, design, permitting, and maintenance of these wireless facilities. Local jurisdictions typically have this jurisdiction over other users of local rights-of-way, including telecommunications companies and cable television providers.

Several states have enacted legislation limiting local control of the permitting and siting process for small wireless facilities. There are similar components shared in the legislation of these states, including (1) expedited application processing; (2) limited or capped fees for applications and for the use of rights-of-way; (3) presumed application approvals and limitations on denying applications; and (4) limitations or prohibitions on zoning for new equipment, including poles.

The 2019 [report](#) by the Task Force on Rural Internet, Broadband, Wireless, and Cellular Service discusses many of these and other related issues.

State Fiscal Effect: The bill's permitting/installation requirements affect State finances in several ways. The direction and magnitude of the effect depends on a variety of factors, including the number of wireless providers that choose to install wireless facilities on State rights-of-way and the associated State costs paid and revenues received as a result of the installations. The net effect cannot be reliably estimated, but is likely significant, particularly due to the fee limitations, permit approval times, and the general prioritization of wireless facility installations. For example, the Maryland Department of Transportation, which is responsible for a significant amount of State rights-of-way, advises that the bill creates conflicts with its existing resource sharing agreements and related uses of its rights-of-way, including permitting timelines and associated fees.

The effect on the District Court is likewise unknown; however, barring a significant number of cases, the overall effect is likely absorbable within existing budgeted resources.

Local Fiscal Effect: The bill affects local revenues and expenditures in several ways. The actual effect varies by local jurisdiction and depends on a variety of factors, including the number of wireless providers operating in a jurisdiction, the number of permits that may be applied for, and the number of small wireless facilities that may be located in a jurisdiction. The actual effect on local revenues and expenditures cannot be reliably estimated; however, in some jurisdictions, the effect is likely significant. The effects are made more significant by the bill's general preemption of local zoning authority, fee setting authority, and limitations on wireless provider liability.

Montgomery County advises, for example, that the bill's fee limitations reduce county revenues by more than \$1.7 million annually in the out-years.

Additional Information

Prior Introductions: None.

Cross File: SB 937 (Senator Klausmeier) - Rules.

Information Source(s): Judiciary (Administrative Office of the Courts); Maryland Department of Transportation; Office of People's Counsel; Montgomery County; Maryland Municipal League; Department of Legislative Services

Fiscal Note History: First Reader - February 19, 2019
mm/lgc

Analysis by: Stephen M. Ross

Direct Inquiries to:
(410) 946-5510
(301) 970-5510

SENATE BILL 548

C5, M5

9lr0350
CF 9lr3061

By: **Senators Hough, Bailey, Carozza, Carter, Cassilly, Eckardt, Elfreth, Ellis, Gallion, Guzzone, Hershey, Hester, Kagan, Kramer, Lam, Lee, Nathan-Pulliam, Patterson, Pinsky, Ready, Salling, Serafini, Smith, Washington, West, Young, Zirkin, and Zucker**
Introduced and read first time: February 4, 2019
Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Renewable Energy Portfolio Standard – Eligible Sources**

3 FOR the purpose of altering the eligibility of certain sources of energy for the creation of
4 credits under the renewable energy portfolio standard; removing certain sources
5 from the definition of a “Tier 1 renewable source”; providing that existing obligations
6 or contract rights may not be impaired by this Act; providing for the application of
7 this Act; and generally relating to the renewable energy portfolio standard.

8 BY repealing and reenacting, without amendments,
9 Article – Public Utilities
10 Section 7–701(a)
11 Annotated Code of Maryland
12 (2010 Replacement Volume and 2018 Supplement)

13 BY repealing and reenacting, with amendments,
14 Article – Public Utilities
15 Section 7–701(r) and 7–704(a)
16 Annotated Code of Maryland
17 (2010 Replacement Volume and 2018 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
19 That the Laws of Maryland read as follows:

20 **Article – Public Utilities**

21 7–701.

22 (a) In this subtitle the following words have the meanings indicated.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.



(r) “Tier 1 renewable source” means one or more of the following types of energy sources:

(1) solar energy, including energy from photovoltaic technologies and solar water heating systems;

(2) wind;

(3) qualifying biomass;

(4) methane from the anaerobic decomposition of organic materials in a landfill or wastewater treatment plant;

(5) geothermal, including energy generated through geothermal exchange from or thermal energy avoided by, groundwater or a shallow ground source;

(6) ocean, including energy from waves, tides, currents, and thermal differences;

(7) a fuel cell that produces electricity from a Tier 1 renewable source under item (3) or (4) of this subsection;

(8) a small hydroelectric power plant of less than 30 megawatts in capacity that is licensed or exempt from licensing by the Federal Energy Regulatory Commission;

(9) poultry litter-to-energy; AND

(10) [waste-to-energy;

(11) refuse-derived fuel; and

(12)] thermal energy from a thermal biomass system.

7–704.

(a) (1) Energy from a Tier 1 renewable source:

(i) is eligible for inclusion in meeting the renewable energy portfolio standard regardless of when the generating system or facility was placed in service; and

(ii) may be applied to the percentage requirements of the standard for either Tier 1 renewable sources or Tier 2 renewable sources.

(2) (i) Energy from a Tier 1 renewable source under § 7–701(r)(1), (5), OR (9)[, (10), or (11)] of this subtitle is eligible for inclusion in meeting the renewable energy

1 portfolio standard only if the source is connected with the electric distribution grid serving
2 Maryland.

3 (ii) If the owner of a solar generating system in this State chooses to
4 sell solar renewable energy credits from that system, the owner must first offer the credits
5 for sale to an electricity supplier or electric company that shall apply them toward
6 compliance with the renewable energy portfolio standard under § 7-703 of this subtitle.

7 (3) Energy from a Tier 1 renewable source under § 7-701(r)(8) of this
8 subtitle is eligible for inclusion in meeting the renewable energy portfolio standard if it is
9 generated at a dam that existed as of January 1, 2004, even if a system or facility that is
10 capable of generating electricity did not exist on that date.

11 (4) Energy from a Tier 2 renewable source under § 7-701(s) of this subtitle
12 is eligible for inclusion in meeting the renewable energy portfolio standard through 2018 if
13 it is generated at a system or facility that existed and was operational as of January 1,
14 2004, even if the facility or system was not capable of generating electricity on that date.

15 SECTION 2. AND BE IT FURTHER ENACTED, That a presently existing obligation
16 or contract right may not be impaired in any way by this Act.

17 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 October 1, 2019, and shall be applicable to all renewable energy portfolio standard
19 compliance years beginning after December 31, 2019.

HOUSE BILL 961

M5, C5

9lr2840

By: **Delegates Mosby, Charkoudian, R. Lewis, Lierman, Smith, and Wilkins**

Introduced and read first time: February 8, 2019

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Public Utilities – Renewable Energy Portfolio Standard – Tier 1 Sources**

3 FOR the purpose of altering the eligibility of certain sources of energy for the creation of
4 credits under the renewable energy portfolio standard; removing certain sources
5 from the definition of a “Tier 1 renewable source”; providing that existing obligations
6 or contract rights may not be impaired by this Act; providing for the application of
7 this Act; and generally relating to the renewable energy portfolio standard.

8 BY repealing and reenacting, without amendments,

9 Article – Public Utilities

10 Section 7–701(a)

11 Annotated Code of Maryland

12 (2010 Replacement Volume and 2018 Supplement)

13 BY repealing and reenacting, with amendments,

14 Article – Public Utilities

15 Section 7–701(r) and 7–704(a)

16 Annotated Code of Maryland

17 (2010 Replacement Volume and 2018 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

19 That the Laws of Maryland read as follows:

20 **Article – Public Utilities**

21 7–701.

22 (a) In this subtitle the following words have the meanings indicated.

23 (r) “Tier 1 renewable source” means one or more of the following types of energy
24 sources:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(1) solar energy, including energy from photovoltaic technologies and solar water heating systems;

(2) wind;

(3) qualifying biomass;

(4) methane from the anaerobic decomposition of organic materials in a landfill or wastewater treatment plant;

(5) geothermal, including energy generated through geothermal exchange from or thermal energy avoided by, groundwater or a shallow ground source;

(6) ocean, including energy from waves, tides, currents, and thermal differences;

(7) a fuel cell that produces electricity from a Tier 1 renewable source under item (3) or (4) of this subsection;

(8) a small hydroelectric power plant of less than 30 megawatts in capacity that is licensed or exempt from licensing by the Federal Energy Regulatory Commission;

(9) poultry litter-to-energy; **AND**

(10) **[waste-to-energy;**

(11) refuse-derived fuel; and

(12)] thermal energy from a thermal biomass system.

7-704.

(a) (1) Energy from a Tier 1 renewable source:

(i) is eligible for inclusion in meeting the renewable energy portfolio standard regardless of when the generating system or facility was placed in service; and

(ii) may be applied to the percentage requirements of the standard for either Tier 1 renewable sources or Tier 2 renewable sources.

(2) (i) Energy from a Tier 1 renewable source under § 7-701(r)(1), (5), **OR (9)[, (10), or (11)]** of this subtitle is eligible for inclusion in meeting the renewable energy portfolio standard only if the source is connected with the electric distribution grid serving Maryland.

1 (ii) If the owner of a solar generating system in this State chooses to
2 sell solar renewable energy credits from that system, the owner must first offer the credits
3 for sale to an electricity supplier or electric company that shall apply them toward
4 compliance with the renewable energy portfolio standard under § 7–703 of this subtitle.

5 (3) Energy from a Tier 1 renewable source under § 7–701(r)(8) of this
6 subtitle is eligible for inclusion in meeting the renewable energy portfolio standard if it is
7 generated at a dam that existed as of January 1, 2004, even if a system or facility that is
8 capable of generating electricity did not exist on that date.

9 (4) Energy from a Tier 2 renewable source under § 7–701(s) of this subtitle
10 is eligible for inclusion in meeting the renewable energy portfolio standard through 2018 if
11 it is generated at a system or facility that existed and was operational as of January 1,
12 2004, even if the facility or system was not capable of generating electricity on that date.

13 SECTION 2. AND BE IT FURTHER ENACTED, That a presently existing obligation
14 or contract right may not be impaired in any way by this Act.

15 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 October 1, 2019, and shall be applicable to all renewable energy portfolio standard
17 compliance years beginning after December 31, 2019.

David Moran

From: Lore Rosenthal <lore@simplicity-matters.org>
Sent: Wednesday, February 20, 2019 12:38 PM
To: David Moran
Cc: Greenbelt Climate Action Network; Zachary Perkins; Kristen Minogue; Michael Hartman; Michael Travis; Marj Donn
Subject: David Moran, two more bills for Council consideration on Mon, Feb 25th
Attachments: FEB UPDATE - HEALTH IMPACTS OF INCINERATION.pdf

Dear Mr Moran,

Could you please include two bills in the Monday, Feb 25 agenda?

They are two companion bills in the House and the Senate (SB548 and HB961), about removing incineration from the RPS (Renewable Portfolio Standard). Please note that they are two separate bills, not "cross-filed". The basic concept is that incineration is not a "clean renewable energy source" and therefore should not be included in the state's commitment to a clean energy future.

The bills are:

SB0548 -Renewable Energy Portfolio Standard - Eligible Sources (Introduced by Sen Hough, 26 cosponsors, including Sen Pinsky)

Senate - Hearing 3/05 at 1:00 p.m. (Finance)

<http://mgaleg.maryland.gov/webmga/frmMain.aspx?pid=billpage&stab=01&id=sb0548&tab=subject3&ys=2019RS>

HB0961 - Public Utilities - Renewable Energy Portfolio Standard - Tier 1 Sources (Introduced by Del Mosby, 6 cosponsors, not Del. Healey, Gaines, or Washington)

House Hearing 3/8, 1 pm (Economic Matters)

<http://mgaleg.maryland.gov/webmga/frmMain.aspx?pid=billpage&stab=subject3&id=hb0961&stab=01&ys=2019RS>

I have provided the links to the two bills, but I do not think it is necessary to print them out for inclusion in the council packet (a lot of paper!)

Attached is a Fact Sheet that I would encourage you to include in the packets. It describes the bills in summary. Please note that the Fact Sheet also makes reference to Senate Bill 516. This is the Clean Energy Jobs Act, Senate version, which council already voted upon on Feb 11th.

Greenbelt Climate Action Network is supporting these two bills and would encourage the council to write a letter of support to our D-22 delegation.

Unfortunately, we cannot have representatives of GCAN present on Feb 25. We are all going to a Sierra Club Lobby Night in Annapolis, in support of these two bills. (There is a chance we will return in time, dependent on how late the council meeting lasts).

We would appreciate the council's consideration of these bills.

Thank you,

Lore Rosenthal, Program Coordinator
Greenbelt Climate Action Network

PS - could you please include this email in the council packet, in lieu of oral testimony?

Health Impacts of Waste Incineration

Support House Bill 961, Senate Bill 548, and Senate Bill 516

We know that burning fossil fuels like coal and oil is bad for Marylanders' health and our climate. But burning trash for energy is even worse. Compared to coal, burning trash releases 90% more greenhouse gas emissions per unit of energy.¹

Given trash incineration's harms to public health and the climate, Maryland should remove trash incineration from our Renewable Portfolio Standard (RPS).

Burning Trash Harms Our Health

Incineration emits NO_x (nitrogen oxides) and PM 2.5 (particulate matter). NO_x is an air pollutant which, when mixed with volatile organic compounds (VOCs) and sunlight, forms ozone pollution, which can cause chest pain, coughing, and increased risk of asthma attacks. PM 2.5 exposure can cause lung damage, increased risk of heart attack, and more.



In the U.S., communities of color and low-income communities are exposed to disproportionate levels of pollution.² In Baltimore, Wheelabrator's Baltimore Refuse Energy Systems Co. (BRESKO) incinerator is the city's largest source of air pollution. Emissions from BRESKO result in health and mortality costs upwards of \$55 million dollars a year. Studies have shown that living near BRESKO increases lung cancer risk as much as living with a smoker.¹ Despite this, trash incineration currently qualifies as "renewable energy" and receives subsidies in Maryland's Renewable Portfolio Standard.

Three Ways to Take Out the Trash in Maryland's Clean Energy Policy

- Pass House Bill 961, which would remove incineration from the Renewable Portfolio Standard.
- Pass Senate Bill 548, which would remove incineration from the Renewable Portfolio Standard.
- Pass Senate Bill 516, the "Clean Energy Jobs Act," which would double the state's RPS while removing incineration as a qualifying resource.

BRESCO by the Numbers³

BRESCO facility opened in **1985**

709,900 Tons of waste processed in 2017

200,000+ tons of toxic ash sent to landfill⁴

2,250 tons of waste processed per day

152,358 tons of CO₂ emitted annually

219,404 pounds of methane emitted annually

456 tons of NO_x emitted annually

120 pounds of lead emitted annually

100 pounds of PM 2.5 emitted annually

60 pounds of mercury emitted annually⁵

Montgomery County Resource Recovery Facility (Dickerson) by the Numbers³

Facility opened in **1995**

600,000 tons of waste processed annually⁶

180,000+ tons of toxic ash sent to landfills⁷

1,800 tons of waste processed per day⁷

270,027 tons of CO₂ emitted annually

378,630 pound of methane emitted annually

36 tons of SO₂ emitted annually

421 tons of NO_x emitted annually

46 Pounds of mercury emitted annually⁵

The Science Is Clear: Burning Trash is Not Clean Energy

While there was some question in the past, the consensus among scientists and public health advocates has now firmly concluded that burning trash is not renewable.

In 2018, the Maryland Senate voted 36-8 to remove trash incineration from the Renewable Portfolio Standard. Over 600 entities across Maryland, including Baltimore City and Montgomery County, have also passed resolutions declaring that burning trash should not count as renewable.

Environmental and Health Benefits of New Wind and Solar

Removing waste as a form of renewable energy from the Renewable Portfolio Standard **will not** cause the trash incinerators to close. Removing waste **will** allow the Renewable Energy Credits (RECs) to go to truly clean energy. The new demand for renewable energy caused by removing all waste incineration from the RPS would lead to development of 467MW of new wind energy.

By reducing fossil fuel power plant pollution throughout our region, new clean energy development from removing waste incineration from the RPS would decrease carbon emissions, reduce health care costs, and deliver economic benefits regionally.

Please support House Bill 961 and Senate Bill 548, which would remove incineration from the RPS, and Senate Bill 516, which would double the state's RPS while removing incineration. By doing so, Maryland can be a national renewable energy leader with cleaner air, healthier people and a robust economy that provides well-paying jobs to a large and diverse renewable energy workforce.

Take Action: House Bill 961, Senate Bill 548, and Senate Bill 516

For more information visit ccanactionfund.org/maryland/fighting-toxic-incinerators/

For references visit <http://bit.ly/incineration2019>

City Council Agenda Item Report

Meeting Date: February 25, 2019

Submitted by: Bonita Anderson

Submitting Department: Administration

Item Type: OTHER BUSINESS

Agenda Section:

Subject:

Policy on Local Hiring in Landscaping Contracts

Suggested Action:

Councilmember Byrd requested that this item be included on the agenda this evening.

Councilmember Byrd's proposed motion would be to have an amendment to Section 2-38 of the City Code drafted that would require at least 20% of the work hours for landscaping contracts to go to Greenbelt residents.

Attachments:

City Council Agenda Item Report

Meeting Date: February 25, 2019

Submitted by: Bonita Anderson

Submitting Department: Administration

Item Type: OTHER BUSINESS

Agenda Section:

Subject:

Amazon HQ2

Suggested Action:

Reference: Amazon HQ2 Article

Councilmember Byrd requested that this item be included on the agenda this evening.

The motion proposed by Mr. Byrd would be to

- 1.) have a resolution drafted saying that the Greenbelt City Council opposes bringing Amazon HQ2 to Greenbelt and will not offer to spend any City funds on corporate subsidies for Amazon HQ2; and
- 2.) send a letter to the Prince George's County Council asking it not to offer any County funds for bringing Amazon HQ2 to Greenbelt.

Attachments:

[Amazon HQ2 Article.pdf](#)

SELECT A CITY▼

INDUSTRIES & TOPICS



NEWS

LISTS & AWARDS

PEOPLE & COMPANIES

EVENTS

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**FOR THE EXCLUSIVE USE OF BANDERSON@GREENBELTMD.GOV**

From the Washington Business Journal:

<https://www.bizjournals.com/washington/news/2019/02/13/prince-georges-pitches-its-hq2-site-to-amazon.html>

Prince George's pitches its HQ2 site to Amazon — again

Feb 13, 2019, 2:21pm EST

Prince George's County didn't make the cut last year with its proposal to win Amazon.com Inc.'s second headquarters. But now that Amazon (NASDAQ: AMZN) may be reconsidering its HQ2 plans in New York due to extensive opposition, the county has reached out to the online giant once again.

David Iannucci, president and CEO of the Prince George's County Economic Development Corp., told me county officials reached out to Amazon, via email, on Friday to convey that the county "stands ready to reengage conversations should there be issues with either the Virginia or New York location."

Amazon announced in November that the company planned to split its second headquarters between Arlington and Long Island City in Queens, each of which are expected to land 25,000 jobs with average salaries of \$150,000. But the Seattle-based company has not yet leased office space in New York nor has it signed leases with JBG Smith Properties (NYSE: JBGS) in Arlington — though Virginia has already approved an incentive package.

Amazon declined to comment, but it did respond to the EDC, Iannucci said.

"They didn't promise an immediate dialogue," he said, "but it was a clear signal of willingness to talk."

Prince George's is pitching an assemblage in Greenbelt and College Park, which offers Amazon 14 million square feet of development opportunity, along with proximity to University of Maryland, College Park. The site is also close to two Metro stations and the future Purple Line.

Of the four sites Prince George's initially offered to Amazon, Iannucci said, the College Park/Greenbelt property has the most potential. And while Virginia Tech is planning a \$1 billion innovation campus in Alexandria to help Amazon with its HQ2 workforce needs, Iannucci figures the University of Maryland is "already doing a substantial amount of what Virginia Tech" plans to do.

Prince George's isn't the first jurisdiction in Maryland to reach out to Amazon about reconsidering an HQ2 site.

Baltimore developer Marc Weller recently contacted Amazon founder Jeff Bezos to lobby for the 235-acre Port Covington redevelopment site that was the centerpiece of Baltimore's bid.

Katie Arcieri
Staff Reporter
Washington Business Journal



JOANNE S. LAWTON

Prince George's County economic development official David Iannucci said the company reached out to Amazon about reconsidering the county for HQ2.

City Council Agenda Item Report

Meeting Date: February 25, 2019

Submitted by: Bonita Anderson

Submitting Department: Administration

Item Type: OTHER BUSINESS

Agenda Section:

Subject:

City Policy/Practice on the Disposal of Police Service Weapons

Suggested Action:

Reference: Duty Weapon Replacement Memo

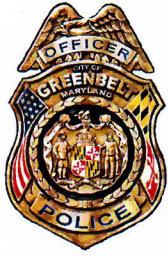
The City Police Department is in the process of replacing the duty weapons carried by officers.

It is recommended to purchase the replacement weapons and gear from Atlantic Tactical. Atlantic Tactical offers an optional weapon trade-in program that would help to off-set the purchase of the weapons. Upon trade-in of the current duty weapons, Atlantic Tactical will credit the department \$10,175.00, towards the purchase of the new weapons. This option is recommended not only to reduce the cost to the City, but also to alleviate the department of the burden for storage and disposal of the current weapon inventory. This option would bring the total purchase price to \$28,858.60, which is below the budgeted replacement cost of \$32,000.

Council direction is sought.

Attachments:

[Duty Weapon Replacement memo.pdf](#)



**GREENBELT POLICE
DEPARTMENT**

550 Crescent Road
Greenbelt Maryland 20770
(301) 474-7200

To: Chief Richard Bowers

From: Lieutenant Timothy White

Date: February 7, 2019

Re: Duty Weapon Replacement

As you are aware, the Department is in the process of replacing the duty weapons carried by officers. Based on the attached recommendation from Captain Sagan, I obtained pricing quotes from three separate vendors. Each vendor provided pricing for replacement of all duty weapons and compatible holsters needed for carry. Below is a table with the purchase options based on the quotes received:

Vendor:	Handguns:	Holsters:	Sub-total:	Trade-In:	Total Cost:
Atlantic Tactical	\$33,645.00	\$5,388.60	\$39,033.60	-\$10,175	\$28,858.60
Firing Line, LLC.	\$31,875.00	\$5,572.00	\$37,447.00	N/A	\$37,447.00
MD Small Arms	\$48,750.00	\$6735.75	\$55,485.75	N/A	\$55,485.75

It is recommended to purchase the replacement weapons and gear from Atlantic Tactical. While Firing Line, LLC. has a slightly lower price, Atlantic Tactical is a large regional dealer with a demonstrated history of superior customer support. Atlantic Tactical also offers an optional weapon trade-in program that would help to off-set the purchase of the weapons. Upon trade-in of our current duty weapons, Atlantic Tactical will credit the Department \$10,175.00 towards the purchase of the new weapons. This option is recommended not only to reduce the cost to the City, but also to alleviate the Department of the burden for storage and disposal of the current weapon inventory. This option would bring the total purchase price to \$28,858.60, which is below the budgeted replacement cost of \$32,000.

City Council Agenda Item Report

Meeting Date: February 25, 2019

Submitted by: Bonita Anderson

Submitting Department: Administration

Item Type: OTHER BUSINESS

Agenda Section:

Subject:

*Help Unite Greenbelt (HUG) Walk Sponsorship

Suggested Action:

Councilmember Byrd requested that this item be included on the agenda this evening.

Attachments:

City Council Agenda Item Report

Meeting Date: February 25, 2019

Submitted by: Bonita Anderson

Submitting Department: Administration

Item Type: OTHER BUSINESS

Agenda Section:

Subject:

*Resignation from Advisory Group

Suggested Action:

Reference: Email, S. Eding, 01-26-19

Stephane Eding has submitted her resignation from the Parks and Recreation Advisory Board.

Approval of this item on the consent agenda will indicate Council's intent to accept Ms. Eding's resignation with regret.

Attachments:

City Council Agenda Item Report

Meeting Date: February 25, 2019

Submitted by: Bonita Anderson

Submitting Department: Administration

Item Type: OTHER BUSINESS

Agenda Section:

Subject:

*Appointments to Advisory Groups

Suggested Action:

Reference: Applications

Council interviewed Lisa Lake on November 20, 2017, for appointment to the Community Relations Advisory Board and Malik Gupta on January 14, 2019, for appointment to the Youth Advisory Committee.

Approval of this item on the consent agenda will indicate Council's intent to appoint Ms. Lake to CRAB and Mr. Gupta to YAC.

Attachments:

City Council Agenda Item Report

Meeting Date: February 25, 2019

Submitted by: Bonita Anderson

Submitting Department: Administration

Item Type: OTHER BUSINESS

Agenda Section:

Subject:

*Reappointments to Advisory Groups

Suggested Action:

Reference: Reappointment Surveys

The following individuals have indicated their willingness to continue to serve on City Advisory Boards and Committees:

John Lippert - Greenbelt Advisory Committee on Environmental Sustainability

Lisa M. Behuncik - Employee Relations Board

Melinda S. Brady - Advisory Committee on Education

Veronica Martin Alston - Advisory Committee on Education

Approval of this item on the consent agenda will indicate Council's intent to appoint them to new terms.

Attachments:

City Council Agenda Item Report

Meeting Date: February 25, 2019

Submitted by: Bonita Anderson

Submitting Department: Administration

Item Type: MEETINGS

Agenda Section:

Subject:

Meetings

Suggested Action:

Executive Session: An Executive Session has been requested by Mayor Jordan to discuss the City Manager's evaluation. It is recommended this meeting be scheduled for Wednesday, March 6, 2019, at 8:00 p.m. in the Library of the Municipal Building.

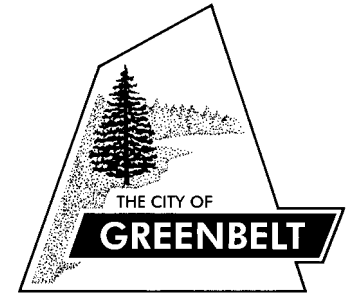
To schedule the Executive Session the following motion is needed: I move that Council schedule an Executive Session on Wednesday, March 6, 2019, at 8:00 p.m. in the Library of the Municipal Building. Council will hold this closed meeting in accordance with the General Provisions Articles 3-305(b)(1) of the Annotated Code of the Public General Laws of Maryland to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; any other personnel matter that affects one or more specific individuals.

Attachments:

[meetings.pdf](#)

CITY OF GREENBELT, MARYLAND
25 Crescent Road, Greenbelt, MD 20770-1891

2/21/2019 12:49 PM



City Council Meetings & Work Sessions
February – March - April

Regular Meeting	Mon.	02/25	8:00 pm
Business Coffee	Wed.	02/27	7:30 am
Mid-Session Legislative Dinner, (Annapolis)	Wed.	02/27	6:00 pm
Work Session – Prince George’s County School Board Member Thomas	Mon.	03/04	8:00 pm
Work Session – Greenbelt East Advisory Coalition (GEAC), (Greenbriar)	Thurs.	03/07	7:30 pm
NLC Conference (D.C)	Sun.-Wed.	03/10-03/13	
Regular Meeting	Mon.	03/11	8:00 pm
Friends of the Greenbelt Museum (Transforming America’s Communities Through the Arts)	Wed.	03/13	8:00 pm
Work Session – GATe	Mon.	03/18	8:00 pm
Work Session – TBD, (CC)	Wed.	03/20	8:00 pm
Regular Meeting	Mon.	03/25	8:00 pm
Budget Work Session - Overview, Revenues & General Government/Other Funds/Non-Departmental & Fund Transfers, (CC)	Wed.	03/27	7:30 pm
Work Session - Windsor Green Community Center Renovation (tentative)	Mon.	04/01	8:00 pm
Budget Work Session – Misc. – Museum/Grants & Contributions, (SHL)	Wed.	04/03	8:00 pm
Regular Meeting	Mon.	04/08	8:00 pm
Budget Work Session – Public Safety, (SHL)	Wed.	04/10	8:00 pm
Work Session – TBD	Mon.	04/15	8:00 pm
Budget Work Session – Public Works/Capital Projects, (Greenbriar)	Wed.	04/17	8:00 pm
Regular Meeting/1st Public Hearing /Easter Monday	Mon.	04/22	8:00 pm
Four Cities Meeting (Greenbelt)	Wed.	04/24	7:30 pm
Budget Work Session – Social Services	Mon.	04/29	8:00 pm

- *Councilmembers will present reports on conferences, meetings and events as the last item of business at Monday Work Sessions.*

This schedule is subject to change. For confirmation, call 301-474-8000. Regular and Special meetings and Work Sessions are open to the public. If special accommodations are required for any disabled person, please call 301-474-8000 or 301-474-3870 no later than 10 a.m. on the meeting day. Deaf individuals are advised to use MD RELAY at 711 or e-mail banderson@greenbeltmd.gov to reach the City Clerk. Unless otherwise noted, meetings will be held in the Council Room of the Municipal Building (MB) at 25 Crescent Rd. Meetings marked “CC” will be held in the Community Center at 15 Crescent Rd and “Greenbriar” will be held in the Terrace Room at 7600 Hanover Parkway.

Bonita Anderson, City Clerk

A NATIONAL HISTORIC LANDMARK

(301) 474-8000

fax (301) 441-8248
www.greenbeltmd.gov

MD RELAY 711

200

CITY OF GREENBELT, MARYLAND

25 Crescent Road, Greenbelt, MD 20770-1891

2/21/2019 12:49 PM

Ready to be scheduled:

Prince George's County Executive Alsobrooks
State's Attorney Braveboy
WSSC
Forest Preserve/Community Gardens
Sustainable Land Care Policy
Capital Office Park
Dog Park
CRAB Report – Police Community Relations
Verizon
Greenbelt Watershed Groups
Cemetery Plans
University of Maryland (2019)
Roosevelt Center Owner
Affordable Housing/Comprehensive Housing Plan
Religious Organizations
Beltway Plaza
NASA

For later scheduling:

Zoning Enforcement
Parkway Apartment Owners/GHI (parking)
Northway Fields Master Plan
City Manager Updates (Jan, Pre-budget; July & Sept/Oct)
Meeting with County on Transportation Plan
Hotels
PRAB – Buddy Attick Park Master Plan
Forest Preserve Health Assessment

City Council Agenda Item Report

Meeting Date: February 25, 2019

Submitted by: Bonita Anderson

Submitting Department: Administration

Item Type: MEETINGS

Agenda Section:

Subject:

Stakeholders

Suggested Action:

Attachments:

[Stakeholder Schedule.pdf](#)

Annual														
Advisory Group Chairs	3/16	2/17	7/18											
Franklin Park at Greenbelt Station Mgmt.	8/16	11/17	12/18											
Greenbelt East Advisory Coalition	3/16	7/17												
Greenbelt Homes, Inc.	6/16	7/17	7/18											
County Executive/ County Council	12/13	9/16	1/19											
Biennial														
Roosevelt Center Merchants	11/16	1/18												
Beltsville Ag. Research Center/ NPS Greenbelt Park	03/14	7/16	8/18											
	7/15	1/18												
Beltway Plaza	9/14	3/17												
Greenway Center	7/14	12/16	02/19											
Civic Associations	8/14	2/18												
NASA/GSFC	3/15	3/17												
PG Co. Economic Development Corp.	8/14	4/17												
School Board	2/16	5/17	10/18											
State Highway Administration	6/15	10/17												
Every Three Years														
Apartments	2/18													
Religious/Spiritual Organizations	3/13	6/15												
Greenbelt Watershed Groups	8/14	10/16												
Hotels														
University of Maryland	3/13	4/15												
Every Three Years or Major Issue														
Comcast	9/13	11/17												
Verizon														
PEPCO	9/14	1/17												
WSSC	12/12	9/16												
WGL														
Capital Office Park	12/12	1/16												
Other Business Parks:														
Maryland Trade Center														
Golden Triangle														
Hanover Parkway														
Belle Point														
Edmonston Road														
Hanover Parkway														
Roosevelt Center Owner	9/15													

WMATA/PGDPW&T (Semi-Annual)	11/16	9/17	11/18											
Other/As Needed														
M-NCPPC/Planning Board (Major Issue)	6/06	7/14												
Business Coffee (Every Four Months)	10/17	2/18	8/18	11/18										
State's Attorney (4 years)	2/11	4/15												

(Rev. January 18, 2019)