



CITY COUNCIL AGENDA
Municipal Building

This meeting will be held in-person and virtual.

**25 Crescent Road
Greenbelt, MD 20770**

OR

**Virtual Participation
Zoom Webinar Attendees:**

**During "Petitions and Requests," please submit your request in writing via email to
questions@greenbeltmd.gov**

**[https://us02web.zoom.us/j/81335620970?](https://us02web.zoom.us/j/81335620970?pwd=TTJaZ2hieUh0STFQZDRCT1AwWmVVZz09)
[pwd=TTJaZ2hieUh0STFQZDRCT1AwWmVVZz09](https://us02web.zoom.us/j/81335620970?pwd=TTJaZ2hieUh0STFQZDRCT1AwWmVVZz09)**

Dial-in: 301 715 8592

Webinar ID: 813 3562 0970

Passcode: 759894

**Monday, February 13, 2023
7:30 PM**

I. ORGANIZATION (15 mins - 7:30 - 7:45 pm)

1. Call to Order
2. Roll Call
3. Meditation and Pledge of Allegiance to the Flag

4. Petitions and Requests
5. Consent Agenda - Approval of Staff Recommendations (Items on the Consent Agenda [marked by *] will be approved as recommended by Council and staff, subject to removal from the Consent Agenda by Council.)
6. Approval of Agenda and Additions

II. COMMUNICATIONS (45 mins - 7:45 - 8:30 pm)

7. Presentations

7a. Prince George's County Board of Education District 2 Member Suggested Action:

Jonathan Briggs, Prince George's County Board of Education Member - District 2, will be present to make brief remarks to the City Council.

7b. Recirculating Car Wash Pilot Program

Suggested Action:

Dr. Peter Ian May will be present to provide Council with a presentation on Recirculating Car Wash Pilot program.

The pilot program is funded through a State of Maryland Industrial Partnership (MIPS) grant awarded to UMD ENST and Stanley Auto Spa to further test the recirculating wash station, with the City of Greenbelt acting as a host site for the pilot.

[Eco Car Wash Greenbelt Presentation.pdf](#)

7c. Random Unselfish Acts of Kindness Proclamation

Suggested Action:

This year the City of Greenbelt will issue a proclamation to recognize a day of Random Acts of Kindness, to be celebrated by the City on Friday, February 17, 2023. Robert Goldberg-Strasser of Random Unselfish Acts of Kindness (RUAK) will accept the proclamation and give an overview of this year's plan.

[Random Unselfish Acts of Kindness.pdf](#)

7d. Compost and Food Waste Grant Presentation

Suggested Action:

Dr. Luisa Robles will present to the City Council the Compost and Food Waste Grant.

*8. Minutes of Council Meetings

Suggested Action:

- * Regular Meeting - October 15, 2019
- * Work Session - May 06, 2020
- * Work Session - July 21, 2021
- * Interview - August 31, 2022
- * Interview - September 07, 2022
- * Special Meeting - September 21, 2022
- * Special Meeting - October 12, 2022
- * Interview - October 22, 2022
- * Regular Meeting - October 24, 2022
- * Interview - November 02, 2022
- * Special Meeting - November 03, 2022
- * Interview - November 09, 2022
- * Regular Meeting - November 14, 2022
- * Regular Meeting - November 28, 2022
- * Interview - December 05, 2022
- * Regular Meeting - December 12, 2022
- * Legislative Dinner - December 20, 2022
- * Interview - January 04, 2023
- * Interview - January 09, 2023

[RM191015.pdf](#)

[WS200506.pdf](#)

[WS210721.pdf](#)

[INT220831.pdf](#)

[INT220907.pdf](#)

[SM220921.pdf](#)

[SM221012.pdf](#)

[INT221022.pdf](#)

[RM221024.pdf](#)

[INT221102.pdf](#)

[SM221103.pdf](#)

[INT221109.pdf](#)

[RM221128.pdf](#)

[RM221114.pdf](#)

[INT221205.pdf](#)

[RM221212.pdf](#)

[LD221220.pdf](#)

[INT230104.pdf](#)

[INT230109.pdf](#)

9. Administrative Reports

Suggested Action:

Reference: This link will display the weekly report for the City Manager and City Departments

https://www.greenbeltmd.gov/government/city-administration/city-manager-s-office/weekly-reports/-folder-1475#docan2352_4054_3510

*10. Committee Reports

*10a. Community Relations Advisory Board (CRAB) Report - #2022-001 - Council Referral - Non-Citizen Resident Voting

Suggested Action:

It is recommended that Council accept this report.

[Response re Non-Citizen Resident Voting_111022 Final 12-2022.pdf](#)

*10b. Community Relations Advisory Board (CRAB) Report - #2022-002 - Council Referral - Collective Bargaining Agreement extended to Non-Police City Staff

Suggested Action:

It is recommended that Council accept this report.

[Response re Bargaining Units for City Employees_111022 Final 12-2022.pdf](#)

*10c. Community Relations Advisory Board (CRAB) Report #2022-003 - Council Referral - Term Limits for Elected City Council Members

Suggested Action:

It is recommended that Council accept this report.

[Response re Council term Limits_111022 Final 12-2022.pdf](#)

III. LEGISLATION (5 mins - 8:30 - 8:35 pm)

11. City Manager Residency Charter Amendment
- 1st Reading

Suggested Action:

Reference: Resolution

At the Regular Meeting on January 23, 2022, the City Council reviewed the Charter

Section 35 – City Manager – (Appointment; qualifications; term of office; removal) to consider amending the residency requirement for the City Manager. In addition, the City Solicitor, Jason DeLoach, gave the City Council an overview of the process of amending the City Charter.

The City Council also reviewed the response from MML Research Specialist Jim Peck on 28 municipalities' charter requirements for municipal managers. It was suggested that charter language similar to cities College Park and Glenarden, contain "The City Manager need not be a resident of the City of State at the time of appointment but may reside outside the City limits while in office only with the approval of the Mayor and Council" and to direct the City Solicitor to draft legislation to amend Charter Section 35 – City Manager – Appointment.

Enclosed in the City Council packet is a charter amendment resolution to amend section 35.

It is recommended that this charter amendment resolution be introduced for first reading and that the City Council schedule a public hearing.

[CHARTER RESOLUTION - City Manager Residency.pdf](#)

IV. OTHER BUSINESS (60 mins - 8:35 - 9:35 pm)

12. Sponsorship Request Policy

Suggested Action:

At the January 25th, 2023, Work Session, Council discussed attending and sponsoring the AARP Suitland Maryland Chapter 939 50th Anniversary Event held at Martins Crosswind in April, and an email Council received from the Greenbelt Middle School Student Government Association. Councilmember Davis requested that this item be added to the agenda.

Council approval is sought.

[AARP Suitland Maryland Chapter#939 Sponsorship Request.pdf](#)

13. State and County Legislation

Suggested Action:

HB7 - Electric Vehicle Recharging Equipment Rebate Program – Renewal

House Bill 7 – This bill extends the Electric Vehicle Recharging Equipment Rebate Program through fiscal year 2027, increases the maximum amount of rebates the Maryland Energy Administration (MEA) may award in each fiscal year to \$2.0 million, and requires the Governor to include at least \$2.0 million from the Strategic Energy Investment Fund (SEIF) for the program in the annual budget bill, for fiscal years 2025 through 2027.

The MML Legislative Committee voted to take no position on this legislation. It is recommended that Council support HB7.

SB222/HB284 – Environment - Reducing Packaging Materials - Producer Responsibility

Senate Bill 222/House Bill 284 – These bills require the Department of the Environment to conduct a statewide recycling needs assessment every 10 years; requiring, by April 1, 2026, producers of certain packaging materials to individually or as part of a producer responsibility organization submit a producer responsibility plan to the Department for approval; prohibiting, on or after a certain date, a producer of certain packaging materials from selling or distributing the packaging materials unless the producer has an approved producer responsibility plan.

The MML Legislative Committee voted to support this legislation with amendment. Council direction is sought.

HB289/SB282 – Maryland Forestry Education Fund - Establishment

House Bill 289/Senate Bill 282 – These bills establish the Maryland Forestry Education Fund, a special fund administered by the Maryland Forestry Foundation. In general, the purpose of the fund is to provide small grants and specified training, education, and outreach opportunities for forest landowners, district forestry boards, local governments, and businesses.

The MML Legislative Committee voted to support this legislation, as did the City in 2022. Council direction is sought.

SB229 – Vehicle Laws - Noise Abatement Monitoring Systems - Authorization, Use, and Penalties

Senate Bill 229 – This bill authorizes local governments to use noise abatement monitoring systems on State and local highways to record violations of State law governing maximum sound limits of motor vehicles. Any such system must be authorized by local law.

The MML Legislative Committee voted to support this legislation. Council direction is sought.

HB353 – Traffic Control Device Monitoring Systems - Authorization

House Bill 353 – This bill authorizes the use of traffic control device monitoring systems, devices designed to capture a recorded image of a violation, by State and local agencies, if authorized by local law; providing that the owner or driver of a motor vehicle recorded failing to obey a traffic control device is subject, under certain circumstances, to a citation and civil penalty not exceeding \$40; establishing certain defenses to a charge of an alleged violation recorded by a traffic control device monitoring system. Delegate Healey is the primary sponsor of this bill.

The MML Legislative Committee voted to support this legislation, as did the City in 2022. It is recommended that Council support HB353.

HB503 – Natural Resources – Greenspace Equity Program - Establishment

House Bill 503 – This bill establishes the Greenspace Equity Program in the Department of

Natural Resources to provide grants to eligible applicants for enhancing the public health and livability of overburdened communities and underserved communities; requiring the Department to submit each grant award to the Board of Public Works for approval; requiring the Board of Public Works to approve or deny a proposed grant award submitted by the Department; and establishes the Greenspace Equity Advisory Board in the Department.

Council member Davis requested that this bill be added to tonight's agenda for discussion. Council direction is sought.

HB91 – Environment – Recycling – Hotels

House Bill 91 – This bill requires an owner, an operator, or a manager of a hotel to provide recycling for the guests of the hotel and recycle certain materials on or before a certain date; authorizing a county to require an owner, an operator, or a manager of a hotel to report recycling activities to the county in a certain manner; authorizing an enforcement unit, officer, or official of a county, a municipality, or any other local government to conduct inspections of a hotel to enforce certain provisions of this Act; and generally relating to recycling in hotels.

Council member Davis requested that this bill be added to tonight's agenda. It is recommended Council support HB91.

SB117 - State Highway Administration - Litter Collection and Mowing

Senate Bill 117 – This bill requires the State Highway Administration to collect litter and mow the grass along State highways and certain interstate highways with a certain frequency; requiring the Administration to contract with a certain company to collect litter and provide mowing services under the Act; and specifying that the provision of litter collection and mowing services under the Act be considered a supplemental environmental project for certain purposes.

Council member Davis requested that this bill be added to tonight's agenda for discussion. Council direction is sought.

[HB7 - EV Rebate Program.pdf](#)

[HB91 - Recycling - Hotels.pdf](#)

[HB289 - Forestry Education Fund.pdf](#)

[HB353 - Traffic Control Device Monitoring System.pdf](#)

[HB503 - Greenspace Equity Program Est.pdf](#)

[SB117 - SHA - Litter Collection & Mowing.pdf](#)

[SB222 - Reduce Packaging Material.pdf](#)

[SB229 - Noise Abatement Monitoring System.pdf](#)

14. Business Improvement Recovery Fund Round III Grant Program

Suggested Action:

Reference:

Memorandum, K. Simpson, 02/10/2023

Economic Development ARPA BIRF Round III Grant Program Summary

The City Council approved the allocation of 1.5 million dollars (\$1,500,000.00) for the Small Business Assistance Grants Project, which will support the City's small businesses. The funding source for this project is the American Rescue Plan Act (ARPA).

The Business Improvement Recovery Fund (BIRF) Round III Grant Program offers financial assistance to small businesses, cooperatives, contractors, or self-employed individuals located in the City impacted by the COVID-19 pandemic. This grant program is designed for capacity building and operational improvements to support economic recovery, resiliency, and sustainability.

Staff is seeking from the City Council approval of the Business Improvement Recovery Fund (BIRF) Round III Grant Program.

[Eco. Dev BIRF Round III Memo 2.10.23 K.Simpson.pdf](#)

[Eco. Dev. ARPA BIRF Round 3 Grant Program Summary Draft 2.13.23 Regular Meeting KLS - Copy.pdf](#)

15. Council Activities

16. Council Reports

*17. Appointment to Advisory Board

Suggested Action:

Reference: Application and Code of Conduct

The City Council interviewed the following for the Advisory Committee on Education, Korrie Johnson on July 13, 2022, Robert Snyder on November 7, 2022, and Jennifer Pompei on January 9, 2023.

The City Council interviewed the following for the Public Safety Advisory Committee, John Ottina on August 10, 2020, and Steven Mirsky on October 21, 2020.

Approval of this item on the consent agenda will indicate Council's intent to appoint Mr. Johnson, Mr. Snyder, and Ms. Pompei to the Advisory Committee on Education and Mr. Ottina and Mirsky to the Public Safety Advisory Committee.

*18. Meetings

Suggested Action:

Reference: Meetings Calendar

2023 Meeting Schedule: At the work session on February 8, Council reviewed the

2023 meeting schedule. The following suggested changes to Council's 2023 meeting scheduled are:

- No Work Session on Monday, March 6 (Purim)
- Reschedule Monday, April 10 Regular Meeting to Tuesday, April 11 (Easter Monday)
- No Work Session on Monday, May 29 (Memorial Day)
- Reschedule Monday, June 12 Regular Meeting and Monday, June 26 Regular Meeting to Monday, June 5th and Monday, June 19th (To adopt budget before June 10 and MML Annual Conference in Ocean City - June 25-28)
- No Work Session on Monday and Wednesday, June 26 and 28 (MML Annual Conference in Ocean City - June 25-28)
- No Work Session on Wednesday, November 15 (NLC City Summit in Atlanta, GA - November 15-18)

Approval of this item on the consent agenda will indicate Council's intent to approval of the changes to the 2023 meeting schedule.

[2023_Calendar_memo.pdf](#)
[meetings.pdf](#)

*19. Stakeholders

[Stakeholder Schedule.pdf](#)

City Council Agenda Item Report

Meeting Date: February 13, 2023

Submitted by: Shaniya Lashley-Mullen

Submitting Department: Administration

Item Type: Presentations

Agenda Section: COMMUNICATIONS (45 mins - 7:45 - 8:30 pm)

Subject:

Prince George's County Board of Education District 2 Member

Suggested Action:

Jonathan Briggs, Prince George's County Board of Education Member - District 2, will be present to make brief remarks to the City Council.

Attachments:

City Council Agenda Item Report

Meeting Date: February 13, 2023

Submitted by: Shaniya Lashley-Mullen

Submitting Department: Administration

Item Type: Presentations

Agenda Section: COMMUNICATIONS (45 mins - 7:45 - 8:30 pm)

Subject:

Recirculating Car Wash Pilot Program

Suggested Action:

Dr. Peter Ian May will be present to provide Council with a presentation on Recirculating Car Wash Pilot program.

The pilot program is funded through a State of Maryland Industrial Partnership (MIPS) grant awarded to UMD ENST and Stanley Auto Spa to further test the recirculating wash station, with the City of Greenbelt acting as a host site for the pilot.

Attachments:

[Eco Car Wash Greenbelt Presentation.pdf](#)

A Proposal to Install a...
Self-sustaining
Stand-Alone
Recirculating Wetland
Self-Service
Solar Powered
Car Wash Station in Greenbelt

Peter May, PhD, UMD ENST Asst. Research Professor
Daryl Bobb, President Stanley Auto Spa
Elad Shdaimah, UMD ENST Graduate Student
Dennis Toibero, Engineer Stanly Auto Spa
John Zaniker, VP & GM Stanley Auto Spa



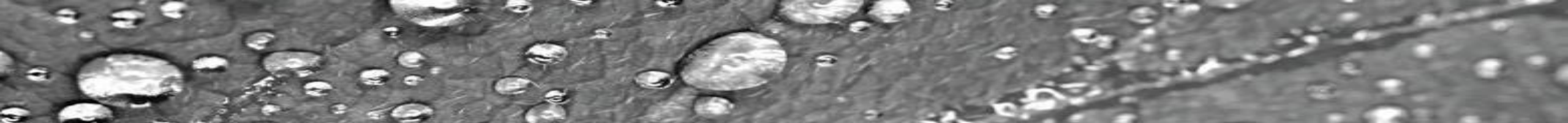
CREATING PARTNERS IN INNOVATION

Presented to City of Greenbelt
Mayor and Council, City Manager &
Director of Public Works / Environmental
Coordinator
February 13th, 2023



DEPARTMENT OF
ENVIRONMENTAL
SCIENCE & TECHNOLOGY
www.enst.umd.edu

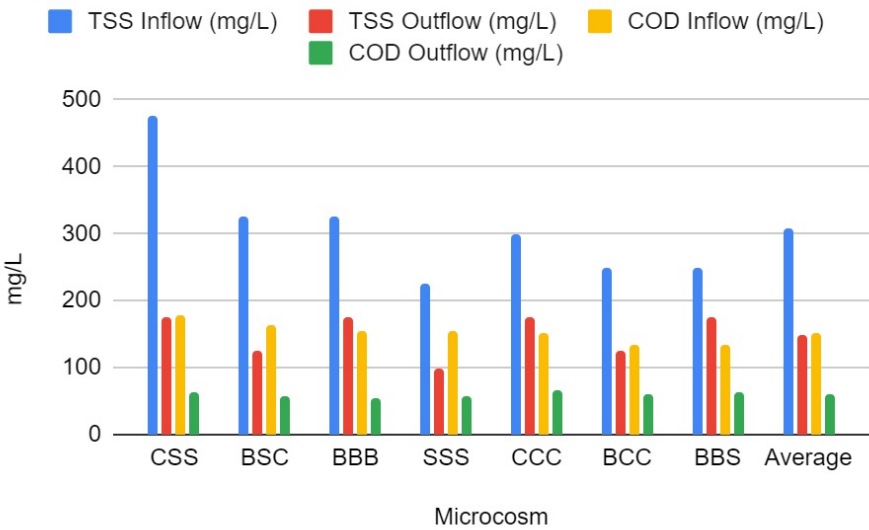




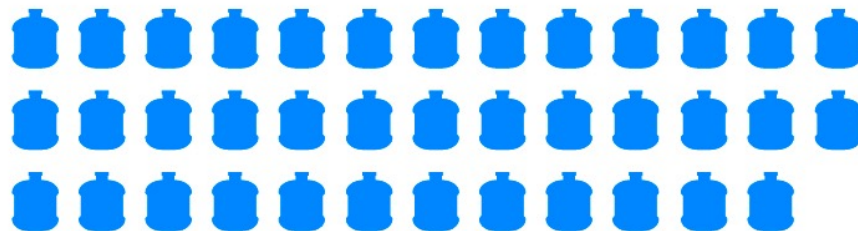
UMD ENST and Stanley Auto Spa successfully won a State of Maryland Industrial Partnership (MIPS) Grant to further test a recirculating car-wash system. The MIPS grant will pay for the mobile and stand alone system which has been tested in a previous grant through MIPS in 2020. This effort will solarize the power for the system and capture and use rainwater and recirculated wash water through the wetland treatment system to create a "closed loop" green car wash system.

2020 Lab Testing for Water Quality Treatment Efficiency

TSS and COD Concentration of Inflow vs. Outflow in Downwelling Config.



38



Gallons of water are used each time a single car is washed.



304,000,000

Gallons of water are used for car washes per day, globally.



Reusing recirculating rainwater to wash, clean and rewash is good!



2 Parking
Spaces Used

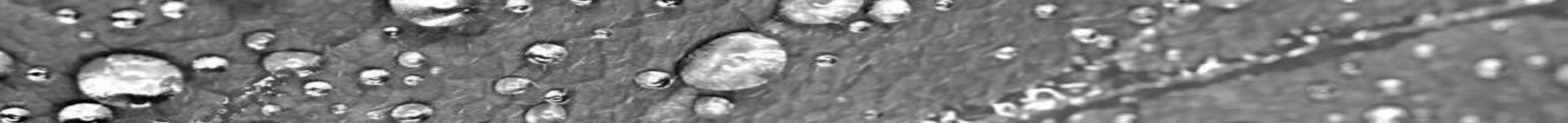
The permeable
Grid captures
Water and pumps
It back into the
Wetland
Treatment
System for
Reuse with
Regular UMD
Water Quality
Sampling
Occurring



DEPARTMENT OF
ENVIRONMENTAL
SCIENCE & TECHNOLOGY
www.enst.umd.edu

Rainwater capture and washwater reuse through wetland treatment...



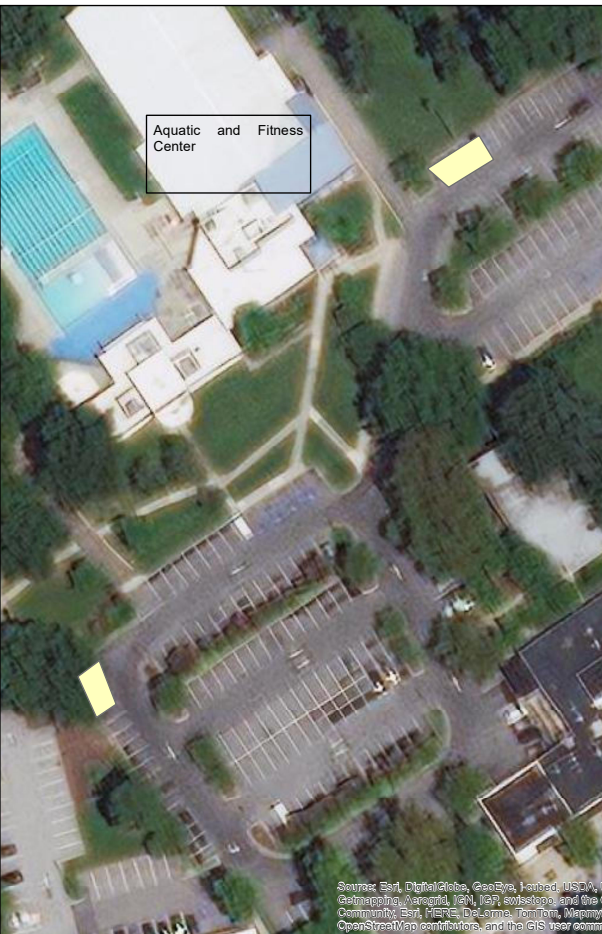
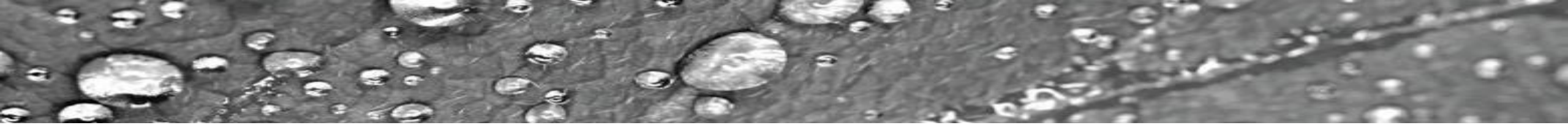


Plan to Solarize Power to Run
the System *and* Rainwater
Capture for Reuse



DEPARTMENT OF
ENVIRONMENTAL
SCIENCE & TECHNOLOGY
www.enst.umd.edu

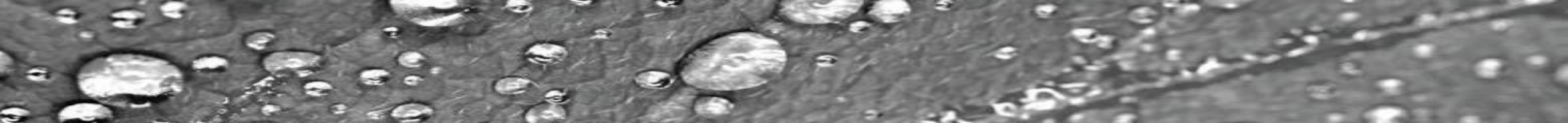




DEPARTMENT OF
ENVIRONMENTAL
SCIENCE & TECHNOLOGY
www.enst.umd.edu

Sites at Greenbelt Center, Schrom Hills, Springhill Lake all reviewed

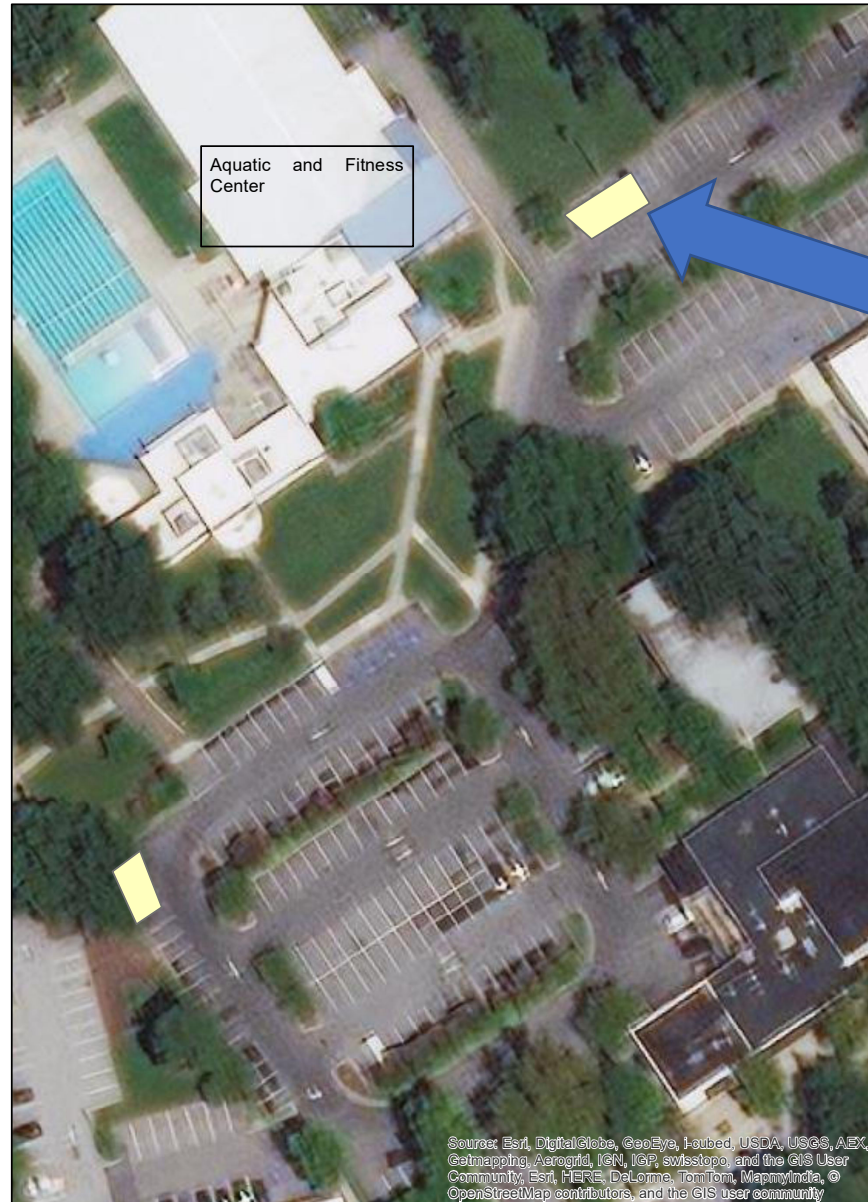




Greenbelt Aquatic and Fitness Center Location Chosen for Solar Aspect, Space, Slope & Visibility

Project grant will run from Construction through end of July 2023

System can stay and the City can Profit share with Stanley on Revenues generated



Questions?

Peter May
pimay@umd.edu



DEPARTMENT OF
ENVIRONMENTAL
SCIENCE & TECHNOLOGY
www.enst.umd.edu



Source: Esri, DigitalGlobe, GeoEye, IGN, IGN, swisstopo, and the GIS User Community; Esri, HERE, DeLorme, TomTom, Mapbox, © OpenStreetMap contributors, and the GIS user community

City Council Agenda Item Report

Meeting Date: February 13, 2023

Submitted by: Shaniya Lashley-Mullen

Submitting Department: Administration

Item Type: Proclamation

Agenda Section: COMMUNICATIONS (45 mins - 7:45 - 8:30 pm)

Subject:

Random Unselfish Acts of Kindness Proclamation

Suggested Action:

This year the City of Greenbelt will issue a proclamation to recognize a day of Random Acts of Kindness, to be celebrated by the City on Friday, February 17, 2023. Robert Goldberg-Strasser of Random Unselfish Acts of Kindness (RUAK) will accept the proclamation and give an overview of this year's plan.

Attachments:

[Random Unselfish Acts of Kindness.pdf](#)

PROCLAMATION

WHEREAS, the City of Greenbelt recognizes the value of simple acts of kindness performed without prompting or reason and how these acts can positively impact the performer, the recipient and onlooker of the good deed; and

WHEREAS, people of any age can participate in “Random Unselfish Acts of Kindness” any time, any place and for the unselfish purpose of spreading goodwill; and

WHEREAS, by providing “Random Unselfish Acts of Kindness” and reaching out to one another, regardless of social or economic status, education, gender, origin, religious belief, age, lifestyle or abilities, we extend an opportunity for grace, dignity and acceptance that might not otherwise be offered; and

NOW THEREFORE, BE IT RESOLVED I, Emmett V. Jordan, by the authority vested in me by the residents and City Council of Greenbelt do hereby proclaim February 17, 2023, as

RANDOM UNSELFISH ACTS OF KINDNESS DAY

in the City of Greenbelt and ask our residents of our community to join with me to recognize and perform random unselfish acts of kindness.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Greenbelt, Maryland, to be affixed this 13th day of February 2023.

*Emmett V. Jordan
Mayor*

ATTEST:

Bonita Anderson, City Clerk

City Council Agenda Item Report

Meeting Date: February 13, 2023

Submitted by:

Submitting Department: Administration

Item Type: Presentations

Agenda Section: COMMUNICATIONS (45 mins - 7:45 - 8:30 pm)

Subject:

Compost and Food Waste Grant Presentation

Suggested Action:

Dr. Luisa Robles will present to the City Council the Compost and Food Waste Grant.

Attachments:

[Closing the loop in Greenbelt Presentation February 2023.pdf](#)



Closing the loop in Greenbelt: Residential food scrap diversion, compost generation, and all benefits incurred



USDA Composting grant awarded to the City of Greenbelt

\$266,754 for a 2 year pilot program

February 2023



Background

- Community Gardens were instituted early in the development of Greenbelt
- Greenbelt has collected yard waste to turn to “dirty mulch” for decades
- With the help of various partnerships, Greenbelt has been promoting:
 - Backyard composting
 - Community composting
 - Vermicomposting
- Green Team Zero Waste Circle drafted an *Organics Task Force Report*
- Since October 2020: Food scraps drop off



Organics Task Force Report

11 Adopted recommendations

- 1. Initiate a pilot residential curbside food scrap pick-up program. A chosen vendor would sign up individuals and handle the program.
- 2. Establish a pilot food scrap drop-off program, involving 3 to 5 locations.
- 3. After the above programs have proven successful, make curbside collection program permanent and available to all households in the City.
- 4. If permanent curbside collection is done in-house, this would require a budget line.
- 5. Initiate a PAYT (Pay As You Throw) system for all trash and recycling collection.
- 6. Engage the Coalition of the Four Cities to collaborate on pilot small composting sites/facilities close to us. CMON group continues to work on this



Organics Task Force Report

11 Adopted recommendations

- 7. Continue to support the three-bin community composting programs, expand to other locations.
- 8. Strengthen support for backyard and home composting. Continue to expand the current discounted bin sales, keep promoting in-home vermicomposting kits.
- 9. Develop a community outreach and education program to generate awareness of the benefits of composting and the range of composting options.
- 10. Partner with community, business, and environmental organizations and strengthen partnership with PGC Department of the Environment to make education as widely as possible
- 11. Prioritize Zero Waste in all city departments, policies, programs, activities and events.



USDA Composting Grant Awarded \$266,754 for a 2 year pilot program

- According to EPA food waste comprises at least 24% of weight going to landfills
- Food that decomposes anaerobically produces methane, a potent greenhouse gas
- Food scraps and organic waste composted locally lowers greenhouse gases
- Soils are losing nutrients, people feel the need to apply chemical fertilizers
- Loss of organic matter in soil increases runoff and water pollution
- By closing the organics loop, we can incorporate nutrients back into our soils in the form of compost, reduce greenhouse gas emissions, require fewer or no fertilizer inputs, help make soil spongier and more absorbent, and reduce the amount of runoff.



USDA requires cooperative agreements with
several community entities.

The Partners

- City of Greenbelt – manages the grant
- Green Team – helps to promote the program
- Trinity Assembly of God – provides the composting site
- Greenbelt Department of Public Works – provides the “browns” and distributes the finished compost
- Greenbelt Community Garden Club – accepts compost and incorporates into soil
- Three Sisters Gardens and Food Forest sponsored by CHEARS – accepts composts and incorporates into soil
- Composting and hauling vendor – establishes the composting facility and collects food scraps.



The Plan

- ▶ Vendor establishes small composting facility at Trinity Assembly of God Church. Composting facility must be aerobic and established within 6 months of award.
- ▶ Vendor will keep information on the number of subscribers, collections, and weight collected to track diversion from landfill.
- ▶ Vendor will track cubic yards of finished compost to be delivered to gardens.
- ▶ Trinity Church can compost food gone bad from donations.
- ▶ Vendor collects food scraps from Greenbelt residents – 200 the first year, 400 at the end of the grant period.
- ▶ Greenbelt and Green Team help recruit residents to participate – preference is given to low income, disadvantaged, fixed income, apartments or small yards.
- ▶ Public Works will bring “browns” from the dirty mulch pile at Northway at a rate of one truck per week.
- ▶ Public Works collects finished compost and delivers to City Gardens, Three Sisters Gardens and Food Forests, and wherever the Horticulture Crew deems necessary.



Environmental and Social benefits

- Divert food scraps and organics from the landfill in an efficient way both environmentally and economically
- Demonstrate food waste composting at a small/medium scale locally
- Increase local compost production
- Assist with food production in community gardens
- Improve soil health
- Reduce greenhouse gas emissions
- Improve equity by focusing on low income households and apartment dwellers

Benefits for the City

- Savings in tipping fees at the landfill **\$12,670** (\$70/ton).
- Value of finished compost 450cy, **\$24,750** (\$55/cy).
- Example for the region to establish small distributed composting sites to keep it local.
- Estimate:
 - collection 181 tons of food waste (greens)
 - use of **540 tons** of dirty mulch (browns)
 - Divert 721 tons of organics from the landfill
 - Production of 450 cy of finished compost
 - 400 participating families

What happens when the pilot ends?

\$110,400/year would be needed to service 400 households

- Assuming vendor curbside collection:
 - Regular cost is \$32/month/household.
 - Collection efficiency increases with subscriber density, this cost could come down to \$23/month/household.
 - Pilot Participants who wish to continue can pay the fee directly to hauler.
 - Anyone in the City can choose to participate.
- Assuming City curbside collection:
 - Make it part of the fee charged for refuse and recycling.
 - Only residents we service directly would be able to participate.
 - Will need to restructure some things at PW.
- Presently the City pays a vendor \$595/mo = \$7,140/yr. for the drop-off location for 6 x 35 gal bins picked up 2x/week.



Thank you!



Comments?

City Council Agenda Item Report

Meeting Date: February 13, 2023

Submitted by: Bonita Anderson

Submitting Department: Administration

Item Type: Meeting Minutes

Agenda Section: COMMUNICATIONS (45 mins - 7:45 - 8:30 pm)

Subject:

Minutes of Council Meetings

Suggested Action:

- * Regular Meeting - October 15, 2019
- * Work Session - May 06, 2020
- * Work Session - July 21, 2021
- * Interview - August 31, 2022
- * Interview - September 07, 2022
- * Special Meeting - September 21, 2022
- * Special Meeting - October 12, 2022
- * Interview - October 22, 2022
- * Regular Meeting - October 24, 2022
- * Interview - November 02, 2022
- * Special Meeting - November 03, 2022
- * Interview - November 09, 2022
- * Regular Meeting - November 14, 2022
- * Regular Meeting - November 28, 2022
- * Interview - December 05, 2022
- * Regular Meeting - December 12, 2022
- * Legislative Dinner - December 20, 2022
- * Interview - January 04, 2023
- * Interview - January 09, 2023

Attachments:

[RM191015.pdf](#)

[WS200506.pdf](#)

[WS210721.pdf](#)

[INT220831.pdf](#)

[INT220907.pdf](#)

SM220921.pdf
SM221012.pdf
INT221022.pdf
RM221024.pdf
INT221102.pdf
SM221103.pdf
INT221109.pdf
RM221128.pdf
RM221114.pdf
INT221205.pdf
RM221212.pdf
LD221220.pdf
INT230104.pdf
INT230109.pdf

REGULAR MEETING OF THE GREENBELT CITY COUNCIL held Monday, October 15, 2019.

Mayor Jordan called the meeting to order at 8:00 pm.

ROLL CALL was answered by Councilmembers Colin A. Byrd, Judith F. Davis, Leta M. Mach, Silke I. Pope, Rodney M. Roberts, and Mayor Emmett V. Jordan. Councilmember Edward V. J. Putens was unable to attend.

ALSO PRESENT were staff members Nicole Ard, City Manager; Todd Pounds, City Solicitor; David E. Moran, Assistant City Manager; Rick Bowers, Police Chief; Jim Sterling, Public Works Director; Terri Hruby, Planning Director; Charise Liggins, Economic Development Coordinator; Beverly Palau, Public Information and Communications Coordinator; and Bonita Anderson, City Clerk.

Mayor Jordan asked for a moment of silence in honor of residents Terry Vanzetti, Michael Schauer, Karen DeNeal, and former resident Edward Holmes. Mr. Byrd then led the pledge of allegiance to the flag.

CONSENT AGENDA: Ms. Davis requested the removal of June 19, 2019, Work Session and July 8, 2019, Regular Meeting minutes. Mr. Byrd moved to special order item #28, "Special Election in the event of Vacancy on Council," to follow item #11. Ms. Pope seconded. The motion passed 6-0. Mr. Roberts moved to remove item #18, "Opposition to Proposed Bureau of Engraving and Printing Facility at Beltsville Agriculture Research Center Site." Ms. Davis seconded. The motion passed 5-1. (Mr. Byrd) With these changes, it was moved by Ms. Pope and seconded by Ms. Mach that the consent agenda be approved as amended. The motion passed 6-0.

Council thereby took the following actions:

MINUTES:

Work Session, June 5, 2019
Work Session, July 10, 2019
Work Session, July 31, 2019
Work Session, October 7, 2019
Closed Session, October 7, 2019
Approved as presented.

COMMITTEE REPORTS

Forest Preserve Advisory Board Report #2019-05 (Enhancement to the Sunrise Tract): Council accepted this report.

Forest Preserve Advisory Board Report #2019-06 (Proposal for a Firefly Sanctuary): Council accepted this report.

Park and Recreation Advisory Board Report #19-8 (Greenbelt Tennis Association Request Concerning Tennis Court Lights): Council accepted this report.

Park and Recreation Advisory Board Report #19-9 (Proposal for a Firefly Sanctuary): Council accepted this report.

Greenbelt Advisory Committee on Environmental Sustainability/Greenbelt Green Team Recommendation to Support: Council accepted the recommendation, which appeared later on the agenda for discussion.

LETTER OF SUPPORT FOR HUD 202 PROGRAM: Council approved the letter.

LETTER OF SUPPORT FOR THE FOUR CITIES COALITION WASTE REDUCTION AND EDUCATION INITIATIVE 2019: Council approved the letter of support for this project.

APPOINTMENT TO ADVISORY GROUPS: Council appointed Xochitl Zamora-Thompson to the Greenbelt Advisory Committee on Environmental Sustainability.

REAPPOINTMENTS TO ADVISORY GROUPS: Council reappointed the following individuals to continue to serve on City Advisory Boards and Committees:

Stanley Zirkin - Public Safety Advisory Committee
Maria Silvia Miller - Advisory Planning Board
Eunice Pierre - Public Safety Advisory Committee

RESIGNATION FROM ADVISORY GROUPS: Council accepted Jeannette Grotke's resignation from the Senior Citizens Advisory Committee.

APPROVAL OF AGENDA: Ms. Pope moved to approve the agenda as amended. Ms. Mach seconded. The motion passed 6-0.

PRESENTATIONS:

National Domestic Violence Awareness Month: Mayor Jordan read the agenda comments. He designated October 2019 as National Domestic Violence Awareness Month.

National Breast Cancer Month: Mayor Jordan read the agenda comments and recognized October as National Breast Cancer Month.

PETITIONS AND REQUESTS:

Vijay Parameshwaran, a resident, requested more diversity during the Festival of Lights and Celebration of Winter.

ADMINISTRATIVE REPORTS:

LEGISLATION

A Resolution to Authorize the Negotiated Purchase for Captioning Services from Municipal Captioning Inc. at an estimated cost of \$12,960: Mayor Jordan read the agenda comments. Ms. Mach introduced the resolution for the second reading and adoption.

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

The resolution was declared adopted (Resolution No. 2077, Book 8).

A Resolution Commencing Renewal Proceedings Under the Federal Cable Communications Policy Act of 1984 and Confirming Authority to Conduct Proceedings and to take such actions as are Appropriate to Collect Information and Otherwise Comply with the requirements of the Federal Cable Communications Policy Act of 1984: Mayor Jordan read the agenda comments. Ms. Davis introduced the resolution for the first reading.

Special Election in the event of Vacancy on Council: Councilman Byrd requested this item to be included on the agenda. Mr. Byrd moved that the City Council direct the City Solicitor to provide legal advice and draft an amendment to Section 32 of the City Charter that would require a special election to fill a vacancy (when that vacancy is created with more than 14 months left in a term). Mr. Roberts seconded.

Ms. Mach noted that according to the City Charter, the timeline would only allow amendments to be effective after the upcoming Election. Mr. Pounds will look into this matter.

The motion passed 6-0.

Greenbelt Homes Incorporated Right-of-Way Memorandum of Understanding (MOU): Mayor Jordan read the agenda comments. Ms. Hruby noted that the City agreed to vacate portions of City rights-of-ways. GHI has identified 171 remaining conflicts (also referred to as encroachment areas) ranging in size from 1 foot in many areas to 25 feet in a few and has requested that the City execute a right-of-way agreement that states what GHI members can do within the encroachment areas and assigns responsibilities. In addition, the intent of the agreement is not to deny GHI members reasonable use of the area of their historic yard where it overlaps with City rights-of-way.

Ms. Davis moved that the City Council approve the agreement as amended. Ms. Pope seconded.

The motion passed 6-0.

Beltway Plaza Memorandum of Understanding on Conceptual Site Plan Conditions: Mayor Jordan read the agenda comments. Ms. Mach moved that the City Council accept the Memorandum of Understanding. Ms. Pope seconded. The motion 4-2. (Mr. Byrd and Mr. Roberts)

Approval of PY 46 Community Development Block Grant Application: Mayor Jordan read the agenda comments. Ms. Mach moved that the City Council authorize the Mayor and City staff to execute any PY 46 CDBG Agreements and all other necessary documents to accept and implement this grant award. Ms. Pope seconded. The motion passed 6-0.

County Legislation - CB 52-2019 (Plastic Straw Ban) & CB 65-2019 (Pesticides): Mayor Jordan read the agenda comments. Mr. Byrd moved that the City Council consider two County bills.

CB-52-2019 would prohibit food service businesses, restaurants, grocery stores, and food trucks from selling, distributing, or providing non-compostable (plastic) straws and stirrers. The City has advocated banning plastic straws as part of its Legislative Program. It is recommended that Council support CB-52-2019.

Ms. Davis moved to support CB-52-2019. Mr. Byrd seconded. The motion passed 6-0.

CB-65-2019 requires certain notices and signage relating to retail sales and commercial application of pesticides. It also prohibits the application of pesticides on County owned and private property unless it meets certain criteria. It also bans Neonicotinoid (new nicotine-like) pesticides on County-owned property. Green ACES and the Green Team have recommended that Council support CB-65-2019.

Ms. Davis moved to support CB-65-2019. Ms. Pope seconded. The motion passed 5-1. (Mr. Byrd)

Proposed Council Referrals to Board of Elections on Candidate Photos and Campaign Signs: Ms. Mach requested that the Campaign Signs at Municipal Building No-Post Zone be referred to the Board of Elections for recommendations. Mayor Jordan seconded. The motion failed 2-4. (Mr. Byrd, Ms. Davis, Ms. Pope, and Mr. Roberts)

Ms. Davis requested that the Campaign Signs at Municipal Building No-Post Zone be referred to the Board of Elections for recommendations to be enacted during the next election cycle. Ms. Mach seconded. The motion failed 2-4. (Mayor Jordan, Mr. Byrd, Ms. Pope, and Mr. Roberts)

Ms. Pope requested that the campaign signs at the Municipal Building be reinstalled and to address this issue after the Election. Mr. Byrd seconded. Ms. Ard noted that the staff would relocate the signs. The motion failed 3-3. (Ms. Davis, Ms. Mach, and Mr. Roberts)

Ms. Davis moved to refer to the Board of Elections to consider Candidates' Photos placed at each precinct during the next election cycle. Ms. Mach seconded. The motion passed 4-2. (Mr. Byrd and Mr. Roberts)

RFQ for Legal Services on the Proposed MAGLEV & Beltway Widening Projects: Mayor Jordan moved that staff prepare an RFQ for Legal Services on the Proposed MAGLEV & Beltway Widening Projects. Ms. Mach seconded. The motion passed 5-1. (Mr. Roberts)

Litter at CVS Store on Hanover Parkway: Mayor Jordan read the agenda comments. Mr. Byrd requested that the City Council send a letter to CVS corporate headquarters requesting that this issue be addressed. Ms. Mach suggested that this issue be referred to the Planning and Community Development Code Enforcement division to cite CVS. Mr. Byrd agreed with Ms. Mach. Ms. Ard noted that code enforcement had issued a citation to CVS and resolved this matter.

COUNCIL ACTIVITIES:

Council Members commented on their attendance at the following events:

- Metropolitan Washington Air Quality Committee Conference Call – Ms. Mach
- Climate Energy Environment Policy Committee Conference Call – Ms. Mach
- MML Engagement and Outreach Committee – Ms. Mach
- Walk to School Day, Springhill Lake and Greenbelt Elementary Schools – Ms. Davis, Ms. Mach, and Ms. Pope
- Reception for Paradyne Management for Commuter Donation at Springhill Lake Recreation Center – Ms. Davis, Mr. Byrd, Ms. Mach, and Mr. Putens
- Advisory Boards and Committees Appreciation Dinner – Mayor Jordan, Ms. Davis, Mr. Byrd, Ms. Mach, Mr. Putens, and Mr. Roberts
- State's Attorney Alisha Braveboy Women's Event, FOP Headquarters, Upper Marlboro – Ms. Davis and Ms. Mach
- Conference Call with Congressman Hoyer – Mr. Roberts
- EENR Conference call – Ms. Davis
- Retirement Party for Deputy Chief Kemp – Mayor Jordan, Ms. Davis, Mr. Byrd, Ms. Mach, and Mr. Putens
- Public Lands Day Springhill Lake Elementary School – Ms. Davis, Ms. Pope, and Mr. Putens
- Jazz Festival, Roosevelt Center – Mayor Jordan and Ms. Davis
- Artful Afternoon, "Faerie," Alight Dance Theater Presentation – Ms. Davis
- Strong Towns Lecture – Mayor Jordan, Ms. Davis, and Mr. Byrd
- Police Department Community Meeting – Mayor Jordan, Ms. Davis, Mr. Byrd, and Mr. Putens

- Rafael's 9th Annual Race, Greenbelt Elementary School – Mayor Jordan and Ms. Davis
- MML Legislative Conference - Mayor Jordan, Ms. Davis, Mr. Byrd, Ms. Mach, and Ms. Putens
- Arts Mixer, Arts Advisory Board – Ms. Davis
- Columbus Technologies Open House – Mayor Jordan and Mr. Byrd
- COG Board Meeting – Mayor Jordan

COUNCIL REPORTS: There were none.

Greenbelt Elementary Clean Water Partnership Micro Bioretention: Mayor Jordan requested that this item be included on the agenda. Mayor Jordan asked that the City Council waive the City of Greenbelt Erosion and Sediment Control Inspection \$1,000 fee. Ms. Mach seconded. The motion failed 2-3-1. (Ms. Davis, Ms. Pope, and Mr. Roberts voted no, and Mr. Byrd abstained)

MEETINGS:

Council reviewed the upcoming meeting schedule.

Ms. Davis moved that the Council schedule a Closed Session on Wednesday, October 30, following the Council Work Session in the Municipal Building Library in accordance with the General Provisions Article 3-305(b)(1) and (7) of the General Provisions Article 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; and pending litigation.

Ms. Pope seconded.

ROLL CALL:	Ms. Davis	- Yes
	Mr. Byrd	- Yes
	Ms. Mach	- Yes
	Ms. Pope	- Yes
	Mr. Putens	- Absent
	Mr. Roberts	- No
	Mayor Jordan	- Yes

ADJOURNMENT: A motion to adjourn the meeting was made by Ms. Mach and seconded by Ms. Pope. The motion carried 6-0. The Mayor adjourned the regular meeting of October 15, 2019, at 12:11 am on October 16, 2019.

Respectfully submitted,

Bonita Anderson
City Clerk

"I hereby certify that the above and foregoing is a true and correct report of the regular meeting of the City Council of Greenbelt, Maryland, held October 15, 2019.

Emmett V. Jordan
Mayor

DRAFT

WORK SESSION of the Greenbelt City Council held Wednesday, May 6, 2020, to meet to discuss the Neighborhood Conservation Overlay (NCO) Zone.

Mayor Byrd started the meeting at 8:00 p.m. It was held virtually via Zoom.

Present were: Councilmembers Judith F. Davis, Emmett V. Jordan, Leta M. Mach, Silke I. Pope, Edward V.J. Putens, Rodney M. Roberts, and Mayor Colin A. Byrd.

Staff members present were: Nicole Ard, City Manager; David Moran, Assistant City Manager; Terri Hruby, Director of Planning and Community Development; Molly Porter, Community Planner; Laura Allen, City Treasurer; Joe McNeal, Co-Director of Recreation; and Bonita Anderson, City Clerk.

Also present were: Chad Williams, Maryland National Capital Park Planning Commission; Bryan Bruns, Stefan Brodd, Chuck Hess, Steve Skolnik, Ed James, Linda Warren, Stephen Holland, and Anna Socrates, members of GHI and its Board of Directors; Bill Orleans, and others.

COVID-19 Updates

Mayor Byrd opened the meeting and provided updates on COVID-19 Governor Hogan's press conference. He noted the partial opening of outdoor activities tomorrow and the opening of Ocean City this weekend. Mayor Byrd also pointed out that the schools would be closed for the remainder of the academic school year and that distance learning will continue until the end of the school year. Mr. Jordan noted that the relaxed outdoor recreation activities and the required facial covering signs around the lake should stay in place.

Ms. Davis noted that the smaller playgrounds within the City should be reopened as long as no more than ten people gather. Ms. Pope noted that she was not opposed to opening the tennis courts and small playgrounds but would like to see how the City can do it safely towards the end of next week.

In response to Ms. Davis's comments regarding the sun killing the virus, Mr. Roberts asked how the sun would kill the virus. Ms. Davis and Mr. Jordan noted they heard it on the local news. He thinks the City should rely on something other than that because some of the playgrounds are shaded. Mr. Jordan agrees with opening the tennis courts. Mr. Putens noted that the best thing for the virus is the sun and that he would like the staff to make the announcements after further research to open. Ms. Mach noted that she would like for staff to look into signage before opening the playgrounds. She indicated that exercise is good for people.

Mr. McNeal noted that staff has been discussing tennis internally, including regarding restricting play to nine people on the tennis courts. He said signs need to be in place for people to understand that they use them at their own risk. There was additional discussion about the importance of exercise for people to stay active. Ms. Ard noted that she had contacted the County Health and Emergency Management officials who serve as leaders during this emergency for guidance, as indicated by the Governor's order.

Neighborhood Conservation Overlay (NCO) Zone

Ms. Hruby presented a PowerPoint on the Prince George's County Greenbelt Neighborhood Conservation Overlay (NCO) Zone. She noted that this presentation would be provided to the Advisory Planning Board on May 26.

Ms. Hruby provided an overview, background, and the process that included the six goals:

- 1. Preserve the development characteristics of the New Deal community, including the superblock concept, garden city character, walkability, internal green spaces, sustainable development practices, and the "green belt."*
- 2. Restrict the residential density allowed by the new zones of the Zoning Ordinance so that new development does not overwhelm or negatively impact the community's character.*
- 3. Clarify the applicability of development standards for properties that were never subdivided.*
- 4. Ensure new buildings and structures and additions to existing dwellings, accessory structures, and non-residential buildings are appropriate in size and scale with existing buildings.*
- 5. Minimize impacts to or restrictions on existing non-residential uses to ensure they have every opportunity to continue to serve the community.*
- 6. Minimize the provision of new parking spaces to limit the expansion of impervious surfaces and preserve open space.*

Ms. Hruby noted that the six goals are the building blocks behind the Maryland - National Capital Park and Planning Commission (M-NCPPC) that generated the drafted standards and the study.

Ms. Hruby noted an error in the proposed boundaries with the exclusion of the Jones's property. Mr. Williams indicated that the map would be updated to include the Jones's property.

Ms. Davis noted that the staff memo stated that the Lakeside Development and Woodland Hills Development should be excluded from some standards. She inquired why Lakewood Development was not included. Ms. Hruby noted that she would correct the memo to include Lakewood Development.

Based on a question asked by Ms. Pope, Ms. Hruby noted that Belle Point wasn't part of the Residential Planned Community Zone (R-P-C) Zone. She indicated that the R-P-C Zone was intended to protect Historic Greenbelt.

Mr. Roberts is opposed to the areas being removed from the NCO Zone and that it will adversely affect the zone. Ms. Hruby noted that there are requirements to be met in the new zone.

Ms. Jones indicated that the City needed to provide information about her property being included. She noted going forward that her property is removed from the R-P-C Zone, and she doesn't believe that her property is included in the City's NCO Zone. Mr. Roberts stated that the residents always viewed the Jones's property as part of the Beltsville Agricultural Research Center Farms and asked that Ms. Jones reconsider having her property listed in the R-P-C Zone.

There was a discussion regarding the maximum density plan and caps. Ms. Hruby noted that part of the discussion is whether the City wanted a maximum overall density for the entire NCO Zone. She recommended that the City look at overall density. Ms. Davis noted that the City should set the density caps and not have an overall maximum density. Mr. Williams noted that the maximum overall density is eight dwelling units per acre.

Mr. Steve Skolnik, President of Greenbelt Homes Inc. (GHI) Board of Directors, stated that he supports removing the maximum density of eight dwelling units per acre. He noted that it is redundant and doesn't support their purpose.

Mr. Herling, a Greenbelt resident, asked how is the NCO Zone defined and what were the determining factors. Ms. Hruby noted that Lakeside Drive had been part of the R-P-C Zone. She stated that the densities represented the original densities of the subdivision. The subdivisions were to retain their original density. Ms. Hruby explained that all underlying zones have a density cap. Mr. Williams agreed with Ms. Hruby.

Ms. Jones noted that they are not interested in being a part of the NCO Zone, which she thought would place them under the City Planning Division. She stated that her property had yet to be incorporated in the City of Greenbelt, and, at this time, she was not interested. Ms. Jones was advised that the NCO Zone is not opposed by the County. This is a replacement for the R-P-C Zone. The City of Greenbelt and Mt. Rainier are developing the NCO Zone for their historic planned communities.

Based on a question asked by Mr. Roberts, Ms. Hruby noted that the NCO Zone does not delegate any authority to the City regarding Jones's property. She stated that the City would be a party of interest regarding any development on the Jones's property or any adjacent property.

Mr. William Manico, a Greenbelt resident, asked if the Council will advocate for the County to maintain the current zones to maintain the current historic character of the apartments on Crescent Road, Parkway, and the Roosevelt Center. Mr. Williams advised that the zoning will change to allow for greater mixed-use development opportunities. Mr. Manico stated that the County Council should maintain the present zone. Mr. Williams indicated that the County Council needed to maintain the current zone with the new zoning ordinance. He noted that the proposed Overlay uses density, height, and other tools to limit the potential for mixed-use development.

Ms. Hruby explained that the "Multiple Principal Dwellings on Same Lot" recognizes that the development characteristic of historic Greenbelt is built on superblock parcels and is not subdivided. There are multiple principal dwelling units on a larger superblock parcel. Mr.

Williams noted that this provision is necessary because County zoning prohibits two dwellings on the same lot.

Mr. Skolnik commented that GHI provides affordable housing to its members and the community. He stated that GHI needs to control how GHI expands their homes within reason. Mr. Skolnik strongly urged that GHI not have to comply with the standard that restricts the size of an addition to a cumulative sum of 40% of the gross floor area of the existing dwelling and restricts building height to be at most the height of the existing dwelling unit. He explained that would affect families from growing and staying in GHI. He stated that the 40% restriction would have a negative impact on the cooperative and the City of Greenbelt itself.

Mr. Jordan inquired how the 40% restriction would impact local churches. Ms. Hruby stated that the church properties are located within the NCO Zone, and staff would need to have an additional conversation with Mr. Williams. Mr. Williams explained that church properties are currently unregulated other than density. He noted that under the Religious Land and Institutionalized Person Act, there is constitutional consideration for regulating religious institutions.

Ms. Davis is concerned about GHI's request to add 100% to an existing dwelling. She noted an additional concern regarding church properties; if the land was sold off, townhomes could be built on that parcel of land.

Mr. Roberts noted that doubling the size of the GHI units is destroying the units' value by increasing the units' price. He suggested that GHI's request to add to an existing dwelling be 50%, not 100%.

Mr. Putens stated that GHI's request to add 100% to the existing dwelling changes the character of the home. He also inquired if church properties were exempt from the NCO Zone process. Ms. Hruby and Mr. Williams noted that church properties are not exempt from zoning. Mr. Williams stated that church properties have constitutional protections under the Religious Land and Institutionalized Person Act but are not exempt from zoning.

Mr. Skolnik stated who gets to regulate GHI, an Owner-Operated Community. He noted that GHI is providing affordable housing for families through various stages of their lives.

Based on a question asked by Ms. Pope, Ms. Hruby noted that the Planning staff had yet to notify the religious institutions and organizations. She stated that the staff was researching how the standards would prevent redevelopment, expansion, and alterations. Ms. Pope suggested proper outreach to religious organizations be made as soon as possible.

Based on a question asked by Mr. Herling, Mr. Williams noted that building a 2nd story commercial building at the Roosevelt Center would require the County Planning Director's approval and explained the process regarding the permit, codification, and compliance process. Mr. Roberts noted that there does not need to be more development on the existing structure at the Roosevelt Center. He stated that the buildings would have to be torn down and rebuilt to accommodate a second floor.

There was a discussion about the architectural façade of Roosevelt Center and height restrictions. Ms. Davis inquired about the staff memo indicating no additional buildings to be added to the Roosevelt Center. Ms. Hruby noted that the staff suggestion and recommendation were for no new additions to the Roosevelt Center. Based on a question asked by Mr. Jordan, Mr. Williams noted that the building ordinance defines that building height.

There was a discussion about accessory structures. Mr. Brodd noted that GHI requires an accessory structure to be installed on the garden side due to WSSC easements that exist mostly on the service side.

There was a discussion about infill. Mr. Roberts noted that infill was separate from the original plan. Ms. Davis advised that there isn't any place to have an infill project unless a church sells its property. She noted that there are only a few vacant lots except in the Woodland Hills Development. Mr. Williams noted that this is extra protection from the NCO Zone.

Mr. Jordan inquired about mixed-used development restrictions. Mr. Williams noted that some of the zones are more flexible. He explained that it's not the use of the building; it is more the construction of the building. Based on a question by Ms. Hruby, Mr. Williams noted that the City might want to recommend that some of the properties have a density cap to permit a text amendment.

There was a discussion regarding the provision for parking. Mr. Skolnik requested that GHI be grandfathered in the NCO Zone and not be required to provide the 1.5 parking spaces per dwelling. Mr. Skolnik stated that GHI requests that this requirement not be included in the existing standards. Mr. Williams noted that this is for new development only.

Based on a question asked by Mr. Brodd, Mr. Williams noted that the maintenance of GHI's existing non-residential uses and new structures would be under the Community Service Use permitted in all the other zones, and the zoning ordinance will protect the cooperative uses.

Based on a question asked by Ms. Davis, Ms. Hruby noted that the staff recommends that if a unit/structure is demolished due to a fire, the unit/structure should be restored to its original character. Ms. Davis suggested that GHI Regulations and Standards should be as restrictive as possible regarding if a building is demolished, the building should be returned to its original character. Mr. Skolnik noted that a row of GHI homes on Laurel Hill was demolished due to foundation water damage, which couldn't support the structure.

Mr. Skolnik noted a GHI concern in the NCO Zone document was the citing of the Maryland State law that requires that cooperatives be treated like non-cooperatives. He stated that the GHI attorney advised that the purpose of that law was to protect cooperatives from being discriminated against under the law. Mr. Skolnik stated the way the citation is written in the NCO Zone documents, that GHI is being held back.

Mr. Brodd noted that GHI disagrees with the size of additions allowed and where GHI can place accessory structures. He advised that the GHI Board of Directors will review the proposed NCO

Zone draft at their next meeting. Mr. Roberts agreed with GHI regarding their concerns with the placement of accessory structures.

Based on a question asked by Ms. Davis, Mr. Williams noted that M-NCPPC legal staff stated that the Zoning Ordinance could not treat a cooperative any differently than any other property in the same zoning class. He also stated that M-NCPPC could not recommend or support additional review boards or processes.

Based on a question asked by Ms. Jones, Ms. Hruby explained the referral process and that the City staff submits comments to the County Planning Board. Mr. Williams noted that the NCO Standards would be the County standards, and that's the standards the City will follow.

Based on a question asked by Mr. Manico, Mr. Williams explained the zoning difference between the old zoning and new zoning regarding the apartments on Crescent Road. He noted that the current zone is an R-18, which allows 18 dwellings per acre, and the new zone would be R-M-20, which would allow 20 dwellings per acre.

Informational Items

Ms. Pope noted that her neighbor mentioned seeing large trucks near the Edmonston Road ramp and that repairs to the ramp might have begun.

The meeting ended at 10:54 p.m.

Respectfully submitted,

*Bonita Anderson
City Clerk*

WORK SESSION OF THE GREENBELT CITY COUNCIL held Wednesday, July 21, 2021, to meet with the Greenbelt Homes, Incorporated (GHI) Board of Directors.

Mayor Byrd started the meeting at 8:00 p.m. The meeting was held virtually via Zoom.

PRESENT WERE: Councilmembers Emmett V. Jordan, Leta M. Mach, Silke I. Pope (8:01 pm), Edward V. J. Putens, Rodney M. Roberts, and Mayor Colin A. Byrd. Councilmember Judith F. Davis was absent due to travel.

STAFF PRESENT WERE: Tim George, Assistant City Manager; Chief Richard Bowers, Greenbelt Police Department; Terri Hruby, Director of Planning and Community Development; Brian Townsend, Assistant Director of Public Works - Parks; and Shaniya Lashley-Mullen, Assistant to the City Clerk.

ALSO PRESENT WERE: Stefan Brodd, Deana Lambert, Debbie McKinley, Jason Luly, Edward James, Christopher Carbone, Zoe Woodbridge, Erin Bilyeu, Heather Mortimer, Greenbelt Homes, Inc. Board Members; Eldon Ralph GHI General Manager; and others.

Mr. Jordan requested an update from GHI on the general state of affairs. Mr. Brodd answered that GHI was shut down for a brief period during the pandemic; everything was going okay and thanked staff that could work during the pandemic. He informed Council that home sales are going well and rentals at Parkway Apartments are going well, too. Mr. Brodd commented that the GHI Board was proud of the volunteer efforts of the GHI members that raised money to help other GHI members with their monthly fees.

Ms. Pope asked the following questions on behalf of Ms. Davis who was absent due to travel: the current number of authorized City permitted rentals, how many units are currently vacant, and the number of new memberships expected from January 2020 to the present time? Mr. Brodd answered that GHI doesn't rent the units, but there is currently six members who are renting their homes; there are eight vacant units; there were 93 new members in 2020, and in 2021, there are currently 55 new members.

Neighborhood Conservation Overlay (NCO) Zone for Greenbelt

Mr. Brodd explained that GHI has been concerned about zoning issues for years and hasn't seen the draft response from the Maryland-National Capital Park and Planning Commission (MNCPPC).

Mr. Roberts commented that many residents are concerned about zoning issues because the residents don't want the density to increase. He noted that the City needs to encourage the County Council to pass the NCO Zone.

Mr. Jordan expressed his concerns regarding the process.

Ms. Hruby advised that she is drafting a letter to send later this week reiterating the urgency of adopting the NCO Zone immediately following the Countywide Map Amendment (CMA).

SCMaglev

Ms. Hruby explained that the City and the City's legal advisor, Jill Grant and Associates, closely monitor the project.

There was a discussion regarding the legal suit in Baltimore. Ms. Hruby advised that staff provided information to Jill Grant and Associates and followed the legal case.

WSSC's Position re: Replacement of Water Supply Pipes for GHI's Masonry Units

Mr. Brodd explained this is a long-standing issue. The City, GHI, and Washington Suburban Sanitary Commission (WSSC) signed an agreement in 1958 to establish water and sewage to GHI. He advised that GHI received a letter from WSSC and requested the City's position.

Mr. Roberts expressed his opinion that the City should have sued WSSC a long time ago to replace the pipes because the pipes aren't safe.

Based on a question asked by Ms. Pope, Mr. Ralph stated that GHI hired an attorney to represent GHI during the negotiations with WSSC. He explained that the attorneys agreed that WSSC was obligated to abide by the 1958 agreement. Ms. Pope suggested that GHI and the City send a letter to WSSC to finalize the situation and maybe schedule a work session.

Mr. Jordan stated that the City supports the GHI position, and due to the City and WSSC schedule, the work session might not take place until November or December.

Mr. Putens asked what GHI's position on the WSSC water pipe warranty policy was. Mr. Brodd answered that WSSC is requesting that GHI assume responsibility for a vast number of pipes that are WSSC's responsibility.

There was a discussion on scheduling a work session/meeting with WSSC. Mr. Brodd stated that he wanted to wait until after the GHI Board of Directors meeting to get direction from the Board of Directors on scheduling a joint work session meeting with the City and WSSC. He advised that he will follow up with the City after he received direction. Mr. Roberts noted that the City could initiate action and doesn't have to wait on GHI.

Proposed Widening of 495 Beltway/Baltimore Washington Parkway

Mr. Jordan provided an update on the Governor's Congestion Relief Plan, which included the Maryland Department of Transportation's alternative plan and an agreement with the Montgomery County Council to add the Beltway Widening of 495 back to the project. He stated the section of 495 that goes through the Greenbelt area is not included in the amended plan.

Based on a question asked by Mr. Brodd, Mayor Byrd answered that the proposed Baltimore Washington Parkway project required federal approval, and there has been much opposition regarding the project, including the Prince George's County Council and Congressman Hoyer.

Public Transit: Washington Metropolitan Area Transit Authority's Service Reductions; Prince George's County Bus Service Routes 11 & 15X

Mr. Jordan explained Council is working to schedule a work session with the Department of Public Works and Transportation on several issues, including installing a Bike Share Station at

the Greenbelt Metro Station. He stated that he thought it would be challenging to have the county reinstate the 15X because the NASA Goddard Visitor Center was closed. Mr. Jordan advised that Washington Metropolitan Area Transit Authority (WMATA) has restored their services.

Ms. Mach expressed her frustration with WMATA eliminating the B30.

Erin Bilyeu, a Greenbelt resident, stated that the buses run infrequently and supported more public transit. She requested more support from the City for public transportation.

Deana Lambert, a Greenbelt resident, echoed Ms. Bilyeu's statement. She advised that she would be more inclined to use The Bus more often if there were expanded hours, had more capacity, and was safer. A lot of the stops didn't have sidewalks.

Heather Mortimer, a Greenbelt resident, stated The bus service wasn't reliable over the past year. However, she mentioned that there had been some improvement with The Bus service in just the past month.

Drainage Problem Affecting Courts at 33 Ridge Road, 56 Crescent Road and 1 Court Gardenway

Based on a question asked by Mr. Roberts, Mr. Brodd answered that GHI would like to work with the City to design a solution. Mr. Ralph advised that he couldn't comment on the affected apartments, but the affected GHI units are in the courts of 33 Ridge Road, 56 Crescent Road, and 1 Court Gardenway. He suggested that the City and GHI partner to hire an engineering firm to design a plan to remedy the issue, but first City staff and GHI staff need to develop a plan to solve the problem.

Ms. Hruby advised that she and the Public Works staff will investigate the issue and report back to Council on appropriate steps and responsibilities.

Mr. Jordan asked why both grants were denied by from the National Fish and Wildlife Foundation and the Chesapeake Bay Trust. He also requested that GHI contact the Prince George's County Clean Water Partnership to investigate the drainage issue. Mr. Ralph answered that GHI wasn't given the reason of why the grants were denied, and he wasn't familiar with the Prince George's County Clean Water Partnership program.

Based on a question asked by Mr. Putens, Mr. Ralph answered that he wasn't aware of any projects done at 33 Court. However, he stated that the City installed a rain garden adjacent to 1 Court Gardenway. Mr. Putens expressed his concerns regarding the City staff being understaffed, leading the project, and whose responsibility this project will fall on. Mr. Ralph explained that GHI is looking to partner with the City.

Debbie McKinley, a Greenbelt resident, noted that she is a GHI Stormwater Task Force member and requested the City and GHI consider a green solution. She explained that Task Force members have been collecting rain data for over a year to assist the City and GHI in developing a green solution for the problem.

Request to Install Light Fixtures in the Park between 11 and 13 Courts of Ridge Road

Mr. Townsend stated that he would follow up with Council once he has additional answers.

There was discussion regarding the survey that GHI conducted amongst its members. Mr. Ralph explained that the members were surveyed, and the results were submitted to the City. He stated that the members were favorable of having the lights installed.

Playground Improvement Projects

Mr. Townsend advised that the renovations at 2 Court Research should be complete by the end of the week. He explained that 44 Ridge Road is fourth on the Public Works list to renovate due to its age and usage.

Ms. Lambert urged that other playgrounds be considered for renovations due to usage. She noted the playground at 33 or 38 Ridge Road needed renovation due to the ground deteriorating over time and small kids could trip. Ms. Lambert requested an accessible playground feature at the City Center.

Based on a question asked by Mr. Ralph, Mr. Townsend answered that the renovations at 44 Ridge Road would not be next year. However, he explained that the City received a grant to upgrade the playgrounds at Buddy Attick Park due to the usage.

Aging Tree Population and Future Plans for Tree Planting

Mr. Townsend explained that all street trees and park trees are assessed throughout the year. He looked forward to working with GHI if they have needs. He advised that the City usually plants 200 trees a year.

There was additional discussion regarding trees. Ms. McKinley stated that the City is losing a lot of red oaks due to diseases. Mr. Townsend noted that climate change causes stress on older trees, and the City hasn't planted red oaks.

Requested that the City Council Consider Instituting a Comment Period Prior to Passing Legislation that Affects Community Associations

Mayor Byrd stated that the request was straightforward for Council to consider.

There was a discussion regarding public safety. Mr. Ralph requested extra police patrol at 10 Court Southway due to trespassers and an attempted carjacking. Chief Bowers explained that there was an arrest made in the attempted carjacking case early last week. He advised that if residents see something to contact the police with the best description of the person and the activity.

Informational Items

Mr. Jordan asked Mr. George to follow up with staff regarding the resident permit status that was submitted to the City regarding a festival at Roosevelt Center. Mr. George stated that he would review the permit request tomorrow and follow up with Council.

The meeting ended at 9:49 p.m.

Respectfully submitted,

*Shaniya Lashley-Mullen
Assistant to the City Clerk*

WORK SESSION OF THE GREENBELT CITY COUNCIL held Wednesday, August 31, 2022, to interview a candidate for a City Advisory Group.

The meeting began at 7:12 pm. The meeting was held virtually via Zoom.

Present were: Councilmembers Judith F. Davis, Ric Gordon, Silke I. Pope (7:20 pm), and Mayor Pro Tem Kristen L. K. Weaver. Councilmembers Colin A. Byrd, Rodney M. Roberts, and Mayor Emmett V. Jordan were absent.

Staff was present: Shaniya Lashley-Mullen, Assistant to the City Clerk.

James Thompson was interviewed for appointment to the Public Safety Advisory Committee.

The meeting was adjourned at 7:26 pm.

Respectfully submitted,

*Shaniya Lashley-Mullen
Assistant to the City Clerk*

WORK SESSION OF THE GREENBELT CITY COUNCIL held Wednesday, September 7, 2022, to interview a candidate for a City Advisory Group.

The meeting began at 7: 10 p.m. The meeting was held virtually via Zoom.

Present were: Councilmembers Judith F. Davis, Ric Gordon, Silke I. Pope, Rodney M. Roberts, Kristen L. K. Weaver, and Mayor Emmett V. Jordan (7:16 pm). Councilmember Colin A. Byrd was absent.

Staff was present: Shaniya Lashley-Mullen, Assistant to the City Clerk.

Judy Parker was interviewed for an appointment on the Arts Advisory Board.

The meeting was adjourned at 7:25 pm.

Respectfully submitted,

*Shaniya Lashley-Mullen
Assistant to the City Clerk*

SPECIAL MEETING/CLOSED SESSION OF THE GREENBELT CITY COUNCIL held Monday, September 21, 2022, to meet to discuss Personnel Matters and the Interim City Manager Evaluation.

Mayor Jordan started the meeting at 7:30 p.m. The meeting was held in the Council Chambers of the Municipal Building, 25 Crescent Road, virtually via Zoom.

PRESENT WERE: Councilmembers Colin A. Byrd, Judith F. Davis, Ric Gordon, Silke I. Pope, Rodney M. Roberts, Kristen Weaver, and Mayor Emmett V. Jordan.

STAFF PRESENT WERE: Tim George, Acting City Manager, and Shaniya Lashley-Mullen, Assistant to the City Clerk.

ALSO PRESENT WERE: Bill Orleans

Informational item discussed:

Mr. George provided Council with a proposed schedule on three possible dates to conduct the Reparations Commission interviews, which included two dates during the evening and a Saturday morning. The balance of the meetings could be achieved before Regular Meetings or Work Sessions. Ms. Davis stated that the Advisory Boards/Committees interviews are conducted before the Regular Meetings and Work Sessions. Therefore, she suggested adding a weeknight to conduct the Reparations Commissions interviews.

Based on a question by Mayor Jordan, Mr. George stated that the fire alarm was registered a carbon monoxide warning at the Greenbelt Aquatic and Fitness Center. The building was evacuated, and the Fire Department responded. He explained that the Fire Department's carbon monoxide meter wasn't detecting any gas. As a result, the Greenbelt Aquatic and Fitness Center was closed for the evening. Mr. George explained that the PIO office will update the City's website and social media if the Greenbelt Aquatic and Fitness Center is closed another day. Residents can also call the main number for updates.

Regarding the Reparations Commission interviews, Mayor Pro Tem Weaver inquired whether the proposed interview schedule is for individual applicants or groups of three. Mr. George stated that it included time slots of 15 minutes per individual applicant. He said he could submit to Council a proposal of three applicants with a 30-minute time slot.

There was a discussion regarding possibly scheduling a closed session about Park Crescent Apartments.

Mayor Jordan provided a report on a briefing on the Beltsville Agricultural Research Center (BARC) that was convened by the District 21 Delegates and Senators.

Ms. Davis moved that Council enter into Closed Session in accordance with the General Provisions Article 3-305(b)(1) of the Annotated Code of Public General Laws of Maryland to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointee, employees, or officials over whom this public body has jurisdiction; and any other personnel matter that affects one or more specific individuals.

Ms. Pope seconded.

<i>ROLL CALL:</i>	<i>Mr. Byrd</i>	<i>-</i>	<i>Yes</i>
	<i>Ms. Davis</i>	<i>-</i>	<i>Yes</i>
	<i>Mr. Gordon</i>	<i>-</i>	<i>Yes</i>
	<i>Ms. Pope</i>	<i>-</i>	<i>Yes</i>
	<i>Mr. Roberts</i>	<i>-</i>	<i>No</i>
	<i>Ms. Weaver</i>	<i>-</i>	<i>Yes</i>
	<i>Mayor Jordan</i>	<i>-</i>	<i>Yes</i>

The motion passed 6-1. (Mr. Roberts)

Ms. Davis announced that Council would not return to the open Session after the closed Session.

The meeting ended at 7:39 p.m.

Respectfully submitted,

*Shaniya Lashley-Mullen
Assistant to the City Clerk*

SPECIAL MEETING/CLOSED SESSION OF THE GREENBELT CITY COUNCIL held Wednesday, October 12, 2022, to discuss Personnel Matters and the Interim City Manager Evaluation.

Mayor Pro Tem Weaver started the meeting at 7:32 pm. The meeting was held in the Council Chambers of the Municipal Building, 25 Crescent Road, virtually via Zoom.

PRESENT WERE: Councilmembers Colin A. Byrd, Judith F. Davis, Ric Gordon, Silke I. Pope, Rodney M. Roberts, Kristen Weaver, and Mayor Emmett V. Jordan (7:34 pm).

STAFF PRESENT WERE: Tim George, Acting City Manager, and Shaniya Lashley-Mullen, Assistant to the City Clerk.

ALSO PRESENT WERE: Bill Orleans

Informational item discussed:

The Council discussed information that was picked up from the Maryland Municipal League Fall Conference regarding electric vehicle fleets.

Mayor Pro Tem Weaver moved that Council enter into Closed Session in accordance with the General Provisions Article 3-305(b)(1) of the Annotated Code of Public General Laws of Maryland to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointee, employees, or officials over whom this public body has jurisdiction; and any other personnel matter that affects one or more specific individuals.

Ms. Davis seconded.

<i>ROLL CALL:</i>	<i>Mr. Byrd</i>	<i>-</i>	<i>Yes</i>
	<i>Ms. Davis</i>	<i>-</i>	<i>Yes</i>
	<i>Mr. Gordon</i>	<i>-</i>	<i>Yes</i>
	<i>Ms. Pope</i>	<i>-</i>	<i>Yes</i>
	<i>Mr. Roberts</i>	<i>-</i>	<i>No</i>
	<i>Ms. Weaver</i>	<i>-</i>	<i>Yes</i>
	<i>Mayor Jordan</i>	<i>-</i>	<i>Yes</i>

The motion passed 6-1. (Mr. Roberts)

Mayor Pro Tem Weaver announced that Council would not return to the open Session after the closed Session.

The meeting ended at 7:35 pm.

Respectfully submitted,

*Shaniya Lashley-Mullen
Assistant to the City Clerk*

MINUTES OF THE GREENBELT CITY COUNCIL INTERVIEW held Saturday, October 22, 2022, for the purpose of interviewing a candidate for the Reparations Commission.

The meeting was held in the Council Chambers of the Municipal Building.

Present were Councilmembers Colin A. Byrd, Judith F. Davis, Brandon (Ric) Gordon, Silke I. Pope, Rodney M. Roberts, Kristen L.K. Weaver, and Mayor Emmett V. Jordan.

Staff were present was Bonita Anderson, City Clerk.

Also present Bill Orleans.

Jonathan Taylor was interviewed for an appointment to the Reparations Commission. The interview started at 10:00 am and ended at 10:24 am.

Mark Miller was interviewed for an appointment to the Reparations Commission. The interview started at 10:25 am and ended at 10:42 am.

Konrad Herling was interviewed for an appointment to the Reparations Commission. The interview started at 10:43 am and ended at 11:00 am.

Rene' Sewell-Raysor was interviewed for an appointment to the Reparations Commission. The interview started at 11:02 am and ended at 11:17 am.

Sylvia Boswell was interviewed for an appointment to the Reparations Commission. The interview started at 11:34 am and ended at 11:45 am.

Jane Greene was interviewed for an appointment to the Reparations Commission. The interview started at 12:30 pm and ended at 12:50 pm.

Tom Fishbeck was interviewed for an appointment to the Reparations Commission. The interview started at 12:52 pm and ended at 1:02 pm.

Denise Nadasen was interviewed for an appointment to the Reparations Commission. The interview started at 1:07 pm and ended at 1:23 pm.

Sarah Wampler was interviewed for an appointment to the Reparations Commission. The interview started at 1:24 pm and ended at 1:45 pm.

Johnine N. Clark was interviewed for an appointment to the Reparations Commission. The interview started at 2:03 pm and ended at 2:29 pm.

Respectfully submitted,

Bonita Anderson
City Clerk

REGULAR MEETING OF THE GREENBELT CITY COUNCIL held October 24, 2022.

Mayor Jordan called the meeting to order at 7:30 pm.

ROLL CALL was answered by Councilmembers Colin A. Byrd (virtual), Judith F. Davis, Brandon R. Gordon, Silke I. Pope, Rodney M. Roberts, Kristen L.K. Weaver, and Mayor Emmett V. Jordan.

ALSO PRESENT were Timothy George, Interim City Manager; Richard Bower, Police Chief; Tim White, Captain; Terri Hruby, Planning and Community Development Director; Kevin Simpson, Economic Development Manager; Chondria Andrews, Public Information and Communications Coordinator; James Wisniewski, Public Information Producer; and Bonita Anderson, City Clerk.

Mayor Jordan asked for a moment of silence in honor of Joann Louise Pennefeather Alexander.

Mayor Pro Tem Weaver then led the Pledge of Allegiance to the Flag.

PETITIONS AND REQUESTS:

Bill Orleans, a resident, requested the November 2020 approved meeting minutes of the Ethics Commission.

Michael Hartman, a resident, requested that the City look into the acoustics in the Springhill Lake Recreation Center and the Schrom Hills Park Clubhouse, which needs attention.

CONSENT AGENDA: Ms. Davis moved that #17 Meetings and #21 Resignation from Advisory Group be removed from the consent agenda. It was moved by Ms. Pope and seconded by Mr. Gordon that the consent agenda be approved with that amendment. The motion passed 7-0.

Council thereby took the following actions:

MINUTES OF COUNCIL MEETINGS

Regular Meeting - May 23, 2022

Interviews - October 17, 2022

Interviews - October 19, 2022

Approved as presented.

COMMITTEE REPORTS:

Ethics Commission - Recommendation for Review of City Code and Financial Disclosure Statement: Council accepted the report.

Draft Consolidated Transportation Program (CTP) Letter: Council approved sending the letter.

REAPPOINTMENT TO ADVISORY BOARDS: Council approved the reappointments of Stan Zirkin and Eunice Pierre to new terms to the Public Safety Advisory Committee.

APPROVAL OF AGENDA: It was moved by Ms. Davis and seconded by Ms. Pope that the agenda include consent items #17 Meetings and #21 Resignation from Advisory Group and be approved as amended. The motion passed 7-0.

PRESENTATIONS:

National Breast Cancer Awareness Month: Mayor Jordan proclaimed the month of October Breast Cancer Awareness. Ify A. Nwabukwu, Founder & Executive Director of the African Women's Cancer Awareness Association, was present to receive the proclamation.

Municipal Government Month Proclamation: Mayor Jordan proclaimed November as Municipal Government Month. Tim George, Interim City Manager, and Chondria Andrews, the City's Public Information and Communications Coordinator, received the proclamation. In addition, Ms. Andrews gave an update on the upcoming activities for the month.

Maryland Economic Development Week Proclamation: Mayor Jordan declared October 24-28, 2022, as Maryland Economic Development Week. Kevin Simpson, the City's Development Manager, was present to accept the proclamation and provided Council with an overview of this year's plans.

Greenbelt Business Alliance: Several members of the Greenbelt Business Alliance present were asked to introduce themselves. Jessica Wilson gave Council a PowerPoint presentation titled "Create and Grow Your Business in Greenbelt," which was an overview of their strategy, focus, and next steps as an organization.

MINUTES OF COUNCIL MEETINGS:

Statement for the Record – Closed Session of October 12, 2022: Ms. Weaver moved that in accordance with the General Provisions Article, Section 3--06(C)(2) of the *Annotated Code of Public General Laws of Maryland*, the minutes of tonight's meeting reflect that Council met in closed session on Wednesday, October 12, 2022, at 7:34 pm, in the Council Chambers of the Municipal Building. Council held this closed meeting in accordance with Section 3-305(b)(1) of the General Provisions Article 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.

The purpose of this meeting is 1) to discuss personnel matters; 2) to discuss the Interim City Manager evaluation.

Vote to close the session:

	Yes	No	Abstain	Absent
Mr. Byrd	X			
Ms. Davis	X			
Mr. Gordon	X			

Ms. Pope	X			
Mr. Roberts		X		
Ms. Weaver	X			
Mayor Jordan	X			

The following staff member was in attendance: Tim George, Interim City Manager.

Other individuals in attendance: None

Council took the following actions during this session: Agreed to put out a statement regarding the PSAC petition from 10/11, pending review of exact language (5-1-1, Mr. Roberts opposed and Mr. Byrd abstained).

Ms. Davis seconded Mayor Pro Tem Weaver's motion.

ROLL CALL: Mr. Byrd - Yes
 Ms. Davis - Yes
 Mr. Gordon - Yes
 Ms. Pope - Yes
 Mr. Roberts - Yes
 Ms. Weaver - Yes
 Mayor Jordan - Yes

Mayor Pro Tem Weaver read the Greenbelt News Review advertisement statement dated 10/20/22 in response to the PSAC petition from 10/11/22.

ADMINISTRATIVE REPORTS:

Mr. George noted that a couple of ARPA projects are in progress. He also stated the launching of the ARPA website, which is a live dashboard. Mr. George indicated that staff had drafted programming for the scholarship fund, healthcare vouchers, down payment assistance, and childcare vouchers. Community Clinic Inc (CCI) will assist the City with the healthcare vouchers.

Mr. George introduced Cary Eure, the City's Grant Coordinator. Ms. Eure provided Council with a brief overview of her experience with grants.

LEGISLATION:

City of Greenbelt Ordinance Amending Section 11-52 of the Code of the City of Greenbelt to Reduce the Amount of Time Certain Vehicles May be Legally Parked: Mayor Jordan read the agenda comments. Ms. Pope introduced the ordinance for second reading and adoption.

Gordon seconded.

ROLL CALL: Mr. Byrd - Yes

Ms. Davis	-	Yes
Mr. Gordon	-	Yes
Ms. Pope	-	Yes
Mr. Roberts	-	No
Ms. Weaver	-	Yes
Mayor Jordan	-	Yes

The ordinance was declared adopted (Ordinance No. 1386, Book 12).

OTHER BUSINESS:

Briefing on two notifications for proposed modifications to existing telecommunication transmission facilities (Glen Oaks and Charlestowne North): Mayor Jordan read the agenda comments. Terri Hruby, Planning and Community Development Director, introduced Project Manager Alex Miller and Real Estate Specialist to provide the City Council with an update on the proposed modifications. Mayor Jordan inquired about notices provided to the Glen Oaks association impacted by the proposed changes. Ms. Hruby replied yes, this is a requirement for all adjoining property owners. Mayor Jordan inquired will there be an improvement to the coverage in the affected areas. Mr. Miller stated that it would significantly improve the range. Ms. Davis indicated that both projects are on private property in which the owners receive payment for the installation. Mr. Miller confirmed as a representative of AT&T that there is monetary compensation for private owners who are leasing.

Ms. Davis moved that future applications for telecommunications facilities located on private property be reviewed on a staff level, and that City Council be given notice of these changes on city property; these changes are to be brought up at a City Council meeting. Ms. Weaver seconded. Ms. Davis amended the motion to include if staff feels there is cause for City to submit comments to these private property facilities that didn't come before the City Council, comments may be sent with notice given to Council. Ms. Weaver accepted the amendment. The motion passed 6-1. (Mr. Roberts)

Authorization to Engage an Architect for New Space Analysis: Mayor Jordan read the agenda comments. Mr. George noted that CARES, Administration, and Information Technology departments need more space, and future development will impact staff's need for office space as the City continues to grow. Ms. Weaver moved that the City Council authorize the Interim City Manager to engage an architectural firm to assess new space/construction options to accommodate expanding city services and staff growth. Ms. Pope seconded. The motion passed 4-3. (Mayor Jordan, Ms. Davis, and Mr. Roberts)

Award of Purchase – Police Vehicles: Mayor Jordan read the agenda comments. Ms. Pope moved that the City Council approve the purchase of the fifteen (15) police vehicles under the State of Maryland Blanket Purchase Order (BPO) # 001B2600312 from Hertrich Fleet Services at a total cost of \$646,020. Ms. Davis seconded. The motion passed 7-0.

COUNCIL ACTIVITIES:

Greenbelt Black History & Culture Committee – Mayor Jordan and Mr. Gordon

Greenbelt Boys & Girls Club Homecoming game: Greenbelt Gators – Mayor Jordan
Advisory Board Dinner – Mayor Jordan, Ms. Weaver, Ms. Davis, Ms. Pope, Mr. Gordon, Mr. Byrd,
and Mr. Roberts
Eleanor Roosevelt High School National Honor Society Induction – Mayor Jordan
Fall Fest, Schrom Hills Park – Mayor Jordan, Ms. Weaver, Ms. Davis, and Ms. Pope
Roosevelt Center Art Crawl – Mayor Jordan, Ms. Weaver, Ms. Davis, and Mr. Gordon
PGCMA Meeting – Ms. Weaver and Mr. Gordon(in-person); Ms. Pope (virtual)
North Woods Pumpkin Walk – Ms. Weaver
Pumpkin Carving Event – Mayor Jordan and Mr. Gordon

COUNCIL REPORTS:

Ms. Weaver reported on the presentation on the Tax Differential Program given at the PGCMA meeting. There were changes to the program regarding police administrative costs and animal management. Finally, there was another presentation on placemaking: planning assistance for municipalities and communities; most of the projects they have are for unincorporated areas, but they are looking for more municipal partners. Mayor Jordan indicated that the City had received the required form, and staff is working on it and asked for an update.

MEETINGS: Ms. Davis requested this item be removed from the consent agenda. She asked that a work session, "Plastic Bag Ban," be added under Ready to be Scheduled and a work session be added with the newly elected Board of Education representative after the November 8th election.

RESIGNATION FROM ADVISORY GROUP: Ms. Davis requested that the Council reappoint Amanda Spaid automatically when she returns from her job and not have to go through an interview with Council again. Council agreed.

ADJOURNMENT: A motion to adjourn the meeting was made by Ms. Davis and seconded by Ms. Pope. The motion carried 7-0. The Mayor adjourned the regular meeting on October 24, 2022, at 10:10 pm.

Respectfully submitted,

Bonita Anderson
City Clerk

"I hereby certify that the above and foregoing is a true and correct report of the regular meeting of the City Council of Greenbelt, Maryland, held October 24, 2022.

Emmett V. Jordan
Mayor

MINUTES OF THE GREENBELT CITY COUNCIL INTERVIEW held Wednesday, November 2, 2022, for the purpose of interviewing a candidate for the Reparations Commission.

The meeting was held in the Council Chambers of the Municipal Building.

Present were Councilmembers Colin A. Byrd (7:05 pm), Judith F. Davis, Brandon (Ric) Gordon, Silke I. Pope, Kristen L.K. Weaver, and Mayor Emmett V. Jordan. Councilmember Rodney M. Roberts was absent.

Staff were present was Shaniya Lashley-Mullen, Assistant to the City Clerk.

Also present Bill Orleans.

Lorena Ferdinand was interviewed for an appointment to the Reparations Commission. The interview started at 7:00 pm and ended at 7:20 pm.

Rhema Bjorkland was interviewed for an appointment to the Reparations Commission. The interview started at 7:28 pm and ended at 7:47 pm.

Joseph Hamlin was interviewed for an appointment to the Reparations Commission. The interview started at 7:53 pm and ended at 8:09 pm.

Adriane Harris was interviewed for an appointment to the Reparations Commission. The interview started at 8:09 pm and ended at 8:25 pm.

James Williams was interviewed for an appointment to the Reparations Commission. The interview started at 8:26 pm and ended at 8:47 pm.

Chiquita Jackson was interviewed for an appointment to the Reparations Commission. The interview started at 8:57 pm and ended at 9:12 pm.

Respectfully submitted,

Shaniya Lashley-Mullen
Assistant to the City Clerk

SPECIAL MEETING/CLOSED SESSION OF THE GREENBELT CITY COUNCIL held Thursday, November 3, 2022, to meet to discuss the Interim City Manager Evaluation.

Mayor Jordan started the meeting at 7:30 pm. The meeting was held in the Council Chambers of the Municipal Building, 25 Crescent Road, virtually via Zoom.

PRESENT WERE: Councilmembers Colin A. Byrd (7:31 pm), Judith F. Davis, Ric Gordon, Silke I. Pope, Rodney M. Roberts, Kristen Weaver, and Mayor Emmett V. Jordan.

STAFF PRESENT WERE: Tim George, Interim City Manager, and Shaniya Lashley-Mullen, Assistant to the City Clerk.

ALSO PRESENT WERE: Bill Orleans

Informational item discussed:

Ms. Davis informed Council that she would not attend the upcoming NLC City Summit Conference. She requested staff to cancel her reservations for the conference and hotel.

Mayor Jordan advised that the Prince George's County Executive was having a press conference tomorrow at 11:00 am in Greenbelt regarding the FBI Building.

Mayor Pro Tem Weaver moved that Council enter into Closed Session in accordance with the General Provisions Article 3-305(b)(1) of the Annotated Code of Public General Laws of Maryland to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointee, employees, or officials over whom this public body has jurisdiction; and any other personnel matter that affects one or more specific individuals.

Ms. Davis seconded.

ROLL CALL:	Mr. Byrd	-	Yes
	Ms. Davis	-	Yes
	Mr. Gordon	-	Yes
	Ms. Pope	-	Yes
	Mr. Roberts	-	No
	Ms. Weaver	-	Yes
	Mayor Jordan	-	Yes

The motion passed 6-1. (Mr. Roberts)

Mayor Prom Tem Weaver announced that Council would not return to the open Session after the closed Session.

The meeting ended at 7:32 pm.

Respectfully submitted,

Shaniya Lashley-Mullen

Assistant to the City Clerk

MINUTES OF THE GREENBELT CITY COUNCIL INTERVIEW held Wednesday, November 9, 2022, to interview a candidate for the Reparations Commission.

The meeting began at 7:01 pm.

The meeting was held in the Council Chambers of the Municipal Building.

Councilmembers Judith F. Davis, Brandon (Ric) Gordon, Silke I. Pope (7:19 pm), Kristen L.K. Weaver, and Mayor Emmett V. Jordan were present. Councilmembers Colin A. Byrd and Rodney M. Roberts were absent.

Staff present was Shaniya Lashley-Mullen, Assistant to the City Clerk.

Also present was Bill Orleans.

Pamela Taylor was interviewed for an appointment to the Reparations Commission.

The Interview ended at 7:20 pm.

Respectfully submitted,

Shaniya Lashley-Mullen
Assistant to the City Clerk

REGULAR MEETING OF THE GREENBELT CITY COUNCIL held November 28, 2022.

Mayor Jordan called the Meeting to order at 7:32 p.m.

ROLL CALL was answered by Councilmembers Colin A. Byrd (virtual), Judith F. Davis (virtual), Brandon R. Gordon, Rodney M. Roberts, Kristen L.K. Weaver, and Mayor Emmett V. Jordan. Councilmember Silke I. Pope was absent due to travel.

ALSO PRESENT were Tim George, Interim City Manager; Debi Sandlin, Interim Assistant City Manager; Richard Bowers, Police Chief; Captain Tim White; Dale Worley, Information Technology Director; James Wisniewski, Communications Specialists; and Bonita Anderson, City Clerk.

Mayor Jordan asked for a moment of silence in honor of Daniel Kennedy and Richard McMullin, who passed since the last Council meeting. He then led the pledge of allegiance to the flag.

PETITIONS AND REQUESTS:

Bob Rand, a resident, requested that the City Council direct staff to include a Diversity, Equity & Inclusion section in each department FY2024 budget narrative.

Bill Orleans, a resident, requested a follow-up on the status of the Ethics Commission minutes, along with copies. He also requested an apology from the City Council for allegedly taking action during a closed session violating the Open Meetings Act.

Xavier Courouble, a resident, requested that the City and Greenbelt Co-op be better organized and coordinated and have a plan to institute a plastic bag ban in the City.

Bill Norwood, a resident, read a letter to the residents of Greenbelt requesting that they support the Co-op better. He suggested traffic/parking improvements to improve Co-op operations.

CONSENT AGENDA: Ms. Davis requested that item #20, Meetings, be removed from the consent agenda. It was moved by Mr. Gordon and seconded by Ms. Weaver that the consent agenda be approved as amended. The motion passed 6-0.

Council thereby took the following actions:

MINUTES OF COUNCIL MEETINGS:

Regular Meeting – June 22, 2020
Regular Meeting – August 10, 2020
Regular Meeting – September 14, 2020
Regular Meeting – October 05, 2020
Regular Meeting – October 26, 2020
Regular Meeting – November 09, 2020

Approved as presented.

SPECIAL EMPLOYEE HOLIDAY: Council approved an extra floating holiday for City employees.

STAKEHOLDERS: Council approved the stakeholders' list.

APPROVAL OF AGENDA: It was moved by Ms. Davis and seconded by Mr. Gordon to approve the agenda. The motion passed 6-0.

PRESENTATIONS:

Community Survey: Debi Sandlin, Interim Assistant City Manager, gave a presentation to the City Council on the 2021 Community Election Survey results.

MINUTES OF COUNCIL MEETINGS: None

ADMINISTRATIVE REPORTS:

Mr. George noted that the staff continues to work on the ARPA projects approved by the Council. He also pointed out that Kevin Simpson is working on economic development grant programs for businesses. Mr. George met with Dawane Martinez and Baker Tilly to discuss the recent results of the compensation study. He indicated that the Finance Department finished its first week of training on the new financial management system; next a number of the senior staff will train on the system. The goal is to go live in December 2022 for the financial management system and February 2023 for the payroll system. Finally, Mr. George mentioned that the City has the Comcast Franchise Agreement, which will be presented on this agenda for the first reading, thanks to Dale Worley and the I-Net team.

LEGISLATION:

Comcast Franchise Agreement: Mayor Jordan read the agenda comments. Mayor Jordan introduced the agreement for the first reading.

OTHER BUSINESS:

PURCHASE OF MERAKI WIFI ACCESS POINTS: Mayor Jordan read the agenda comments. Mr. Gordon moved that the City Council approve the purchase of Meraki WiFi access points for the Community Center, Youth Center, and Public Works. Ms. Weaver seconded. The motion passed 6-0.

PURCHASE OF MERAKI FIREWALL: Mayor Jordan read the agenda comments. Ms. Weaver moved that the City Council approve the purchase of a Meraki firewall for the City. Mr. Gordon seconded. The motion passed 6-0.

LEGISLATIVE PRIORITIES: Mayor Jordan read the agenda comments.

The City Council discussed acquisition of the Greenbelt Armory, Greenbelt Schools to include the renovation of Springhill Lake Elementary School, the Bureau of Engraving and Printing whether trucks will be allowed on Baltimore Washington Parkway during the construction phase, and maintain and replace sidewalks along State highways. The City Council also rearranged the opposition items:

- #1 Block the Maglev trains routes through Greenbelt and Prince George's County,
- #2 Oppose Beltway Widening; and
- #3 Oppose the Bureau of Engraving & Printing Facility at the Beltsville Agricultural Research Center.

Mr. George will provide the City Council with a draft of the revised legislative priorities before finalizing the program booklet.

AWARD OF PURCHASE – ANIMAL CONTROL AND CRISIS INTERVENTION TEAM VEHICLES: Mayor Jordan read the agenda comments.

Mr. Gordon moved that the City Council approve the purchase of the three (3) vehicles under Howard County contract # 4400004546 from Hertrich Fleet Services, Inc., 1427 Bay Road, Milford, DE 19963, for \$90,426.00. Ms. Weaver seconded. The motion passed 6-0.

AUTHORIZE JILL GRANT AND ASSOCIATES TO DO RESEARCH FOR A POSSIBLE FILING OF AN AMICUS BRIEF ON BEHALF OF THE CITY: Mayor Jordan read the agenda comments. Mr. Roberts moved that the City Council authorize Jill Grant and Associates to perform the necessary research to determine if filing an amicus brief in support of Westport's opposition to BWRR's condemnation of land would be a good action for the City to take. This process may take several months, depending on when the court schedules the case. Jill Grant and Associates will keep Council apprised of the progress and results of its research. Ms. Davis seconded. The motion passed 6-0.

COUNCIL ACTIVITIES:

PGCMA General Body Meeting, virtually – Ms. Davis and Mr. Gordon
Chesapeake Bay Policy Committee, COG, virtually – Ms. Davis
American Legion Auxiliary Craft Fair – Ms. Davis and Mr. Gordon
American Legion Thanksgiving Turkey Giveaway – Mr. Gordon
Thanksgiving Groceries n Things Giveaway – Mr. Gordon
Mel Franklin Turkey Giveaway – Mr. Gordon
Thanksgiving Box Giveaway by GAIL – Mr. Gordon

Utopia Film Festival – Mr. Gordon
NLC Kansas City Conference – Mayor Jordan and Ms. Weaver
Greenbelt Food Produce Distribution – Mayor Jordan
Gobble Wobble – Mayor Jordan

MEETINGS: Council discussed and approved the meeting list.

ADJOURNMENT: A motion to adjourn the Meeting was made by Ms. Davis and seconded by Ms. Weaver. The motion carried 6-0. The Mayor adjourned the Regular Meeting of November 28, 2022, at 9:48 p.m.

Respectfully submitted,

Bonita Anderson
City Clerk

"I hereby certify that the above and foregoing is a true and correct report of the Regular Meeting of the City Council of Greenbelt, Maryland, held November 28, 2022.

Emmett V. Jordan
Mayor

REGULAR MEETING OF THE GREENBELT CITY COUNCIL held November 14, 2022.

Mayor Jordan called the Meeting to order at 7:30 pm.

ROLL CALL was answered by Councilmembers Colin A. Byrd (virtual), Judith F. Davis, Brandon R. Gordon, Silke I. Pope, Rodney M. Roberts, Kristen L.K. Weaver, and Mayor Emmett V. Jordan.

ALSO PRESENT were Timothy George, Interim City Manager; Debi Sandlin, Interim Assistant City Manager; Bertha Gaymon, City Treasurer; Dawane Martinez, Human Resources Director; Kevin Simpson, Economic Development Manager; James Wisniewski, Public Information Producer; and Bonita Anderson, City Clerk.

Mayor Jordan asked for a moment of silence in honor of Patricia Morris (Brothers) Stange, Zivko Grubisic, Monica Pantaleoni, Elizabeth “Beth” Anderson, Frank Pearlman, and former residents Roger Mansfield Brown, Sonia Garin, and former Delegate Tawanna P. Gaines.

The Arrow of Light (AOL) Cub Scouts Troop 202 Gabe Crompton, Callum Bedford-Dillow, and Wolf Scout Evander Crompton led the Pledge of Allegiance to the Flag.

PETITIONS AND REQUESTS:

Gail Crichlow, a resident, requested that a fair share of public announcements of events in the City of Greenbelt be posted throughout the City in the same frequency and manner as Old Greenbelt and also requested that the City act and treat the areas with mice infestation.

Ed Fallon, a resident, requested that the City expand the distribution methods for the City Manager Survey to include all residents and Greenbelt business employees, patrons, and visitors.

Bill Orleans, a resident, requested the status of the City Solicitor's review of the Ethics Code. In addition, he asked why it has taken several meetings to request that the City Solicitor review the City's Ethics Code. Mr. Orleans also asked for information on the Board of Ethics minutes from the 11/2021 and 10/2022 meetings. Finally, he requested information about the Closed Session on October 24, 2022, where Council directed staff to issue a statement on the Public Safety Advisory Committee article.

CONSENT AGENDA: It was moved by Mr. Gordon and seconded by Ms. Davis to approve the consent agenda. The motion passed 7-0.

Council thereby took the following actions:

MINUTES OF COUNCIL MEETINGS

Work Session – June 08, 2022

Work Session – June 22, 2022

Work Session – June 29, 2022

Work Session – July 06, 2022

Approved as presented.

MEETINGS: Council approved the meetings list.

STAKEHOLDERS: Council approved the stakeholder list.

APPROVAL OF AGENDA: Ms. Davis moved to add Item #21, Ethics Commission Recommendations. It was moved by Ms. Pope and seconded by Mr. Gordon that the agenda be approved as amended. The motion passed 7-0.

PRESENTATIONS:

America Recycles Day Proclamation: Mayor Jordan proclaimed November 15 as America Recycles Day. John Lippert, Chair of the Greenbelt Advisory Committee on Environmental Sustainability (Green ACES), accepted the proclamation.

Military Families Month Proclamation: Mayor Jordan proclaimed November as Military Family Month. The Ladies Auxiliary and Sons of American Legion from Greenbelt Post 136 accepted the proclamation.

MINUTES OF COUNCIL MEETINGS:

Statement for the Record – Closed Session of October 26, 2022: Ms. Weaver moved that in accordance with the General Provisions Article, Section 3--06(C)(2) of the *Annotated Code of Public General Laws of Maryland*, the minutes of tonight's Meeting reflect that Council met in closed session on Wednesday, October 26, 2022, at 9:30 pm, in the Council Chambers of the Municipal Building. Council held this closed Meeting in accordance with Section 3-305(b)(1) of the General Provisions Article 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.

The purpose of this Meeting is 1) to discuss personnel matters; 2) to consult with legal counsel on pending legal matters.

Vote to close the session:

	Yes	No	Abstain	Absent
Mr. Byrd	X			
Ms. Davis	X			
Mr. Gordon	X			
Ms. Pope	X			
Mr. Roberts		X		
Ms. Weaver	X			
Mayor Jordan	X			

The following staff member was in attendance: Tim George, Interim City Manager.

Other individuals in attendance: Todd Pounds, Legal Counsel (virtual, until 10:00)

Council took the following actions during this session: None.

Ms. Davis seconded.

ROLL CALL: Mr. Byrd - Yes
Ms. Davis - Yes
Mr. Gordon - Yes
Ms. Pope - Yes
Mr. Roberts - Yes
Ms. Weaver - Yes
Mayor Jordan - Yes

Statement for the Record – Closed Session of November 03, 2022: Ms. Weaver moved that in accordance with the General Provisions Article, Section 3--06(C)(2) of the *Annotated Code of Public General Laws of Maryland*, the minutes of tonight's Meeting reflect that Council met in closed session on Thursday, November 03, 2022, at 7:32 pm, in the Council Chambers of the Municipal Building. Council held this closed Meeting in accordance with Section 3-305(b)(1) of the General Provisions Article 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.

The purpose of this Meeting is to discuss the Interim City Manager evaluation.

Vote to close the session:

	Yes	No	Abstain	Absent
Mr. Byrd	X			
Ms. Davis	X			
Mr. Gordon	X			
Ms. Pope	X			
Mr. Roberts		X		
Ms. Weaver	X			
Mayor Jordan	X			

The following staff member was in attendance: Tim George, Interim City Manager.

Other individuals in attendance: None

Council took the following actions during this session: None.

Ms. Davis seconded.

ROLL CALL: Mr. Byrd	-	Yes
Ms. Davis	-	Yes
Mr. Gordon	-	Yes
Ms. Pope	-	Yes
Mr. Roberts	-	Yes
Ms. Weaver	-	Yes
Mayor Jordan	-	Yes

ADMINISTRATIVE REPORTS:

Mr. George provided the City Council with an update regarding the implementation of the financial system. He noted that Mr. Martinez has been working with Baker Tilly weekly on the compensation study and will have preliminary numbers the week of Thanksgiving.

Mr. George noted that the Information Technology Department is working to install security cameras at city facilities, including the Municipal Building. He informed the Council that the revised Community Survey would be in this week's Council packet.

Ms. Davis asks for Committee Reports to have similar tracking as petitions & requests to keep track of their progress and the status of actions taken.

Ms. Pope asked the staff to look into the status of taking down the sign at Springhill Lake Elementary School.

Mayor Jordan asked for additional information on the recent pedestrian fatalities on Greenbelt Road. Mr. George replied that the Greenbelt Police are kept informed by the County Police of homicide or accidental death investigations. Additionally, Mr. George indicated that he discussed with Chief Bowers that, noting that as we head into the holidays, the City Police will be adding drunk driving checkpoints during the holidays.

LEGISLATION: None

OTHER BUSINESS:

Discussion of selection criteria for the Reparations Commission: Mayor Jordan requested that this item be added to the agenda for discussion. As a result, the City Council will hold a work session on Tuesday, November 22, 2022, to further discuss the applicant selection process.

Discussion of Legislative Priorities: Mayor Jordan asked that the Council work on narrowing it down to three or four legislative priorities. Ms. Davis suggested that the priorities be added to the

November 28 Council agenda. Mr. George pointed out that staff is working on the legislative dinner, looking at dates for the week of December 5th and 12th, preferably a Tuesday or Thursday. Ms. Davis asked that the staff extend an invitation to the newly elected School Board Representative.

Discussion Schedule for the City Manager search and Community Survey: Mayor Pro Tem Weaver presented the search schedule timeline to the Council. She noted that the community survey timeline would need to be updated and distributed to the community. Ms. Davis inquired how the survey would be distributed. Mr. Martinez indicated that it would be distributed through the City's social media platforms, survey monkey, and would mail those without computer access to the survey. He will work with the Public Information Office for additional outreach. In addition, Mayor Jordan requested to distribute the survey to homeowner and condominium associations, cooperatives, and apartments. Mayor Pro Tem Weaver asked Mr. Martinez to check with Baker Tilly about the turnaround for the survey results and that the deadline date may need to be modified.

ARPA First Time Home Buyer Down-payment Assistance: Mayor Jordan read the agenda comments. He asked if this program will include cooperatives; if someone is buying into the Coop would they be able to participate in this program? Mr. George replied, yes, for anyone purchasing a home. Ms. Davis noted that this program is for renters only in Greenbelt, those buying a home in Greenbelt, and anyone impacted by the pandemic. Mr. George affirmed.

Ms. Davis moved that the City Council approve the Greenbelt First-Time Homebuyer Advantage Program. Ms. Pope seconded.

Ms. Davis asked if the program has representatives to walk the buyer through the process. Ms. Sandlin pointed out that the Maryland Department of Housing and Community Development's Community Development Authority (DHCD/CDA) requires the buyer to take a course on financial management and provide other resources. She noted that CDA would hold a first-time homebuyer town hall meeting to explain the program.

Mr. Rodney asked about the eligibility criteria, the income level to qualify for the program, and the size of the home the buyer can purchase. Ms. Sandlin replied that it is based on HUD's income requirements that the buyer would have to make below a certain threshold.

Ms. Davis asked Ms. Sandlin to look into developing a similar program with a credit union to provide conventional loans for buyers interested in buying into a cooperative.

Ms. Davis moved that the City Council approve the Greenbelt First-Time Homebuyer Advantage Program while developing a similar program with a credit union to allow this to work for GHI/Cooperatives. Ms. Pope seconded. The motion passed 7-0.

ARPA Scholarship Program: Mayor Jordan read the agenda comments. Ms. Weaver moved that the City Council approve the Youth Scholarship Program along with the guidelines and application. Ms. Pope seconded.

Ms. Davis noted that all the documents, except the application, do not mention if the pandemic

impacted the applicant. How will it be determined that the pandemic impacted the applicant? Ms. Sandlin noted that the applicant would have to live in the census tract area and within the income level. Ms. Davis asked to include the impact of the pandemic language on the application.

Ms. Davis suggested promoting this program by sending it to Eleanor Roosevelt High School guidance counselors, Prince George's County Community College, Bowie State, the University of Maryland, trade unions, and vocational schools.

Ms. Weaver moved that the City Council approve the Scholarship Grant Program along with the guidelines and application. Ms. Pope seconded. The motion passed 6-1. (Mr. Roberts)

Healthcare Voucher Program: Mayor Jordan read the agenda comments. Mr. Gordon moved that the City Council approve the Healthcare Voucher Program. Ms. Davis seconded. The motion passed 7-0.

COUNCIL ACTIVITIES:

Police Officer Swearing-In, Police Station – Mayor Jordan and Ms. Davis
PGCMA Meeting, New Carrollton – Ms. Weaver and Mr. Gordon (in-person) and
Ms. Pope (virtual)
Cookies at the Bridge – Mayor Jordan, Ms. Davis, and Mr. Gordon
Wild Rumpus, Roosevelt Center – Mayor Jordan, Ms. Weaver, Ms. Davis, Ms. Pope, and
Mr. Gordon
Trunk or Treat, Franklin Park – Mayor Jordan, Ms. Weaver, Ms. Davis, Ms. Pope, and
Mr. Gordon
MWCOG Placemaking presentation – Mayor Jordan
The International Breast Cancer Awareness Fest, Franklin Park – Mayor Jordan, Ms. Weaver,
Ms. Davis, and Mr. Gordon
Diwali Block Party Celebration – Ms. Weaver and Ms. Davis
Halloween Hijinks, Greenbelt Museum – Ms. Weaver and Ms. Davis
GHI Bicycle Committee – Mayor Jordan and Ms. Weaver
Greenbelt Station Halloween Event – Mayor Jordan, Mr. Gordon, and Ms. Weaver
PGCMA Legislative Committee – Ms. Davis
County Council Member Danielle Glaros Farewell – Mayor Jordan
PGCMA Board Retreat Follow-up Meeting – Ms. Pope
34th Annual Public Safety Awards Program, American Legion – Mayor Jordan, Ms. Weaver,
Ms. Davis, Ms. Pope, and Mr. Gordon
FBI Building Press Conference – Mayor Jordan, Ms. Weaver, and Mr. Gordon
St. Hugh Bazaar – Ms. Davis and Ms. Pope
Greenbelt VFD Auxiliary Yard Sale – Mayor Jordan, Ms. Davis, and Ms. Pope
Maryland Emancipation Day Program, Greenbelt Black History and Committee – Mayor Jordan,
Ms. Weaver, Ms. Davis, and Mr. Gordon
Mowatt Church Spaghetti Dinner – Mayor Jordan and Ms. Davis
Community Church Spaghetti Dinner – Ms. Davis
Food Box Giveaway at Franklin Park – Mr. Gordon
Retirement Celebration for NASA Goddard Center Director Dennis Andrucyk – Mayor Jordan
and Ms. Weaver

Greenbelt Road Bike Trail Walk, ERHS to NASA – Mayor Jordan and Ms. Weaver
Veteran’s Day Program at Martin’s Crosswind – Mayor Jordan
Greenbriar Fall Community Luncheon – Mayor Jordan and Ms. Davis
Veterans Day Commemoration, American Legion – Mayor Jordan, Ms. Weaver, Ms. Davis,
Mr. Gordon and Mr. Byrd
Greenbelt Coop 2022 Annual Meeting – Ms. Weaver and Ms. Davis
Holy Cross Church Craft Fair – Ms. Davis
Greenbelt Concert Band Performance, American Legion – Ms. Weaver and Ms. Davis
Greenbelt Community Development Corporation meeting – Mayor Jordan
NLC Nominating Committee Board of Directors Conference Call – Mayor Jordan
Conference Call with Interim City Manager – Mayor Jordan

Ethics Commission Recommendation: Ms. Davis requested that this item be added to the agenda. Ms. Davis moved that staff proceed with the Ethics Commission recommendation to ask the City Solicitor to review and amend the Ethics Code to meet the State requirements. Mr. Gordon seconded. The motion passed 7-0.

COUNCIL REPORTS:

ADJOURNMENT: A motion to adjourn the Meeting was made by Ms. Davis and seconded by Mr. Gordon. The motion carried 7-0. The Mayor adjourned the Regular Meeting on November 14, 2022, at 10:41 pm.

Respectfully submitted,

Bonita Anderson
City Clerk

"I hereby certify that the above and foregoing is a true and correct report of the Regular Meeting of the City Council of Greenbelt, Maryland, held November 14, 2022.

Emmett V. Jordan
Mayor

WORK SESSION OF THE GREENBELT CITY COUNCIL held Monday, December 5, 2022, to interview a candidate for a City Advisory Group.

The meeting began at 7:10 p.m. The meeting was held in the Library of the Municipal Building.

Present were: Councilmembers Judith F. Davis, Ric Gordon, and Kristen L. K. Weaver. Mayor Emmett V. Jordan arrived shortly after the Interview.

Councilmembers Colin A. Byrd, Silke I. Pope and Rodney M. Roberts were absent.

Staff present was: Bonita Anderson, City Clerk.

Chiquita Jackson was interviewed for appointment to the Community Relations Advisory Board.

The meeting was adjourned at 7:20 p.m.

Respectfully submitted,

Bonita Anderson
City Clerk

REGULAR MEETING OF THE GREENBELT CITY COUNCIL held December 12, 2022.

Mayor Jordan called the Meeting to order at 7:30 pm.

ROLL CALL was answered by Councilmembers Colin A. Byrd (virtual), Judith F. Davis, Brandon R. Gordon, Silke I. Pope, Rodney M. Roberts, Kristen L.K. Weaver, and Mayor Emmett V. Jordan.

ALSO PRESENT were Tim George, Interim City Manager; Terri Hruby, Planning and Community Development Director; Dale Worley, Information Technology Director; Brian Townsend, Public Works Assistant Director; Chondria Andrews, Public Information and Communications Coordinator; James Wisniewski, Communications Specialist; and Bonita Anderson, City Clerk.

Mayor Jordan asked for a moment of silence in honor of residents Doris Ann Densham Roberts, Lalherliani (“Heri”) Sailo Farrell, and Frank Pearlman. Mr. Byrd then led the Pledge of Allegiance to the Flag.

PETITIONS AND REQUESTS:

Bill Orleans, a resident, requested a follow-up on the status of the Ethics Commission minutes, along with copies. He also requested an apology from the City Council for allegedly taking action during a closed session violating the Open Meetings Act. Mr. Orleans stated that the City Council should take up rent stabilization.

CONSENT AGENDA: Ms. Davis moved to remove #19, Meetings, from the consent agenda. Mr. Gordon seconded. The motion passed 7-0 to approve the consent agenda as amended.

Council thereby took the following actions:

MINUTES OF COUNCIL MEETINGS

Regular Meeting - November 23, 2020
Regular Meeting - January 11, 2021
Regular Meeting - April 25, 2022
Regular Meeting - September 12, 2022
Regular Meeting - September 27, 2022
Regular Meeting - October 11, 2022
Regular Meeting - October 24, 2022
Approved as presented.

STAKEHOLDER LIST: Council accepted the stakeholder list.

COMMITTEE REPORTS:

Senior Citizens Advisory Committee – 2022 Annual Open Forum Report: Council

accepted this report.

REAPPOINTMENT TO ADVISORY BOARDS/COMMITTEE: The Council reappointed Mary Thomas and Peggy Higgins to a new Public Safety Advisory Committee term.

Resignation from Advisory Group: Council accepted the resignations of Mary Ann Canter and Jessica Stewart from the Forest Preserve Advisory Board.

Appointment of Council Members to Metropolitan Washington Council of Governments Board and Policy Committees: Council approved the following 2024 appointments for the Metropolitan Washington Council of Governments Policy Boards and Committees:

Board of Directors	-	Mayor Jordan
Alternate	-	Ms. Weaver
Transportation Planning Board	-	Mayor Jordan
Alternate	-	Mr. Roberts
Metropolitan Washington Air Quality Comm.	-	Ms. Weaver
Alternate	-	Mr. Gordon
Region Forward Coalition	-	Mayor Jordan
Alternate	-	Vacant
Human Services and Public Safety Policy Committee	-	Ms. Pope
Alternate	-	Mr. Gordon
Climate, Energy, and Environment Policy Committee	-	Mr. Byrd
Alternate	-	Ms. Davis
Chesapeake Bay Policy Committee	-	Ms. Davis
Alternate	-	Ms. Pope
Food and Agriculture Regional member Policy Committee	-	Vacant
Alternate	-	Vacant

APPROVAL OF AGENDA: It was moved by Ms. Davis to add #24, Appointment to Advisory Board. Mr. Gordon seconded. The motion passed 7-0 to approve the agenda as amended.

PRESENTATIONS:

The Greenbelt News Review 85th Anniversary Proclamation: Mayor Jordan recognized the Greenbelt News Review 85th Anniversary, which was celebrated on November 24, 2022. Diane Oberg and Mary Lou Williamson were present to accept the proclamation on behalf of the Greenbelt News Review and provided some remarks.

The Maryland Rental Stabilization Coalition: Mayor Jordan read the agenda comments. Council member Mitchell of Laurel provided an overview for the presentation. Ms. Hoang gave a PowerPoint presentation on rent stabilization.

MINUTES OF COUNCIL MEETINGS:

Statement of Record – Closed Session, November 21, 2022: Ms. Weaver moved that in accordance with Section 3-305(b)(7) of the General Provisions Article of the Annotated Code of the Public General Laws of Maryland: to consult with counsel to obtain legal advice on a legal matter the minutes of tonight's Meeting reflect that Council met in closed session on Monday, November 21, 2022, at 8:50 pm, in the Council Chambers of the Municipal Building.

The purpose of this Meeting is 1) to consult with counsel to obtain legal advice on a legal matter regarding the Proposed MAGLEV.

Vote to close the session:

	Yes	No	Abstain	Absent
Mr. Byrd	X			
Ms. Davis	X			
Mr. Gordon	X			
Ms. Pope	X			
Mr. Roberts	X			
Ms. Weaver	X			
Mayor Jordan	X			

The following staff members were in attendance: Tim George, Interim City Manager; Terri Hruby, Planning and Community Development Director; and Bonita Anderson, City Clerk.

Other individuals in attendance: Jill Grant and Andrea Gelatt.

Council took the following actions during this session: None.

Ms. Davis seconded.

ROLL CALL: Mr. Byrd - Yes
Ms. Davis - Yes
Mr. Gordon - Yes
Ms. Pope - Yes
Mr. Putens - Yes
Mr. Roberts - Yes
Mayor Jordan - Yes

ADMINISTRATIVE REPORTS:

Mr. George announced the new hire of the Diversity Equity and Inclusion Coordinator, who will begin in mid-January. He noted that staff is working on finalizing and finishing up many of the ARPA Initiatives outlined in a document provided to the City Council. Mr. George also noted that City staff would modify and reorganize the ARPA website to identify active projects with status updates. Finally, he indicated that City staff is actively working on 38 of the 58 recommendations and proposals approved by the City Council.

Mr. George expressed gratitude to Chondria Andrews for setting up the meeting with Luminous Doctor's Hospital's CEO and President to discuss ways to partner with City.

LEGISLATION:

Comcast Franchise Agreement: Mayor Jordan read the agenda comments. Dale Worley, Information Technology Director, gave a PowerPoint presentation to the City Council on the new franchise agreement.

City of Greenbelt Ordinance of the Mayor and Council of the City of Greenbelt Granting a Renewal of the Cable Franchise to Comcast of Maryland, LLC and Authorizing a Franchise Agreement: Mayor Jordan introduced the ordinance for second reading and moved that it be adopted.

Ms. Davis seconded.

ROLL CALL:	Mr. Byrd	-	Yes
	Ms. Davis	-	Yes
	Mr. Gordon	-	Yes
	Ms. Pope	-	Yes
	Mr. Putens	-	Yes
	Mr. Roberts	-	Yes
	Mayor Jordan	-	Yes

The ordinance was declared adopted (Ordinance No. 1387, Book 12).

OTHER BUSINESS:

Planning Personnel Discussion: Mayor Jordan read the agenda comments. Ms. Davis moved to authorize staff to hire an Assistant Director of Planning and a Community Planner. Ms. Pope

seconded. The motion passed 7-0.

Purchase of alarm system upgrades from Petitbon Security: Mayor Jordan read the agenda comments. Mr. Gordon moved to approve the purchase of the alarm system upgrades. Ms. Pope seconded. The motion passed 7-0.

Purchase of door security system for Community Center and Greenbelt Aquatic and Fitness Center: Mayor Jordan read the agenda comments. Ms. Pope moved to approve the purchase of a door security system for the Community Center and Greenbelt Aquatic and Fitness Center. Mayor Jordan seconded. The motion passed 7-0.

Award of Purchase – Administration Vehicle & Replacement Vehicle for Public Works – Mayor Jordan read the agenda comments. Ms. Davis moved to approve the purchase of these vehicles. Ms. Pope seconded. The motion passed 6-1. (Mr. Roberts)

Appointment to the Reparations Commission – Mayor Jordan read the agenda comments. Mr. Byrd moved to appoint the 21 members of the Reparations Commission with two alternates. Mr. Gordon seconded. The motion passed 7-0.

COUNCIL ACTIVITIES:

Mission BBQ VIP Brunch – Ms. Davis
Holiday Farmers Market – Ms. Davis
Sparkle Mart – Mayor Jordan, Ms. Weaver, Ms. Davis, and Mr. Gordon
85th Anniversary Cake, News Review – Mayor Jordan and Ms. Davis
Greenbelt East Tree Lighting – Mayor Jordan, Ms. Weaver, Ms. Davis, and Mr. Gordon
GIVES Meeting and Holiday Party – Ms. Davis
Greenbelt Concert Band Holiday Lights Performance – Mayor Jordan, Ms. Davis,
and Mr. Gordon
BARC Building 307 dedication ceremony – Mr. Gordon and Ms. Weaver
Metro Washington Air Quality Committee – Ms. Weaver
PGCMA Legislative Meet and Greet – Mayor Jordan and Ms. Weaver
Greenbelt Station Pavilion Lighting – Ms. Weaver and Mr. Gordon
Venture Crew 746 Winter Wonderland – Mayor Jordan and Ms. Weaver

MEETINGS:

Ms. Weaver moved that the City Council schedule a closed session on Wednesday, December 14, 2022, immediately following the Work Session – Pre-Budget Meeting, to discuss two personnel matters. Ms. Davis seconded.

Roll Call Vote:

Mr. Byrd – Yes
Ms. Davis – Yes

Mr. Gordon – Yes
Ms. Pope – Yes
Mr. Roberts – No
Ms. Weaver – Yes
Mayor Jordan – Yes

Appointment to Advisory Board: Mr. Gordon moved that the City Council appoint Chiquita Jackson to the Community Relations Advisory Board. Ms. Davis seconded. The motion passed 7-0.

ADJOURNMENT: A motion to adjourn the Meeting was made by Ms. Davis and seconded by Mr. Gordon. The motion carried 7-0. The Mayor adjourned the Regular Meeting on December 12, 2022, at 10:15 pm.

Respectfully submitted,

Bonita Anderson
City Clerk

"I hereby certify that the above and foregoing is a true and correct report of the Regular Meeting of the City Council of Greenbelt, Maryland, held December 12, 2022.

Emmett V. Jordan
Mayor

WORK SESSION OF THE GREENBELT CITY COUNCIL/LEGISLATIVE DINNER held Tuesday, December 20, 2022, at Crown Plaza, to discuss the City's legislative priorities and other legislative matters.

PRESENT WERE: Councilmembers Colin A. Byrd, Judith F. Davis, Ric Gordon, Silke I. Pope, Rodney M. Roberts, Kristen L.K. Weaver, and Mayor Emmett V. Jordan.

STAFF PRESENT WERE: Tim George, Interim City Manager; Debi Sandlin, Interim Assistant City Manager; Anne Marie Belton, Executive Associate; and Shaniya Lashley-Mullen, Assistant to the City Clerk.

ALSO PRESENT WERE: State Delegates Anne Healey, Alonzo Washington, and Nicole A. Williams; County Councilmembers Ingrid Watson and Mel Franklin; Jonathan Briggs, Board of Education Member, and others.

The meeting began at 7:30 p.m.

Mayor Jordan welcomed the legislators. He said the purpose of the gathering was for the City to discuss its legislative priorities for 2022.

The following City priority issues were reviewed.

BAN SINGLE-USE PLASTICS:

County Councilmember Franklin asked what was the best approach, banning single-use plastic or establishing a fee. Mr. Roberts advised that plastic was destroying the planet. Mr. Gordon stated to make the cost heftier.

GREENBELT ROAD STREETSCAPE IMPROVEMENTS:

Mayor Jordan stated that this project needed to be at the top of the County's Project Planning Priority List. He noted that with the redevelopment of Beltway Plaza and the potential for the FBI Headquarters relocation, there would be much potential for new traffic.

Mayor Jordan thanked Delegate Washington for following up with the State Highway Administration (SHA) regarding the letter he sent. Delegate Washington stated that SHA had added additional signs and crosswalks in the corridor. Delegate Healey advised that there needed to be support from the County.

GREENBELT METRO STATION IMPROVEMENTS:

Mayor Jordan stated that the Greenbelt Metro Station needed significant upgrades and the installation of a Capital Bikeshare Stations. Ms. Davis noted that the interchange required to be fully upgraded. Mr. Roberts stated that the Metro Station needed heat.

There was discussion regarding the potential for the relocation of the FBI Headquarters.

ABATEMENTS:

Mayor Jordan requested that the municipalities be made aware that abatements are filed because it could potentially significantly impact the budget. Delegate Williams explained that the County is made aware of all abatements, but that information does not reach the municipalities. Delegate Healey indicated that it could easily be fixed.

CONSTANT YIELD TAX RATE NOTIFICATION:

Ms. Davis explained that this was a Maryland Municipal League priority last year. Both Mayor Jordan and Ms. Davis stated that the wording of the notice needed language that was understandable for the residents.

The following legislative items were also discussed:

- *Acquisition of Greenbelt Armory:*

Delegate Washington requested that the City send him a synopsis of the communications regarding the Greenbelt Armory. Mayor Jordan stated that Mr. George would follow up.

- *Greenbelt Schools:*

There was a discussion regarding Springhill Lake Elementary. Ms. Davis added that Eleanor Roosevelt High School needed to be expanded and that two properties in Greenbelt could potentially have a school built.

- *State Maintenance of Sidewalks Adjacent to State Roadways:*

Ms. Davis stated that SHA needs the personnel or funding to repair or maintain the sidewalks. Delegate Healey explained that SHA would build the sidewalks only if the local municipalities requested the installation and would maintain the sidewalk.

Council expressed its opposition on the following items:

- *Blocking the Maglev Train routes through Greenbelt and Prince George County*
- *Beltway Widening*
- *Bureau of Engraving and Printing Facility at the Beltsville Agricultural Research Center*

Councilmember Watson explained that she is passionate about the environment and is working on establishing a Homeowners Association (HOA) Task Force or a Roundtable discussion to understand the issues.

Councilmember Franklin echoed Councilmember Watson's sentiments about the environment. He stated he would focus on the FBI Headquarters Development and investing in minority businesses.

Delegate Washington explained that he is working on a Stormwater Management Fund and strengthening community schools.

Delegate Healey explained that she is working on a Bill to protect pregnant college women from losing their scholarships. She is also working on the Police Accountability Board and traffic laws.

Delegate Williams explained she would be refiling a Maglev bill.

Mr. Briggs explained that the Prince George's County School Board is currently in the process of the upcoming budget. He was in the process of engaging the community, hiring teachers and mental health needs.

The meeting ended at 9:37 p.m.

Respectfully submitted,

*Shaniya Lashley-Mullen
Assistant to the City Clerk*

MINUTES OF THE GREENBELT CITY COUNCIL INTERVIEW held Wednesday, January 4, 2023, to interview a candidate for the Reparations Commission.

The meeting began at 7:08 pm.

The meeting was held in the Council Chambers of the Municipal Building.

Councilmembers Colin A. Byrd (7:09 pm), Judith F. Davis, Brandon (Ric) Gordon, and Silke I. Pope (7:10 pm), Rodney M. Roberts (7:27 pm), Kristen L.K. Weaver, and Mayor Emmett V. Jordan was present.

Staff present was Shaniya Lashley-Mullen, Assistant to the City Clerk.

Also present was Bill Orleans.

Stephanie Leonard was interviewed for an appointment to the Reparations Commission.

The Interview ended at 7:29 pm.

Respectfully submitted,

Shaniya Lashley-Mullen
Assistant to the City Clerk

WORK SESSION OF THE GREENBELT CITY COUNCIL held Monday, January 9, 2023, to interview a candidate for a City Advisory Group.

The meeting began at 7:23 p.m. The meeting was held in the Library of the Municipal Building.

Present were: Councilmembers Judith F. Davis, Ric Gordon, Silke I. Pope, Rodney M. Roberts, Kristen L. K. Weaver and Mayor Emmett V. Jordan.

Councilmembers Colin A. Byrd, and were absent.

Staff present were: Bonita Anderson, City Clerk.

Chiquita Jackson was interviewed for appointment to the Community Relations Advisory Board.

The meeting was adjourned at 7:30 p.m.

Respectfully submitted,

Bonita Anderson
City Clerk

City Council Agenda Item Report

Meeting Date: February 13, 2023

Submitted by: Shaniya Lashley-Mullen

Submitting Department: Administration

Item Type: Board and Committee Reports

Agenda Section: COMMUNICATIONS (45 mins - 7:45 - 8:30 pm)

Subject:

Community Relations Advisory Board (CRAB) Report - #2022-001 - Council Referral - Non-Citizen Resident Voting

Suggested Action:

It is recommended that Council accept this report.

Attachments:

[Response re Non-Citizen Resident Voting_111022 Final 12-2022.pdf](#)

**COMMUNITY RELATIONS ADVISORY BOARD (CRAB)
REPORT TO CITY COUNCIL**

- SUBJECT:** Council Referral – Possible allowance of non-citizen resident voting in municipal elections
- REFERRAL:** At the Regular Meeting on March 8, 2021, Council accepted the petition from (Mayor) Colin Byrd regarding inclusion of non-citizens in municipal elections. City Council referred this petition to CRAB.
- BACKGROUND:** CRAB initially reviewed the petition at its meeting on February 10, 2022, then consulted subject matter experts, considered, and discussed this referral at multiple meetings throughout 2022.
- In addition to CRAB discussing the matter, CRAB also heard from invited guest Judy Navarro Kirlin from Homeland Security. Mr. Ransom also spoke with Mr. Steve Gilbert, Chair of the Greenbelt Board of Elections (BOE).
- DISCUSSION:** In February, Judy Navarro Kirlin participated in CRAB’s meeting to share her perspective on the topic. In addition, she recommended that we consult with other cities who allow non-citizen voting,
- CRAB conducted its research and learned that a number of Maryland’s municipalities allow certain non-citizens to vote, including Barnesville, Cheverly, Chevy Chase Section 3, Garrett Park., Glen Echo, Hyattsville, Martin’s Additions, Mount Rainier, Riverdale Park, Somerset, and Takoma Park.
- CRAB’s research also notes that the following question was included as part of the City’s 2021 election survey: Should Greenbelt residents who are not US citizens be allowed to vote in City elections? Of the respondents, 51% responded yes; 41% responded no; and 8% did not respond.
- In addition, as part of the follow-up discussions with the BOE, Mr. Gilbert noted that the BOE receives their voter registration lists from the County. He said that if the City were to allow non-citizen voting, they would have to collect registration information for non-citizens separately. He was not opposed to doing so, stating that “We serve the Council and respond to requests as best we can.”

During CRAB's discussion over the course of multiple meetings, there was agreement non-citizen residents should be allowed to vote if they could otherwise meet any existing residency and documentation requirements. Their enfranchisement could be accomplished in a similar manner used for young adults who are 16 or 17 years old and allowed to vote in municipal elections.

CRAB also spent time discussing whether undocumented or unregistered non-citizens should be allowed to vote in municipal elections. Without documentation of their legal status in the country, it is more difficult to establish eligibility and residency. It is unlikely most unregistered non-citizens would go through the formal process of registering to vote for fear of revealing their unregistered status.

RECOMMENDATIONS:

CRAB recommends that the City allow non-citizen residents the right to vote.

Overall, it was the sense of CRAB that if non-citizen residents are in the country legally, and otherwise meet the same conditions we require of Greenbelt citizen residents, they should be allowed to vote in municipal elections.

CRAB suggests that the professional City staff are well-positioned to implement this program if agreeable, including requiring similar types of documentation required by neighboring municipalities, and following a similar process with the County and City as followed for the 16-year-olds to access voter registration lists.

If resultant legislation is developed, CRAB suggests that it reference "all resident voting".

City Council Agenda Item Report

Meeting Date: February 13, 2023

Submitted by: Shaniya Lashley-Mullen

Submitting Department: Administration

Item Type: Board and Committee Reports

Agenda Section: COMMUNICATIONS (45 mins - 7:45 - 8:30 pm)

Subject:

Community Relations Advisory Board (CRAB) Report - #2022-002 - Council Referral -
Collective Bargaining Agreement extended to Non-Police City Staff

Suggested Action:

It is recommended that Council accept this report.

Attachments:

[Response re Bargaining Units for City Employees_111022 Final 12-2022.pdf](#)

**COMMUNITY RELATIONS ADVISORY BOARD (CRAB)
REPORT TO CITY COUNCIL**

SUBJECT: Council Referral – Should a collective bargaining agreement (CBA) be extended to non-police City staff?

REFERRAL: Council Member Colin Byrd raised this issue

BACKGROUND: CRAB initially reviewed the referral at its meeting on February 10, 2022, then consulted with Council Member Byrd as well as a member of the Employee Relations Board.

DISCUSSION: In CRAB’s research, we found that no other Greenbelt employees are currently covered by CBAs. In addition, no other comparable municipalities employ CBAs for non-police.

In further conversation with Council Member Byrd, he withdrew the referral.

As such, CRAB will not provide specific recommendations to the City Council about this matter.

City Council Agenda Item Report

Meeting Date: February 13, 2023

Submitted by: Shaniya Lashley-Mullen

Submitting Department: Administration

Item Type: Board and Committee Reports

Agenda Section: COMMUNICATIONS (45 mins - 7:45 - 8:30 pm)

Subject:

Community Relations Advisory Board (CRAB) Report #2022-003 - Council Referral - Term Limits for Elected City Council Members

Suggested Action:

It is recommended that Council accept this report.

Attachments:

[Response re Council term Limits _111022 Final 12-2022.pdf](#)

**COMMUNITY RELATIONS ADVISORY BOARD (CRAB)
REPORT TO CITY COUNCIL**

- SUBJECT:** Council Referral – Whether to consider term limits for elected City Council Members
- REFERRAL:** At the Regular Meeting on March 8, 2021, Council accepted the petition from Colin Byrd regarding whether City Council members should have term limits, specifically no more than five consecutive terms. City Council referred this petition to CRAB.
- BACKGROUND:** CRAB initially reviewed the matter at its meeting on February 10, 2022.
- DISCUSSION:** During the consideration of this matter, CRAB’s discussion focused primarily on the relatively limited number of City residents who run for City Council. Several members highlighted a number of potentially negative effects of term limits, including a further dissuasion from running for City Office.
- Across the membership of CRAB, there was not a strong push to suggest the enactment of specific term limits at this time, particularly since the residents have the opportunity to elect a new Council every two years. CRAB members stated that they wish to honor the willingness of those who serve and wish to honor the judgement of the residents who cast their vote.
- CRAB recommends that term limits not be pursued at this time.

City Council Agenda Item Report

Meeting Date: February 13, 2023

Submitted by: Shaniya Lashley-Mullen

Submitting Department: Administration

Item Type: LEGISLATION

Agenda Section: LEGISLATION (5 mins - 8:30 - 8:35 pm)

Subject:

City Manager Residency Charter Amendment

- 1st Reading

Suggested Action:

Reference: Resolution

At the Regular Meeting on January 23, 2022, the City Council reviewed the Charter Section 35 – City Manager – (Appointment; qualifications; term of office; removal) to consider amending the residency requirement for the City Manager. In addition, the City Solicitor, Jason DeLoach, gave the City Council an overview of the process of amending the City Charter.

The City Council also reviewed the response from MML Research Specialist Jim Peck on 28 municipalities' charter requirements for municipal managers. It was suggested that charter language similar to cities College Park and Glenarden, contain "The City Manager need not be a resident of the City of State at the time of appointment but may reside outside the City limits while in office only with the approval of the Mayor and Council" and to direct the City Solicitor to draft legislation to amend Charter Section 35 – City Manager – Appointment.

Enclosed in the City Council packet is a charter amendment resolution to amend section 35.

It is recommended that this charter amendment resolution be introduced for first reading and that the City Council schedule a public hearing.

Attachments:

[CHARTER RESOLUTION - City Manager Residency.pdf](#)

Introduced:
1st Reading:
Passed:
Posted:
Effective:

CHARTER AMENDMENT RESOLUTION NUMBER.: 2023-1
RESOLUTION NUMBER _____

CHARTER RESOLUTION OF THE COUNCIL OF THE CITY OF GREENBELT, TO
AMEND §35, CITY MANAGER-APPOINTMENT; QUALIFICATIONS; TERM OF
OFFICE; REMOVAL; ACTING CITY MANAGER, TO PROVIDE THE COUNCIL THE
DISCRETION TO PERMIT A CITY MANAGER TO LIVE OUTSIDE THE CITY OF
GREENBELT, AND UPDATE GENDER REFERENCES TO THE CITY MANAGER

A Charter Resolution of the Council of the City of Greenbelt adopted pursuant to the authority of Article XI-E of the Constitution of Maryland and §4-301 *et-seq.*, Local Government Article, Annotated Code of Maryland as amended.

WHEREAS, §35, “City manager--Appointment; qualifications; term of office; removal; acting city manager” currently requires the City Manager be a resident of Greenbelt while fulfilling the role of City Manager; to provide the council the discretion to permit a city manager to live outside the City of Greenbelt; and,

WHEREAS, the Council believe that in the event of a vacancy in the City Manager position, it can select from a wider pool of qualified candidates to serve as City Manager by eliminating the residency requirement; and.

WHEREAS, the Council have determined that it is in the public interest to permit a City Manager to reside outside of the city limits of Greenbelt while in that position.

CAPS :Indicate matter added to existing law.
[Brackets] :Indicate matter deleted from law.
Asterisks *** :Indicate matter remaining unchanged in existing law but not set forth in Resolution.
CAPS :Indicate matter added in amendment.
[Brackets] :Indicate matter deleted from law.

Section 1. NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Greenbelt that §35 “City Manager--appointment; qualifications; term of office; removal; acting city manager,” to provide the Council the discretion to permit a city manager to live outside the City of Greenbelt, be repealed, re-enacted and amended to read as follows:

§35 City manager-appointment; qualifications; term of office; removal; acting city manager, TO PROVIDE THE COUNCIL THE DISCRETION TO PERMIT A CITY MANAGER TO LIVE OUTSIDE THE CITY OF GREENBELT.

(a) *Appointment; qualifications.* The Council shall appoint an officer whose title shall be city manager and who shall be the chief executive officer and the head of the administrative branch of the city government. The city manager shall be chosen by the council solely on the basis of his executive and administrative qualifications with special reference to his OR HER actual experience in, or his OR HER knowledge of, accepted practice in respect to the duties of his OR HER office as hereinafter outlined. At the time of his OR HER appointment he OR SHE need not be a resident of the city or state, **[but during his tenure of office he shall reside within the city]** AND MAY RESIDE OUTSIDE THE CITY WHILE IN OFFICE ONLY WITH THE APPROVAL OF THE COUNCIL. No person elected to membership on the council shall, subsequent to such election, be eligible for appointment as city manager until one (1) year has elapsed following the expiration of the term for which he OR SHE was elected. The council may permit the city manager to accept other employment not inconsistent with his OR HER duties, and to receive compensation for such employment, provided that before granting such permission the council shall be informed of the nature, extent and compensation of such employment.

(b) *Tenure.* The city manager shall be appointed for an indefinite term but the council may remove the manager from office in accordance with the following procedures:

- (1) The council shall adopt by affirmative vote of a majority of all its members a preliminary resolution which must state the reasons for removal and may suspend the manager from duty for a period not to exceed forty-five (45) days.

CAPS :Indicate matter added to existing law.

[Brackets] :Indicate matter deleted from law.

Asterisks *** :Indicate matter remaining unchanged in existing law but not set forth in Resolution.

CAPS :Indicate matter added in amendment.

[Brackets] :Indicate matter deleted from law.

A copy of the resolution shall be delivered promptly to the manager.

- (2) Within five (5) days after a copy of the resolution is delivered to the manager, he OR SHE may file with the council a written request for a private or a public hearing. This hearing shall be held at a council meeting not earlier than fifteen (15) days nor later than thirty (30) days after the request is filed. The manager may file with the council a written reply not later than five (5) days after the hearing.
- (3) The council may adopt a final resolution of removal, which may be made effective immediately, by affirmative vote of a majority of all its members at any time after five days from the date when a copy of the preliminary resolution was delivered to the manager, if he OR SHE has not requested a private or a public hearing or at any time after a hearing if he OR SHE has requested one. The manager shall continue to receive his OR HER salary until the effective date of a final resolution of removal. The action of the council in suspending or removing the manager shall not be subject to review by any court or agency.

(c) *Acting city manager.* The manager may recommend and the council may designate a qualified city administrative officer as acting city manager to exercise the power and perform the duties of the manager during any temporary absence or disability of the manager. The council may revoke such designation at any time and appoint another officer of the city as acting city manager.

Section 2. **BE IT FURTHER RESOLVED** by the Council of the City of Greenbelt that this charter resolution was introduced on the _____ day of February 2023, and was considered for adoption after a public hearing. It is adopted this _____, day of _____, 2023, after at least 21 days of prior public notice and shall become effective upon the fiftieth (50th) day after its passage by the city unless petition to referendum in accordance with § 4-304 of the Local Government Article, Annotated Code of Maryland within forty (40) days following its adoption. A complete and exact copy of this charter resolution shall be posted in the City offices located at

CAPS :Indicate matter added to existing law.
[Brackets] :Indicate matter deleted from law.
Asterisks *** :Indicate matter remaining unchanged in existing law but not set forth in Resolution.
CAPS :Indicate matter added in amendment.
[Brackets] :Indicate matter deleted from law.

25 Crescent Road, Greenbelt, Maryland 20770 for forty (40) days following its adoption by the Council and a fair summary of the charter resolution shall be published in the newspaper having general circulation in the city not less than four (4) times at weekly intervals, also within the forty (40) day period following its adoption by the City.

Section 3. **BE IT FURTHER RESOLVED** that within 10 days after the charter resolution hereby enacted becomes effective, either as herein provided or following referendum, the city manager for the City of Greenbelt shall send separately, by mail, bearing a postmark from the United States postal service, to the Department of Legislative Services, one copy of the following information concerning the charter resolution: (i) The complete text of this resolution; (ii) the date of referendum election, if any, held with respect thereto; (iii) the number of votes cast for and against this resolution by the Council of the City of Greenbelt or in the referendum; and (iv) the effective date of the charter resolution.

Section 4. **BE IT FURTHER RESOLVED** that the city manager of the City of Greenbelt be, and hereby is, specifically enjoined and instructed to carry out the provisions of Sections 2 and 3 as evidence of compliance herewith; and said city manager shall cause to be affixed to the minutes of this meeting (i) an appropriate certificate of publication of the newspaper in which the fair summary of the charter resolution shall have been published; and (ii) shall further cause to be completed and executed the municipal charter or annexation resolution registration form.

CAPS :Indicate matter added to existing law.
[Brackets] :Indicate matter deleted from law.
Asterisks *** :Indicate matter remaining unchanged in existing law but not set forth in Resolution.
CAPS :Indicate matter added in amendment.
[Brackets] :Indicate matter deleted from law.

Section 5. **BE IT FURTHER RESOLVED** that if any provision of this charter resolution or the application thereof to any person or circumstance is held invalid for any reason, such invalidity shall not effect the other provisions or any other application of this charter resolution which can be given effect without the invalid provisions or application, and to this end, all the provisions of this resolution and of the charter are hereby declared to be severable.

INTRODUCED, by the Council of the City of Greenbelt, at a regular meeting on the ____ day of February 2023.

ADOPTED, by the Council of the City of Greenbelt at a regular meeting on the ____ day of March 2023.

EFFECTIVE, the ____ day of _____, 2023.

By: _____
Emmett V. Jordan, Mayor

ATTEST:

Bonita Anderson, City Clerk

CAPS :Indicate matter added to existing law.
[Brackets] :Indicate matter deleted from law.
Asterisks *** :Indicate matter remaining unchanged in existing law but not set forth in Resolution.
CAPS :Indicate matter added in amendment.
[Brackets] :Indicate matter deleted from law.

City Council Agenda Item Report

Meeting Date: February 13, 2023

Submitted by: Shaniya Lashley-Mullen

Submitting Department: Administration

Item Type: OTHER BUSINESS

Agenda Section: OTHER BUSINESS (60 mins - 8:35 - 9:35 pm)

Subject:

Sponsorship Request Policy

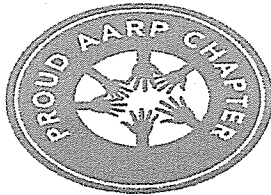
Suggested Action:

At the January 25th, 2023, Work Session, Council discussed attending and sponsoring the AARP Suitland Maryland Chapter 939 50th Anniversary Event held at Martins Crosswind in April, and an email Council received from the Greenbelt Middle School Student Government Association. Councilmember Davis requested that this item be added to the agenda.

Council approval is sought.

Attachments:

[AARP Suitland Maryland Chapter#939 Sponsorship Request.pdf](#)



AARP Chapters are separately
incorporated affiliates of AARP

October 31, 2022

To: Community Partner

From: Catherine Williamson, President
AARP Suitland, Maryland Chapter #939

As President of AARP Suitland, Maryland Chapter #939, I am pleased to share the great news with you! Our Chapter, the only AARP chapter in Prince George's County, will celebrate a significant milestone this year: its 50th Anniversary! To learn more about our Chapter and its history, please visit our website at <https://www.aarp939.org/about-us>

We are hosting a 50th Anniversary Celebration on April 14, 2023, from 11:00 AM to 3:00 PM, at Martin's Crosswinds, Greenbelt, Maryland, to celebrate this historic and momentous occasion. Our theme is "A Golden Celebration of our Past, Present, and Future."

As a part of our commemoration of this event, we are compiling a souvenir booklet. We would like to include a congratulatory letter from you or your organization in the booklet. **By February 21, 2023**, please forward the letter to our Chapter's email address at aarp939@yahoo.com or mail it to AARP Chapter #939, P.O. Box 471541, District Heights, Maryland 20753.

In addition to a congratulatory letter, we need your financial support by purchasing an ad or contributing as a sponsor, patron, or donor. Refer to the attachments for a description of options, costs of ads and sizes, instructions on how to respond and payment, and a critical deadline date.

Thank you in advance for supporting our 50th Anniversary Celebration and helping AARP Chapter #939 continue our commitment and dedication to serving and supporting Prince George's County residents.

Warmest regards.

Attachments:

AARP Chapter #939 50th Anniversary Sponsorship and Ads Requirements
50th Anniversary Flyer

City Council Agenda Item Report

Meeting Date: February 13, 2023

Submitted by: Shaniya Lashley-Mullen

Submitting Department: Administration

Item Type: OTHER BUSINESS

Agenda Section: OTHER BUSINESS (60 mins - 8:35 - 9:35 pm)

Subject:

State and County Legislation

Suggested Action:

HB7 - Electric Vehicle Recharging Equipment Rebate Program – Renewal

House Bill 7 – This bill extends the Electric Vehicle Recharging Equipment Rebate Program through fiscal year 2027, increases the maximum amount of rebates the Maryland Energy Administration (MEA) may award in each fiscal year to \$2.0 million, and requires the Governor to include at least \$2.0 million from the Strategic Energy Investment Fund (SEIF) for the program in the annual budget bill, for fiscal years 2025 through 2027.

The MML Legislative Committee voted to take no position on this legislation. It is recommended that Council support HB7.

SB222/HB284 – Environment - Reducing Packaging Materials - Producer Responsibility

Senate Bill 222/House Bill 284 – These bills require the Department of the Environment to conduct a statewide recycling needs assessment every 10 years; requiring, by April 1, 2026, producers of certain packaging materials to individually or as part of a producer responsibility organization submit a producer responsibility plan to the Department for approval; prohibiting, on or after a certain date, a producer of certain packaging materials from selling or distributing the packaging materials unless the producer has an approved producer responsibility plan.

The MML Legislative Committee voted to support this legislation with amendment. Council direction is sought.

HB289/SB282 – Maryland Forestry Education Fund - Establishment

House Bill 289/Senate Bill 282 – These bills establish the Maryland Forestry Education Fund, a special fund administered by the Maryland Forestry Foundation. In general, the purpose of the fund is to provide small grants and specified training, education, and outreach opportunities for forest landowners, district forestry boards, local governments, and businesses.

The MML Legislative Committee voted to support this legislation, as did the City in 2022. Council direction is sought.

SB229 – Vehicle Laws - Noise Abatement Monitoring Systems - Authorization, Use, and Penalties

Senate Bill 229 – This bill authorizes local governments to use noise abatement monitoring systems on State and local highways to record violations of State law governing maximum sound limits of motor vehicles. Any such system must be authorized by local law.

The MML Legislative Committee voted to support this legislation. Council direction is sought.

HB353 – Traffic Control Device Monitoring Systems - Authorization

House Bill 353 – This bill authorizes the use of traffic control device monitoring systems, devices designed to capture a recorded image of a violation, by State and local agencies, if authorized by local law; providing that the owner or driver of a motor vehicle recorded failing to obey a traffic control device is subject, under certain circumstances, to a citation and civil penalty not exceeding \$40; establishing certain defenses to a charge of an alleged violation recorded by a traffic control device monitoring system. Delegate Healey is the primary sponsor of this bill.

The MML Legislative Committee voted to support this legislation, as did the City in 2022. It is recommended that Council support HB353.

HB503 – Natural Resources – Greenspace Equity Program - Establishment

House Bill 503 – This bill establishes the Greenspace Equity Program in the Department of Natural Resources to provide grants to eligible applicants for enhancing the public health and livability of overburdened communities and underserved communities; requiring the Department to submit each grant award to the Board of Public Works for approval; requiring the Board of Public Works to approve or deny a proposed grant award submitted by the Department; and establishes the Greenspace Equity Advisory Board in the Department.

Council member Davis requested that this bill be added to tonight's agenda for discussion. Council direction is sought.

HB91 – Environment – Recycling – Hotels

House Bill 91 – This bill requires an owner, an operator, or a manager of a hotel to provide recycling for the guests of the hotel and recycle certain materials on or before a certain date; authorizing a county to require an owner, an operator, or a manager of a hotel to report recycling activities to the county in a certain manner; authorizing an enforcement unit, officer, or official of a county, a municipality, or any other local government to conduct inspections of a hotel to enforce certain provisions of this Act; and generally relating to recycling in hotels.

Council member Davis requested that this bill be added to tonight's agenda. It is recommended Council support HB91.

SB117 - State Highway Administration - Litter Collection and Mowing

Senate Bill 117 – This bill requires the State Highway Administration to collect litter and mow the grass along State highways and certain interstate highways with a certain frequency; requiring the Administration to contract with a certain company to collect litter and provide mowing services under the Act; and specifying that the provision of litter collection and mowing services under the Act be considered a supplemental environmental project for certain purposes.

Council member Davis requested that this bill be added to tonight's agenda for discussion. Council direction is sought.

Attachments:

[HB7 - EV Rebate Program.pdf](#)

[HB91 - Recycling - Hotels.pdf](#)

[HB289 - Forestry Education Fund.pdf](#)

[HB353 - Traffic Control Device Monitoring System.pdf](#)

[HB503 - Greenspace Equity Program Est.pdf](#)

[SB117 - SHA - Litter Collection & Mowing.pdf](#)

[SB222 - Reduce Packaging Material.pdf](#)

[SB229 - Noise Abatement Monitoring System.pdf](#)

HOUSE BILL 7

M5, C5

3lr0723

(PRE-FILED)

By: **Delegate Fraser-Hidalgo**

Requested: November 9, 2022

Introduced and read first time: January 11, 2023

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Electric Vehicle Recharging Equipment Rebate Program – Renewal**

3 FOR the purpose of altering the Electric Vehicle Recharging Equipment Rebate Program
4 by extending the duration of the Program, increasing the total amount of rebates
5 issued annually under the Program, repealing the rebates that may be issued to
6 retail service station dealers, limiting the issuance of rebates to one recharging
7 system per individual per address, and authorizing the Maryland Energy
8 Administration to offer additional benefits under certain circumstances; authorizing
9 the use of the Maryland Strategic Energy Investment Fund for the Program; and
10 generally relating to electric vehicle recharging equipment and the Maryland
11 Strategic Energy Investment Fund.

12 BY repealing and reenacting, with amendments,
13 Article – State Government
14 Section 9–2009 and 9–20B–05(f)(11) and (12)
15 Annotated Code of Maryland
16 (2021 Replacement Volume and 2022 Supplement)

17 BY repealing and reenacting, without amendments,
18 Article – State Government
19 Section 9–20B–05(a) and (g)
20 Annotated Code of Maryland
21 (2021 Replacement Volume and 2022 Supplement)

22 BY adding to
23 Article – State Government
24 Section 9–20B–05(f)(12)
25 Annotated Code of Maryland
26 (2021 Replacement Volume and 2022 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

Article – State Government

9–2009.

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

(2) “Electric vehicle recharging equipment rebate” means a rebate issued by the Administration under this section for the cost of qualified electric vehicle recharging equipment.

(3) **“PROGRAM” MEANS THE ELECTRIC VEHICLE RECHARGING EQUIPMENT REBATE PROGRAM.**

(4) “Qualified electric vehicle recharging equipment” means property in the State that is used for recharging motor vehicles propelled by electricity.

[(4) “Retail service station dealer” has the meaning stated in § 10–101 of the Business Regulation Article.]

(b) (1) There is an Electric Vehicle Recharging Equipment Rebate Program.

(2) The Administration shall administer the Program.

(c) (1) For fiscal years 2021 through [2023] **2027**, subject to the provisions of this section, an individual, a business entity, or a unit of State or local government may apply to the Administration for an electric vehicle recharging equipment rebate for the costs of acquiring and installing qualified electric vehicle recharging equipment.

(2) For each fiscal year, the total amount of rebates issued by the Administration may not exceed [\$1,800,000] **\$2,000,000**.

(3) The Administration may allow an applicant to include reasonable installation costs in the cost of qualified electric vehicle recharging equipment for the purpose of calculating the amount of an electric vehicle recharging equipment rebate.

(d) Subject to [subsection] **SUBSECTIONS (e) AND (F)** of this section, the Administration may issue an electric vehicle recharging equipment rebate to:

(1) an individual in an amount equal to the lesser of:

(i) 40% of the costs of acquiring and installing qualified electric vehicle recharging equipment; or

(ii) \$700; OR

(2) [except as provided in item (3) of this subsection,] a business entity or unit of State or local government in an amount equal to the lesser of:

(i) 40% of the costs of acquiring and installing qualified electric vehicle recharging equipment; or

(ii) \$4,000[; or

(3) a retail service station dealer in an amount equal to the lesser of:

(i) 40% of the costs of acquiring and installing qualified electric vehicle recharging equipment; or

(ii) \$5,000].

(e) (1) [An] **EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, AN** electric vehicle recharging equipment rebate issued under this section is limited to the acquisition of one recharging system per individual **PER ADDRESS**.

(2) **THE ADMINISTRATION MAY ALTER THE PROGRAM TO OFFER ADDITIONAL BENEFITS FOR THE INSTALLATION OF QUALIFIED ELECTRIC VEHICLE RECHARGING EQUIPMENT IN MULTIFAMILY HOUSING, PLANNED URBAN DEVELOPMENTS, AND CONDOMINIUMS LOCATED IN ENVIRONMENTAL JUSTICE COMMUNITIES.**

(f) (1) The Administration may adopt regulations to carry out this section.

(2) The regulations adopted under this subsection may include:

(i) further limitations on the maximum amount of an electric vehicle recharging equipment rebate that may be claimed by an applicant under subsection (d) of this section;

(ii) **ADDITIONAL BENEFITS FOR THE INSTALLATION OF QUALIFIED ELECTRIC VEHICLE RECHARGING EQUIPMENT IN MULTIFAMILY HOUSING, PLANNED URBAN DEVELOPMENTS, AND CONDOMINIUMS LOCATED IN ENVIRONMENTAL JUSTICE COMMUNITIES;**

(III) a requirement that an applicant demonstrate compliance with a State, local, or federal law that applies to the installation or operation of the qualified electric vehicle recharging equipment; and

[(iii)] (IV) any additional application and qualification requirements

[deemed] **THE ADMINISTRATION CONSIDERS** appropriate [by the Administration].

(G) NOTWITHSTANDING § 9-20B-05(G) OF THIS TITLE, FOR FISCAL YEARS 2025 THROUGH 2027, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF AT LEAST \$2,000,000 FROM THE MARYLAND STRATEGIC ENERGY INVESTMENT FUND FOR THE PROGRAM.

9-20B-05.

(a) There is a Maryland Strategic Energy Investment Fund.

(f) The Administration shall use the Fund:

(11) to provide at least \$500,000 each year to the Resiliency Hub Grant Program Fund under § 9-2011 of this title; [and]

(12) FOR THE ELECTRIC VEHICLE RECHARGING EQUIPMENT REBATE PROGRAM ESTABLISHED UNDER § 9-2009 OF THIS TITLE; AND

[(12)] (13) to pay the expenses of the Program.

(g) Proceeds received by the Fund from the sale of allowances under § 2-1002(g) of the Environment Article shall be allocated as follows:

(1) at least 50% shall be credited to an energy assistance account to be used for the Electric Universal Service Program and other electricity assistance programs in the Department of Human Services;

(2) at least 20% shall be credited to a low and moderate income efficiency and conservation programs account and to a general efficiency and conservation programs account for energy efficiency and conservation programs, projects, or activities and demand response programs, of which at least one-half shall be targeted to the low and moderate income efficiency and conservation programs account for:

(i) the low-income residential sector at no cost to the participants of the programs, projects, or activities; and

(ii) the moderate-income residential sector;

(3) at least 20% shall be credited to a renewable and clean energy programs account for:

(i) renewable and clean energy programs and initiatives;

(ii) energy-related public education and outreach; and

(iii) climate change and resiliency programs; and

(4) up to 10%, but not more than \$5,000,000, shall be credited to an administrative expense account for costs related to the administration of the Fund, including the review of electric company plans for achieving electricity savings and demand reductions that the electric companies are required under law to submit to the Administration.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2023.

HOUSE BILL 91

M3

3lr0810

HB 987/20 – ECM & ENT

(PRE-FILED)

By: **Delegate Amprey**

Requested: November 15, 2022

Introduced and read first time: January 11, 2023

Assigned to: Economic Matters and Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Environment – Recycling – Hotels**

3 FOR the purpose of requiring an owner, an operator, or a manager of a hotel to provide
4 recycling for the guests of the hotel and recycle certain materials on or before a
5 certain date; authorizing a county to require an owner, an operator, or a manager of
6 a hotel to report recycling activities to the county in a certain manner; authorizing
7 an enforcement unit, officer, or official of a county, a municipality, or any other local
8 government to conduct inspections of a hotel to enforce certain provisions of this Act;
9 and generally relating to recycling in hotels.

10 BY adding to
11 Article – Environment
12 Section 9–1711.1
13 Annotated Code of Maryland
14 (2014 Replacement Volume and 2022 Supplement)

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

17 **Article – Environment**

18 **9–1711.1.**

19 **(A) ON OR BEFORE OCTOBER 1, 2024, AN OWNER, AN OPERATOR, OR A**
20 **MANAGER OF A HOTEL SHALL:**

21 **(1) PROVIDE RECYCLING FOR THE GUESTS OF THE HOTEL,**
22 **INCLUDING:**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(I) THE COLLECTION OF RECYCLABLE MATERIALS FROM GUESTS AND COMMON AREAS OF THE HOTEL; AND

(II) THE REMOVAL OF RECYCLABLE MATERIALS COLLECTED FROM GUESTS AND COMMON AREAS OF THE HOTEL FOR FURTHER RECYCLING; AND

(2) RECYCLE ALL GLASS, PLASTIC, ALUMINUM, PAPER, AND PAPER PRODUCTS THAT ARE:

(I) USED BY THE HOTEL STAFF OR GUESTS; AND

(II) DISPOSED OF AT THE HOTEL.

(B) THE RECYCLING REQUIRED UNDER SUBSECTION (A) OF THIS SECTION SHALL BE CARRIED OUT IN ACCORDANCE WITH THE RECYCLING PLAN REQUIRED UNDER § 9-1703 OF THIS SUBTITLE FOR THE COUNTY IN WHICH THE HOTEL IS LOCATED.

(C) A COUNTY MAY REQUIRE AN OWNER, AN OPERATOR, OR A MANAGER OF A HOTEL TO REPORT TO THE COUNTY ON RECYCLING ACTIVITIES IN A MANNER DETERMINED BY THE COUNTY.

(D) AN ENFORCEMENT UNIT, OFFICER, OR OFFICIAL OF A COUNTY, A MUNICIPALITY, OR ANY OTHER LOCAL GOVERNMENT MAY CONDUCT INSPECTIONS OF A HOTEL TO ENFORCE SUBSECTION (A) OF THIS SECTION.

(E) (1) A PERSON THAT VIOLATES SUBSECTION (A) OR (B) OF THIS SECTION IS SUBJECT TO A CIVIL PENALTY NOT EXCEEDING \$150 FOR EACH DAY ON WHICH THE VIOLATION EXISTS.

(2) ANY PENALTIES COLLECTED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE PAID TO THE COUNTY, MUNICIPALITY, OR OTHER LOCAL GOVERNMENT THAT BROUGHT THE ENFORCEMENT ACTION.

(F) THIS SECTION DOES NOT:

(1) AFFECT THE AUTHORITY OF A COUNTY, A MUNICIPALITY, OR ANY OTHER LOCAL GOVERNMENT TO ENACT AND ENFORCE RECYCLING REQUIREMENTS, INCLUDING ESTABLISHING CIVIL PENALTIES FOR A HOTEL THAT ARE MORE STRINGENT THAN THE REQUIREMENTS OF THIS SECTION; OR

(2) REQUIRE A COUNTY TO MANAGE OR ENFORCE THE RECYCLING ACTIVITIES OF A HOTEL.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2023.

HOUSE BILL 289

M1
HB 876/22 – ENT

3lr1118
CF 3lr1477

By: **Delegate Stein**

Introduced and read first time: January 25, 2023

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Forestry Education Fund – Establishment**

3 FOR the purpose of establishing the Maryland Forestry Education Fund as a special,
4 nonlapsing fund to expand and enhance the Maryland Forestry Foundation's
5 capacity to provide certain education and resources to forest landowners, the ability
6 of district forestry boards and the knowledge of local governments to achieve healthy
7 and sustainable forests, and the ability of businesses to test innovative best
8 management practices in forestry; requiring interest earnings of the Fund to be
9 credited to the Fund; and generally relating to the Maryland Forestry Education
10 Fund.

11 BY adding to
12 Article – Natural Resources
13 Section 5–2001 to be under the new subtitle “Subtitle 20. Maryland Forestry
14 Education Fund”
15 Annotated Code of Maryland
16 (2018 Replacement Volume and 2022 Supplement)

17 BY repealing and reenacting, without amendments,
18 Article – State Finance and Procurement
19 Section 6–226(a)(2)(i)
20 Annotated Code of Maryland
21 (2021 Replacement Volume and 2022 Supplement)

22 BY repealing and reenacting, with amendments,
23 Article – State Finance and Procurement
24 Section 6–226(a)(2)(ii) 170. and 171.
25 Annotated Code of Maryland
26 (2021 Replacement Volume and 2022 Supplement)

27 BY adding to

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



Article – State Finance and Procurement
Section 6–226(a)(2)(ii)172.
Annotated Code of Maryland
(2021 Replacement Volume and 2022 Supplement)

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

Article – Natural Resources

SUBTITLE 20. MARYLAND FORESTRY EDUCATION FUND.

5–2001.

(A) IN THIS SECTION, “FUND” MEANS THE MARYLAND FORESTRY
EDUCATION FUND.

(B) THERE IS A MARYLAND FORESTRY EDUCATION FUND.

(C) THE PURPOSE OF THE FUND IS TO EXPAND AND ENHANCE:

(1) THE MARYLAND FORESTRY FOUNDATION’S CAPACITY TO
PROVIDE EDUCATION AND RESOURCES THAT SUPPORT MARYLAND’S FOREST
LANDOWNERS;

(2) THE ABILITY OF DISTRICT FORESTRY BOARDS AND THE
KNOWLEDGE OF LOCAL GOVERNMENTS IN MARYLAND TO ACHIEVE:

(I) ENVIRONMENTAL, ECONOMIC, AND SOCIAL
SUSTAINABILITY OF FOREST HEALTH; AND

(II) THE SUSTAINABLE MANAGEMENT OF FOREST RESOURCES;
AND

(3) THE ABILITY OF BUSINESSES TO TEST INNOVATIVE BEST
MANAGEMENT PRACTICES IN FORESTRY.

(D) THE MARYLAND FORESTRY FOUNDATION SHALL ADMINISTER THE
FUND.

(E) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT 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.

(F) THE FUND CONSISTS OF:

(1) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND;

(2) INTEREST EARNINGS; AND

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

(G) THE FUND MAY BE USED ONLY FOR:

(1) PROVIDING TRAINING AND EDUCATION TO FOREST LANDOWNERS, DISTRICT FORESTRY BOARDS, AND LOCAL GOVERNMENTS TO ENSURE THE LANDOWNERS, BOARDS, AND GOVERNMENTS ARE WELL INFORMED ON ADVANCES AND DEVELOPMENTS IN:

(I) HEALTHY FOREST MANAGEMENT;

(II) ECOLOGICAL SERVICE MARKETS;

(III) EMERGING FORESTRY THREATS;

(IV) CLIMATE SCIENCE;

(V) FOREST CONSERVATION;

(VI) URBAN FORESTRY;

(VII) SUSTAINABILITY SCIENCE;

(VIII) FORESTRY POLICY;

(IX) FORESTRY PRACTICES; AND

(X) RESOURCE OPTIONS THAT PROMOTE THE MULTIPLE BENEFITS OF FOREST MANAGEMENT;

(2) PROVIDING OUTREACH AND ENGAGEMENT THAT BUILDS LOCAL CAPACITY AND INSTITUTIONALIZES SUSTAINABILITY EFFORTS WITHIN COMMUNITIES AND THE DISTRICT FORESTRY BOARDS, INCLUDING:

(I) HOLDING A FOREST SUSTAINABILITY CONFERENCE ONCE EVERY 2 YEARS;

(II) IMPLEMENTING A PEER-TO-PEER LEARNING EXCHANGE;

AND

(III) PROVIDING HEALTHY FOREST PRESENTATIONS;

(3) DEVELOPING AND EXPANDING A HEALTHY FOREST EDUCATION AND CONSERVATION PROGRAM;

(4) IMPROVING THE OUTREACH OF DISTRICT FORESTRY BOARDS BY PROVIDING EDUCATION, RECOGNITION, STRATEGIES, AND ACTIONS THE BOARDS CAN IMPLEMENT;

(5) PROVIDING SMALL GRANTS TO DISTRICT FORESTRY BOARDS, FOREST LANDOWNERS, LOCAL GOVERNMENTS, AND BUSINESSES TO TEST INNOVATIVE BEST MANAGEMENT PRACTICES IN FORESTRY;

(6) RECOGNIZING THE EFFORTS FOREST LANDOWNERS AND LOCAL GOVERNMENTS MAKE TOWARD ACHIEVING HEALTHY, SUSTAINABLE FOREST MANAGEMENT; AND

(7) EXPENSES RELATED TO THE ADMINISTRATION OF THE FUND.

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

(2) ANY INTEREST EARNINGS OF THE FUND SHALL BE CREDITED TO THE FUND.

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

(J) MONEY EXPENDED FROM THE FUND FOR THE OUTREACH, TRAINING, EDUCATION, AND GRANTS UNDER SUBSECTION (G) OF THIS SECTION IS SUPPLEMENTAL TO AND IS NOT INTENDED TO TAKE THE PLACE OF FUNDING THAT OTHERWISE WOULD BE APPROPRIATED FOR FORESTRY EDUCATION AND OUTREACH.

(K) FOR FISCAL YEAR 2025 AND EACH FISCAL YEAR THEREAFTER, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF \$250,000 TO THE FUND.

Article – State Finance and Procurement

6–226.

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

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

9 170. the Cannabis Public Health Fund; [and]

10 171. the Community Reinvestment and Repair Fund; AND

11 **172. THE MARYLAND FORESTRY EDUCATION FUND.**

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
13 1, 2023.

HOUSE BILL 353

R5
HB 151/22 – ENT

3lr0976

By: **Delegates Healey, Allen, Holmes, and J. Long**

Introduced and read first time: January 26, 2023

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Traffic Control Device Monitoring Systems – Authorization**

3 FOR the purpose of authorizing the use of traffic control device monitoring systems by State
4 and local agencies, if authorized by local law; providing that the owner or driver of a
5 motor vehicle recorded failing to obey a traffic control device is subject to a citation
6 and a certain civil penalty under certain circumstances; establishing certain
7 defenses to a charge of an alleged violation recorded by a traffic control device
8 monitoring system; prohibiting a contractor administering a traffic control device
9 monitoring system from being compensated in a certain manner; and generally
10 relating to the use of traffic control device monitoring systems.

11 BY repealing and reenacting, with amendments,
12 Article – Courts and Judicial Proceedings
13 Section 4–401(13), 7–302(e)(1) through (3) and (4)(i), and 10–311
14 Annotated Code of Maryland
15 (2020 Replacement Volume and 2022 Supplement)

16 BY repealing and reenacting, without amendments,
17 Article – Transportation
18 Section 21–201(a)
19 Annotated Code of Maryland
20 (2020 Replacement Volume and 2022 Supplement)

21 BY adding to
22 Article – Transportation
23 Section 21–201.1
24 Annotated Code of Maryland
25 (2020 Replacement Volume and 2022 Supplement)

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **Article – Courts and Judicial Proceedings**

2 4–401.

3 Except as provided in § 4–402 of this subtitle, and subject to the venue provisions of
4 Title 6 of this article, the District Court has exclusive original civil jurisdiction in:

5 (13) A proceeding for a civil infraction under **§ 21–201.1**, § 21–202.1, §
6 21–704.1, § 21–706.1, § 21–809, § 21–810, § 21–1134, or § 24–111.3 of the Transportation
7 Article or § 10–112 of the Criminal Law Article;

8 7–302.

9 (e) (1) (ii) A citation issued pursuant to **§ 21–201.1**, § 21–202.1, § 21–706.1,
10 § 21–809, § 21–810, § 21–1134, or § 24–111.3 of the Transportation Article shall provide
11 that the person receiving the citation may elect to stand trial by notifying the issuing
12 agency of the person’s intention to stand trial at least 5 days prior to the date of payment
13 as set forth in the citation.

14 (ii) On receipt of the notice to stand trial, the agency shall forward
15 to the District Court having venue a copy of the citation and a copy of the notice from the
16 person who received the citation indicating the person’s intention to stand trial.

17 (iii) On receipt thereof, the District Court shall schedule the case for
18 trial and notify the defendant of the trial date under procedures adopted by the Chief Judge
19 of the District Court.

20 (2) (i) A citation issued as the result of a vehicle height monitoring
21 system, a traffic control signal monitoring system, [or] a speed monitoring system,
22 including a work zone speed control system, **OR A TRAFFIC CONTROL DEVICE**
23 **MONITORING SYSTEM** controlled by a political subdivision, a school bus monitoring
24 camera, or a bus lane monitoring system shall provide that, in an uncontested case, the
25 penalty shall be paid directly to that political subdivision.

26 (ii) A citation issued as the result of a traffic control signal
27 monitoring system or a work zone speed control system controlled by a State agency, or as
28 a result of a vehicle height monitoring system, a traffic control signal monitoring system, a
29 speed monitoring system, **A TRAFFIC CONTROL DEVICE MONITORING SYSTEM**, a school
30 bus monitoring camera, or a bus lane monitoring system in a case contested in District
31 Court, shall provide that the penalty shall be paid directly to the District Court.

32 (3) Civil penalties resulting from citations issued using a vehicle height
33 monitoring system, traffic control signal monitoring system, speed monitoring system,
34 work zone speed control system, **TRAFFIC CONTROL DEVICE MONITORING SYSTEM**,
35 school bus monitoring camera, or bus lane monitoring system that are collected by the

District Court shall be collected in accordance with subsection (a) of this section and distributed in accordance with § 12–118 of the Transportation Article.

(4) (i) Except as provided in paragraph (5) of this subsection, from the fines collected by a political subdivision as a result of violations enforced by speed monitoring systems, **TRAFFIC CONTROL DEVICE MONITORING SYSTEMS**, school bus monitoring cameras, or bus lane monitoring systems, a political subdivision:

1. May recover the costs of implementing and administering the speed monitoring systems, school bus monitoring cameras, or bus lane monitoring systems; and

2. Subject to subparagraphs (ii), (iii), and (iv) of this paragraph, may spend any remaining balance solely for public safety purposes, including pedestrian safety programs.

10–311.

(a) A recorded image of a motor vehicle produced by a traffic control signal monitoring system in accordance with § 21–202.1 of the Transportation Article is admissible in a proceeding concerning a civil citation issued under that section for a violation of § 21–202(h) of the Transportation Article without authentication.

(b) A recorded image of a motor vehicle produced by a speed monitoring system in accordance with § 21–809 or § 21–810 of the Transportation Article is admissible in a proceeding concerning a civil citation issued under that section for a violation of Title 21, Subtitle 8 of the Transportation Article without authentication.

(c) A recorded image of a motor vehicle produced by a school bus monitoring camera in accordance with § 21–706.1 of the Transportation Article is admissible in a proceeding concerning a civil citation issued under that section for a violation of § 21–706 of the Transportation Article without authentication.

(d) A recorded image of a motor vehicle produced by a vehicle height monitoring system in accordance with § 24–111.3 of the Transportation Article is admissible in a proceeding concerning a civil citation issued under that section for a violation of a State or local law restricting the presence of certain vehicles during certain times without authentication.

(e) A recorded image of a motor vehicle produced by a bus lane monitoring system in accordance with § 21–1134 of the Transportation Article is admissible in a proceeding concerning a civil citation issued under that section for a violation of § 21–1133 of the Transportation Article without authentication.

(f) **A RECORDED IMAGE OF A MOTOR VEHICLE PRODUCED BY A TRAFFIC CONTROL DEVICE MONITORING SYSTEM IN ACCORDANCE WITH § 21–201.1 OF THE TRANSPORTATION ARTICLE IS ADMISSIBLE IN A PROCEEDING CONCERNING A CIVIL**

CITATION ISSUED UNDER THAT SECTION FOR A VIOLATION OF § 21-201 OF THE
TRANSPORTATION ARTICLE WITHOUT AUTHENTICATION.

(G) In any other judicial proceeding, a recorded image produced by a vehicle height monitoring system, traffic control signal monitoring system, speed monitoring system, work zone speed control system, **TRAFFIC CONTROL DEVICE MONITORING SYSTEM**, school bus monitoring camera, or bus lane monitoring system is admissible as otherwise provided by law.

Article – Transportation

21-201.

(a) (1) Subject to the exceptions granted in this title to the driver of an emergency vehicle, the driver of any vehicle, unless otherwise directed by a police officer, shall obey the instructions of any traffic control device applicable to the vehicle and placed in accordance with the Maryland Vehicle Law.

(2) The driver of a vehicle approaching an intersection controlled by a traffic control device may not drive across private property or leave the roadway for the purpose of avoiding the instructions of a traffic control device.

21-201.1.

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

(2) “AGENCY” MEANS:

(I) A LAW ENFORCEMENT AGENCY THAT IS AUTHORIZED TO ISSUE A CITATION FOR A VIOLATION OF THE MARYLAND VEHICLE LAW OR OF LOCAL TRAFFIC LAWS OR REGULATIONS; OR

(II) FOR A MUNICIPAL CORPORATION THAT DOES NOT MAINTAIN A POLICE FORCE, AN AGENCY ESTABLISHED OR DESIGNATED BY THE MUNICIPAL CORPORATION TO IMPLEMENT THIS SUBTITLE USING TRAFFIC CONTROL DEVICE MONITORING SYSTEMS IN ACCORDANCE WITH THIS SECTION.

(3) (I) “OWNER” MEANS THE REGISTERED OWNER OF A MOTOR VEHICLE OR LESSEE OF A MOTOR VEHICLE UNDER A LEASE OF 6 MONTHS OR MORE.

(II) “OWNER” DOES NOT INCLUDE:

1. A MOTOR VEHICLE LEASING COMPANY; OR

1 **2. A HOLDER OF A SPECIAL REGISTRATION PLATE**
2 **ISSUED UNDER TITLE 13, SUBTITLE 9, PART III OF THIS ARTICLE.**

3 **(4) “RECORDED IMAGE” MEANS IMAGES RECORDED BY A TRAFFIC**
4 **CONTROL DEVICE MONITORING SYSTEM:**

5 **(I) ON:**

- 6 1. **TWO OR MORE PHOTOGRAPHS;**
- 7 2. **TWO OR MORE MICROPHOTOGRAPHS;**
- 8 3. **TWO OR MORE ELECTRONIC IMAGES;**
- 9 4. **VIDEOTAPE; OR**
- 10 5. **ANY OTHER MEDIUM; AND**

11 **(II) SHOWING A MOTOR VEHICLE AND, ON AT LEAST ONE IMAGE**
12 **OR PORTION OF TAPE, CLEARLY IDENTIFYING THE REGISTRATION PLATE NUMBER**
13 **OF THE MOTOR VEHICLE.**

14 **(5) “TRAFFIC CONTROL DEVICE MONITORING SYSTEM” MEANS A**
15 **DEVICE DESIGNED TO CAPTURE A RECORDED IMAGE OF A VIOLATION.**

16 **(6) (I) “VIOLATION” MEANS A VIOLATION OF § 21-201 OF THIS**
17 **SUBTITLE.**

18 **(II) “VIOLATION” DOES NOT INCLUDE ANY ACTION A DRIVER IS**
19 **INSTRUCTED TO TAKE BY A POLICE OFFICER.**

20 **(B) (1) SUBJECT TO PARAGRAPHS (2) THROUGH (5) OF THIS**
21 **SUBSECTION, AN AGENCY MAY USE TRAFFIC CONTROL DEVICE MONITORING**
22 **SYSTEMS:**

23 **(I) ON HIGHWAYS MAINTAINED BY A LOCAL JURISDICTION, IF**
24 **AUTHORIZED BY THE GOVERNING BODY OF THE LOCAL JURISDICTION; OR**

25 **(II) ON STATE HIGHWAYS, IF AUTHORIZED BY THE STATE**
26 **HIGHWAY ADMINISTRATION.**

(2) A TRAFFIC CONTROL DEVICE MONITORING SYSTEM MAY NOT BE USED IN A LOCAL JURISDICTION UNDER THIS SECTION UNLESS ITS USE IS AUTHORIZED BY THE GOVERNING BODY OF THE LOCAL JURISDICTION BY LOCAL LAW ENACTED AFTER REASONABLE NOTICE AND A PUBLIC HEARING.

(3) BEFORE A COUNTY MAY USE A TRAFFIC CONTROL DEVICE MONITORING SYSTEM ON STATE HIGHWAYS LOCATED WITHIN A MUNICIPAL CORPORATION, THE COUNTY SHALL:

(I) OBTAIN THE APPROVAL OF THE STATE HIGHWAY ADMINISTRATION;

(II) NOTIFY THE MUNICIPAL CORPORATION OF THE STATE HIGHWAY ADMINISTRATION'S APPROVAL OF THE USE OF THE TRAFFIC CONTROL DEVICE MONITORING SYSTEM ON THE STATE HIGHWAYS WITHIN THE MUNICIPAL CORPORATION; AND

(III) GRANT THE MUNICIPAL CORPORATION 60 DAYS AFTER THE DATE OF THE COUNTY'S NOTICE TO THE MUNICIPAL CORPORATION TO ENACT AN ORDINANCE AUTHORIZING THE MUNICIPAL CORPORATION INSTEAD OF THE COUNTY TO USE A TRAFFIC CONTROL DEVICE MONITORING SYSTEM.

(4) BEFORE BEGINNING USE OF TRAFFIC CONTROL DEVICE MONITORING SYSTEMS, AN AGENCY SHALL PUBLISH NOTICE THAT THE AGENCY HAS ADOPTED THE USE OF TRAFFIC CONTROL DEVICE MONITORING SYSTEMS ON ITS WEBSITE AND IN A NEWSPAPER OF GENERAL CIRCULATION IN THE JURISDICTION IN WHICH THE TRAFFIC CONTROL DEVICE MONITORING SYSTEM WILL BE USED.

(5) (I) A LOCAL JURISDICTION THAT USES A TRAFFIC CONTROL DEVICE MONITORING SYSTEM SHALL PROMINENTLY PLACE SIGNS ON HIGHWAYS WITHIN THE LOCAL JURISDICTION PROVIDING NOTICE THAT TRAFFIC CONTROL DEVICE MONITORING SYSTEMS ARE USED IN THE JURISDICTION.

(II) THE STATE HIGHWAY ADMINISTRATION SHALL PLACE SIGNS PROMINENTLY PROVIDING NOTICE THAT TRAFFIC CONTROL DEVICE MONITORING SYSTEMS ARE IN USE ON STATE HIGHWAYS.

(C) A RECORDED IMAGE UNDER THIS SECTION INDICATING THAT THE DRIVER OF A MOTOR VEHICLE HAS COMMITTED A VIOLATION SHALL INCLUDE:

(1) THE TIME AND DATE OF THE VIOLATION; AND

(2) TO THE EXTENT POSSIBLE, THE LOCATION OF THE VIOLATION.

(D) (1) UNLESS THE DRIVER OF THE MOTOR VEHICLE RECEIVED A CITATION FROM A POLICE OFFICER AT THE TIME OF THE VIOLATION, THE OWNER OR, IN ACCORDANCE WITH SUBSECTION (E)(3) OR (G)(4) OR (5) OF THIS SECTION, THE DRIVER OF A MOTOR VEHICLE IS SUBJECT TO A CIVIL PENALTY IF THE MOTOR VEHICLE IS RECORDED BY A TRAFFIC CONTROL DEVICE MONITORING SYSTEM DURING THE COMMISSION OF A VIOLATION.

(2) A CIVIL PENALTY UNDER THIS SUBSECTION MAY NOT EXCEED \$40.

(3) FOR PURPOSES OF THIS SECTION, THE DISTRICT COURT SHALL PRESCRIBE:

(I) A UNIFORM CITATION FORM CONSISTENT WITH SUBSECTION (E)(1) OF THIS SECTION AND § 7-302 OF THE COURTS ARTICLE; AND

(II) A CIVIL PENALTY, WHICH SHALL BE INDICATED ON THE CITATION, TO BE PAID BY PERSONS WHO CHOOSE TO PREPAY THE CIVIL PENALTY WITHOUT APPEARING IN DISTRICT COURT.

(E) (1) SUBJECT TO THE PROVISIONS OF PARAGRAPHS (2) THROUGH (5) OF THIS SUBSECTION, AN AGENCY SHALL MAIL TO THE OWNER LIABLE UNDER SUBSECTION (D) OF THIS SECTION A CITATION THAT SHALL INCLUDE:

(I) THE NAME AND ADDRESS OF THE REGISTERED OWNER OF THE VEHICLE;

(II) THE REGISTRATION NUMBER OF THE MOTOR VEHICLE INVOLVED IN THE VIOLATION;

(III) THE VIOLATION CHARGED;

(IV) TO THE EXTENT POSSIBLE, THE LOCATION OF THE VIOLATION;

(V) THE DATE AND TIME OF THE VIOLATION;

(VI) A COPY OF THE RECORDED IMAGE;

(VII) THE AMOUNT OF THE CIVIL PENALTY IMPOSED AND THE DATE BY WHICH THE CIVIL PENALTY MUST BE PAID;

(VIII) A SIGNED STATEMENT BY A TECHNICIAN EMPLOYED BY THE AGENCY THAT, BASED ON THE INSPECTION OF THE RECORDED IMAGE, THE MOTOR VEHICLE WAS BEING OPERATED DURING THE COMMISSION OF A VIOLATION;

(IX) A STATEMENT THAT THE RECORDED IMAGE IS EVIDENCE OF A VIOLATION; AND

(X) INFORMATION ADVISING THE PERSON ALLEGED TO BE LIABLE UNDER THIS SECTION:

1. OF THE MANNER AND TIME IN WHICH LIABILITY AS ALLEGED IN THE CITATION MAY BE CONTESTED IN THE DISTRICT COURT; AND

2. THAT FAILURE TO PAY THE CIVIL PENALTY OR TO CONTEST LIABILITY IN A TIMELY MANNER IS AN ADMISSION OF LIABILITY AND MAY RESULT IN REFUSAL OR SUSPENSION OF THE MOTOR VEHICLE REGISTRATION.

(2) THE AGENCY MAY MAIL A WARNING NOTICE IN PLACE OF A CITATION TO THE OWNER LIABLE UNDER SUBSECTION (D) OF THIS SECTION.

(3) (I) BEFORE MAILING A CITATION TO A MOTOR VEHICLE RENTAL COMPANY LIABLE UNDER SUBSECTION (D) OF THIS SECTION, AN AGENCY SHALL MAIL A NOTICE TO THE MOTOR VEHICLE RENTAL COMPANY STATING THAT A CITATION WILL BE MAILED TO THE MOTOR VEHICLE RENTAL COMPANY UNLESS, WITHIN 45 DAYS AFTER RECEIVING THE NOTICE, THE MOTOR VEHICLE RENTAL COMPANY PROVIDES THE AGENCY WITH:

1. A STATEMENT MADE UNDER OATH THAT STATES THE NAME AND LAST KNOWN MAILING ADDRESS OF THE INDIVIDUAL DRIVING OR RENTING THE MOTOR VEHICLE WHEN THE VIOLATION OCCURRED;

2. A. A STATEMENT MADE UNDER OATH THAT STATES THAT THE MOTOR VEHICLE RENTAL COMPANY IS UNABLE TO DETERMINE WHO WAS DRIVING THE VEHICLE AT THE TIME THE VIOLATION OCCURRED BECAUSE THE MOTOR VEHICLE WAS STOLEN AT THE TIME OF THE VIOLATION; AND

B. A COPY OF THE POLICE REPORT ASSOCIATED WITH THE MOTOR VEHICLE THEFT CLAIMED UNDER ITEM A OF THIS ITEM; OR

3. PAYMENT FOR THE PENALTY ASSOCIATED WITH THE VIOLATION.

1 (II) AN AGENCY MAY NOT MAIL A CITATION TO A MOTOR
2 VEHICLE RENTAL COMPANY LIABLE UNDER SUBSECTION (D) OF THIS SECTION IF
3 THE MOTOR VEHICLE RENTAL COMPANY COMPLIES WITH SUBPARAGRAPH (I) OF
4 THIS PARAGRAPH.

5 (4) EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION
6 AND SUBSECTION (G)(4) AND (5) OF THIS SECTION, A CITATION ISSUED UNDER THIS
7 SECTION SHALL BE MAILED NOT LATER THAN 2 WEEKS AFTER THE ALLEGED
8 VIOLATION.

9 (5) A PERSON WHO RECEIVES A CITATION UNDER PARAGRAPH (1) OF
10 THIS SUBSECTION MAY:

11 (I) PAY THE CIVIL PENALTY IN ACCORDANCE WITH
12 INSTRUCTIONS ON THE CITATION; OR

13 (II) ELECT TO STAND TRIAL FOR THE ALLEGED VIOLATION.

14 (F) (1) A CERTIFICATE ALLEGING THAT A VIOLATION OCCURRED, SWORN
15 TO OR AFFIRMED BY A DULY AUTHORIZED LAW ENFORCEMENT OFFICER EMPLOYED
16 BY OR UNDER CONTRACT WITH AN AGENCY, BASED ON THE INSPECTION OF A
17 RECORDED IMAGE, SHALL BE EVIDENCE OF THE FACTS CONTAINED IN THE
18 CERTIFICATE AND SHALL BE ADMISSIBLE IN ANY PROCEEDING CONCERNING THE
19 ALLEGED VIOLATION.

20 (2) ADJUDICATION OF LIABILITY SHALL BE BASED ON
21 PREPONDERANCE OF THE EVIDENCE.

22 (G) (1) THE DISTRICT COURT MAY CONSIDER IN DEFENSE OF A
23 VIOLATION:

24 (I) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THAT
25 THE MOTOR VEHICLE OR REGISTRATION PLATES OF THE MOTOR VEHICLE WERE
26 STOLEN BEFORE THE VIOLATION OCCURRED AND WERE NOT UNDER THE CONTROL
27 OR POSSESSION OF THE OWNER AT THE TIME OF THE VIOLATION;

28 (II) SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION,
29 EVIDENCE THAT THE PERSON NAMED IN THE CITATION WAS NOT OPERATING THE
30 VEHICLE AT THE TIME OF THE VIOLATION; AND

31 (III) ANY OTHER ISSUES AND EVIDENCE THAT THE DISTRICT
32 COURT CONSIDERS PERTINENT.

1 **(2) TO DEMONSTRATE THAT THE MOTOR VEHICLE OR THE**
2 **REGISTRATION PLATES WERE STOLEN BEFORE THE VIOLATION OCCURRED AND**
3 **WERE NOT UNDER THE CONTROL OR POSSESSION OF THE OWNER AT THE TIME OF**
4 **THE VIOLATION, THE OWNER MUST SUBMIT PROOF THAT A POLICE REPORT ABOUT**
5 **THE STOLEN MOTOR VEHICLE OR REGISTRATION PLATES WAS FILED IN A TIMELY**
6 **MANNER.**

7 **(3) TO SATISFY THE EVIDENTIARY BURDEN UNDER PARAGRAPH**
8 **(1)(II) OF THIS SUBSECTION, THE PERSON NAMED IN THE CITATION SHALL PROVIDE**
9 **TO THE DISTRICT COURT EVIDENCE TO THE SATISFACTION OF THE DISTRICT**
10 **COURT OF WHO WAS OPERATING THE VEHICLE AT THE TIME OF THE VIOLATION,**
11 **INCLUDING, AT A MINIMUM, THE OPERATOR'S NAME AND CURRENT ADDRESS.**

12 **(4) (I) THE PROVISIONS OF THIS PARAGRAPH APPLY ONLY TO A**
13 **CITATION THAT INVOLVES A CLASS E (TRUCK) VEHICLE WITH A REGISTERED GROSS**
14 **WEIGHT OF 26,001 POUNDS OR MORE, CLASS F (TRACTOR) VEHICLE, CLASS G**
15 **(TRAILER) VEHICLE OPERATED IN COMBINATION WITH A CLASS F (TRACTOR)**
16 **VEHICLE, OR CLASS P (PASSENGER BUS) VEHICLE.**

17 **(II) TO SATISFY THE EVIDENTIARY BURDEN UNDER**
18 **PARAGRAPH (1)(II) OF THIS SUBSECTION, THE PERSON NAMED IN A CITATION**
19 **DESCRIBED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH MAY PROVIDE TO THE**
20 **DISTRICT COURT A LETTER, SWORN TO OR AFFIRMED BY THE PERSON AND MAILED**
21 **BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED, THAT:**

22 **1. STATES THAT THE PERSON NAMED IN THE CITATION**
23 **WAS NOT OPERATING THE VEHICLE AT THE TIME OF THE VIOLATION; AND**

24 **2. PROVIDES THE NAME, ADDRESS, AND DRIVER'S**
25 **LICENSE IDENTIFICATION NUMBER OF THE PERSON WHO WAS OPERATING THE**
26 **VEHICLE AT THE TIME OF THE VIOLATION.**

27 **(5) (I) IF THE DISTRICT COURT FINDS THAT THE PERSON NAMED**
28 **IN THE CITATION WAS NOT OPERATING THE VEHICLE AT THE TIME OF THE**
29 **VIOLATION OR RECEIVES EVIDENCE UNDER PARAGRAPH (4)(II)2 OF THIS**
30 **SUBSECTION IDENTIFYING THE PERSON DRIVING THE VEHICLE AT THE TIME OF THE**
31 **VIOLATION, THE CLERK OF COURT SHALL PROVIDE TO THE AGENCY ISSUING THE**
32 **CITATION A COPY OF ANY EVIDENCE SUBSTANTIATING WHO WAS OPERATING THE**
33 **VEHICLE AT THE TIME OF THE VIOLATION.**

34 **(II) ON RECEIPT OF SUBSTANTIATING EVIDENCE FROM THE**
35 **DISTRICT COURT UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE AGENCY**
36 **MAY ISSUE A CITATION AS PROVIDED IN SUBSECTION (E) OF THIS SECTION TO THE**

1 PERSON WHO THE EVIDENCE INDICATES WAS OPERATING THE VEHICLE AT THE TIME
2 OF THE VIOLATION.

3 (III) A CITATION ISSUED UNDER SUBPARAGRAPH (II) OF THIS
4 PARAGRAPH SHALL BE MAILED NOT LATER THAN 2 WEEKS AFTER RECEIPT OF THE
5 EVIDENCE FROM THE DISTRICT COURT.

6 (H) IF THE CIVIL PENALTY IS NOT PAID AND THE VIOLATION IS NOT
7 CONTESTED, THE ADMINISTRATION MAY REFUSE TO REGISTER OR REREGISTER OR
8 MAY SUSPEND THE REGISTRATION OF THE MOTOR VEHICLE.

9 (I) A VIOLATION FOR WHICH A CIVIL PENALTY IS IMPOSED UNDER THIS
10 SECTION:

11 (1) IS NOT A MOVING VIOLATION FOR THE PURPOSE OF ASSESSING
12 POINTS UNDER § 16-402 OF THIS ARTICLE AND MAY NOT BE RECORDED BY THE
13 ADMINISTRATION ON THE DRIVING RECORD OF THE OWNER OR DRIVER OF THE
14 VEHICLE; AND

15 (2) MAY NOT BE CONSIDERED IN THE PROVISION OF MOTOR VEHICLE
16 INSURANCE COVERAGE.

17 (J) IN CONSULTATION WITH LAW ENFORCEMENT AGENCIES, THE CHIEF
18 JUDGE OF THE DISTRICT COURT SHALL ADOPT PROCEDURES FOR THE ISSUANCE
19 OF CITATIONS, TRIALS FOR VIOLATIONS, AND THE COLLECTION OF CIVIL PENALTIES
20 IMPOSED UNDER THIS SECTION.

21 (K) (1) AN AGENCY OR AN AGENT OR A CONTRACTOR DESIGNATED BY THE
22 AGENCY SHALL ADMINISTER AND PROCESS CIVIL CITATIONS ISSUED UNDER THIS
23 SECTION IN COORDINATION WITH THE DISTRICT COURT.

24 (2) IF A CONTRACTOR IN ANY MANNER OPERATES A TRAFFIC
25 CONTROL DEVICE MONITORING SYSTEM OR ADMINISTERS OR PROCESSES
26 CITATIONS GENERATED BY A TRAFFIC CONTROL DEVICE MONITORING SYSTEM ON
27 BEHALF OF A LOCAL JURISDICTION, THE CONTRACTOR'S FEE MAY NOT BE
28 CONTINGENT ON A PER-TICKET BASIS ON THE NUMBER OF CITATIONS ISSUED OR
29 PAID.

30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
31 October 1, 2023.

HOUSE BILL 503

M1

3lr1860

By: **Delegates Stein, Lehman, Addison, Allen, Boyce, Bridges, Edelson, Healey, Ruth, Smith, and Stewart**

Introduced and read first time: January 30, 2023

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Natural Resources – Greenspace Equity Program – Establishment**

3 FOR the purpose of establishing the Greenspace Equity Program in the Department of
4 Natural Resources to provide grants to eligible applicants for enhancing the public
5 health and livability of overburdened communities and underserved communities by
6 implementing projects to preserve, create, and enhance community greenspace;
7 requiring the Department to submit each grant award to the Board of Public Works
8 for approval before awarding a grant under the Program; requiring the Board of
9 Public Works to approve or deny a proposed grant award submitted by the
10 Department; establishing the Greenspace Equity Advisory Board in the Department
11 to serve as a consultant to the Department in the implementation and
12 administration of the Program; and generally relating to the Greenspace Equity
13 Program.

14 BY repealing and reenacting, without amendments,
15 Article – Environment
16 Section 1–701(a)(1), (7), and (8)
17 Annotated Code of Maryland
18 (2013 Replacement Volume and 2022 Supplement)

19 BY repealing and reenacting, without amendments,
20 Article – Natural Resources
21 Section 5–903(a)(1) and (2)(i)
22 Annotated Code of Maryland
23 (2018 Replacement Volume and 2022 Supplement)

24 BY repealing
25 Article – Natural Resources
26 Section 5–903(a)(2)(vi)
27 Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(2018 Replacement Volume and 2022 Supplement)

BY adding to

Article – Natural Resources

Section 5–903(a)(2)(vi); and 5–9D–01 through 5–9D–04 to be under the new subtitle

“Subtitle 9D. Greenspace Equity Program”

Annotated Code of Maryland

(2018 Replacement Volume and 2022 Supplement)

BY repealing and reenacting, without amendments,

Article – Real Property

Section 14–501

Annotated Code of Maryland

(2015 Replacement Volume and 2022 Supplement)

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

That the Laws of Maryland read as follows:

Article – Environment

1–701.

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

(7) “Overburdened community” means any census tract for which three or more of the following environmental health indicators are above the 75th percentile statewide:

(i) Particulate matter (PM) 2.5;

(ii) Ozone;

(iii) National Air Toxics Assessment (NATA) diesel PM;

(iv) NATA cancer risk;

(v) NATA respiratory hazard index;

(vi) Traffic proximity;

(vii) Lead paint indicator;

(viii) National Priorities List Superfund site proximity;

(ix) Risk Management Plan facility proximity;

(x) Hazardous waste proximity;

- (xi) Wastewater discharge indicator;
- (xii) Proximity to a Concentrated Animal Feeding Operation (CAFO);
- (xiii) Percent of the population lacking broadband coverage;
- (xiv) Asthma emergency room discharges;
- (xv) Myocardial infarction discharges;
- (xvi) Low-birth-weight infants;
- (xvii) Proximity to emitting power plants;
- (xviii) Proximity to a Toxic Release Inventory (TRI) facility;
- (xix) Proximity to a brownfields site;
- (xx) Proximity to mining operations; and
- (xxi) Proximity to a hazardous waste landfill.

(8) “Underserved community” means any census tract in which, according to the most recent U.S. Census Bureau Survey:

- (i) At least 25% of the residents qualify as low-income;
- (ii) At least 50% of the residents identify as nonwhite; or
- (iii) At least 15% of the residents have limited English proficiency.

Article – Natural Resources

5–903.

(a) (1) (i) Of the funds distributed to Program Open Space under § 13–209 of the Tax – Property Article, up to \$3,000,000 may be transferred by an appropriation in the State budget, or by an amendment to the State budget under Title 7, Subtitle 2 of the State Finance and Procurement Article, to the Maryland Heritage Areas Authority Financing Fund established under Title 13, Subtitle 11 of the Financial Institutions Article to be used for the purposes provided in that subtitle.

(ii) Of the amount transferred under subparagraph (i) of this paragraph, up to \$300,000 may be distributed to the Maryland Historical Trust within the Department of Planning to be awarded as noncapital historic preservation grants.

(2) (i) 1. Of the remaining funds not appropriated under paragraph (1) of this subsection:

A. One half of the funds shall be used for recreation and open space purposes by the Department and the Historic St. Mary's City Commission; and

B. 20% of the funds or \$21,000,000, whichever is greater, shall be appropriated to the Forest and Park Service in the Department to operate State forests and parks.

2. Except as otherwise provided in this section, any funds the General Assembly appropriates to the State under this subsection shall be used only for land acquisition projects.

[(vi) For each of fiscal years 2010 through 2015, \$1,217,000 of the State's share of funds available under subparagraph (i)1A of this paragraph may be appropriated in the budgets of the Department, the Department of General Services, and the Department of Planning for expenses necessary to administer this Program.]

(VI) A PORTION OF THE STATE'S SHARE OF FUNDS AVAILABLE UNDER SUBPARAGRAPH (I)1A OF THIS PARAGRAPH FOR THIS PROGRAM SHALL BE TRANSFERRED BY AN APPROPRIATION IN THE STATE BUDGET TO THE GREENSPACE EQUITY PROGRAM ESTABLISHED UNDER SUBTITLE 9D OF THIS TITLE AS FOLLOWS:

1. FOR FISCAL YEAR 2025, \$5,000,000;

2. FOR FISCAL YEAR 2026, \$7,000,000; AND

3. FOR FISCAL YEAR 2027 AND EACH FISCAL YEAR THEREAFTER, \$10,000,000.

SUBTITLE 9D. GREENSPACE EQUITY PROGRAM.

5-9D-01.

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

(B) "BOARD" MEANS THE GREENSPACE EQUITY ADVISORY BOARD.

(C) (1) "COMMUNITY GREENSPACE" MEANS A COMMUNITY SPACE THAT ENHANCES THE PUBLIC HEALTH AND LIVABILITY OF AN OVERBURDENED COMMUNITY OR AN UNDERSERVED COMMUNITY.

(2) "COMMUNITY GREENSPACE" INCLUDES:

1 (I) A COMMUNITY GARDEN;

2 (II) A COMMUNITY GATHERING OPEN SPACE AREA;

3 (III) A COMMUNITY WOODLAND;

4 (IV) A GREEN NETWORK;

5 (V) A PARK;

6 (VI) A TRAIL; AND

7 (VII) AN URBAN FARM.

8 (D) “ELIGIBLE APPLICANT” MEANS:

9 (1) A LAND TRUST OR NONGOVERNMENTAL ORGANIZATION LOCATED
10 OR WORKING IN AN OVERBURDENED COMMUNITY OR AN UNDERSERVED
11 COMMUNITY WHERE A PROJECT IS PROPOSED TO BE IMPLEMENTED; OR

12 (2) A COUNTY OR MUNICIPALITY.

13 (E) “GREEN NETWORK” MEANS A SYSTEM OF GREENSPACES THAT ARE
14 INTERCONNECTED BY LINEAR CORRIDORS THAT FACILITATE THE MOVEMENT OF
15 PEOPLE AND WILDLIFE.

16 (F) “LAND TRUST” MEANS AN ORGANIZATION THAT:

17 (1) IS A QUALIFIED ORGANIZATION UNDER § 170(H)(3) OF THE
18 INTERNAL REVENUE CODE AND ANY REGULATIONS ADOPTED UNDER THAT
19 SECTION;

20 (2) HAS EXECUTED A COOPERATIVE AGREEMENT WITH THE
21 MARYLAND ENVIRONMENTAL TRUST; OR

22 (3) IS AN AFFORDABLE HOUSING LAND TRUST AS DEFINED IN §
23 14-501 OF THE REAL PROPERTY ARTICLE.

24 (G) “OVERBURDENED COMMUNITY” HAS THE MEANING STATED IN § 1-701
25 OF THE ENVIRONMENT ARTICLE.

26 (H) “PROGRAM” MEANS THE GREENSPACE EQUITY PROGRAM.

(I) “STEWARDSHIP” MEANS ACTIVITIES UNDERTAKEN TO MAINTAIN THE CONSERVATION VALUES AND PUBLIC USE OF A PROPERTY.

(J) “UNDERSERVED COMMUNITY” HAS THE MEANING STATED IN § 1-701 OF THE ENVIRONMENT ARTICLE.

5-9D-02.

(A) THERE IS A GREENSPACE EQUITY PROGRAM IN THE DEPARTMENT.

(B) THE PURPOSE OF THE PROGRAM IS TO ENHANCE THE PUBLIC HEALTH AND LIVABILITY OF OVERBURDENED COMMUNITIES AND UNDERSERVED COMMUNITIES BY IMPLEMENTING PROJECTS TO PRESERVE, CREATE, AND ENHANCE COMMUNITY GREENSPACE.

(C) (1) THE PROGRAM IS ADMINISTERED BY THE DEPARTMENT.

(2) IN ADMINISTERING THE PROGRAM, THE DEPARTMENT SHALL:

(I) DEVELOP A GRANT APPLICATION FOR THE PROGRAM;

(II) PUBLICIZE THE PROGRAM;

(III) PROVIDE TECHNICAL ASSISTANCE TO PROGRAM APPLICANTS;

(IV) AWARD GRANTS TO ELIGIBLE APPLICANTS; AND

(V) CONSULT WITH THE BOARD.

(D) A GRANT APPLICATION SUBMITTED TO THE DEPARTMENT FOR THE PROGRAM SHALL INCLUDE EVIDENCE OF SUPPORT FROM THE LOCAL GOVERNMENT AND THE OVERBURDENED COMMUNITY OR UNDERSERVED COMMUNITY IN WHICH THE PROJECT WILL BE LOCATED.

(E) (1) (I) BEGINNING IN FISCAL YEAR 2025, THE DEPARTMENT SHALL MAKE GRANTS TO ELIGIBLE APPLICANTS FOR GREENSPACE EQUITY PROJECTS LOCATED:

1. IN AN OVERBURDENED COMMUNITY;

2. IN AN UNDERSERVED COMMUNITY; OR

1 **3. ON A PROPERTY THAT:**

2 **A. IS OWNED OR MANAGED BY AN ELIGIBLE APPLICANT;**

3 **AND**

4 **B. IS ADJACENT TO AND SERVES AN OVERBURDENED**
5 **COMMUNITY OR AN UNDERSERVED COMMUNITY.**

6 **(II) 1. EXCEPT AS PROVIDED IN SUBSUBPARAGRAPH 2 OF**
7 **THIS SUBPARAGRAPH, AT LEAST 50% OF THE GRANTS AWARDED EACH FISCAL YEAR**
8 **SHALL BE AWARDED TO PROJECTS THAT INCLUDE LAND ACQUISITION BY LAND**
9 **TRUSTS OR LOCAL GOVERNMENTS.**

10 **2. IF THE TOTAL AMOUNT OF FUNDS REQUESTED FOR**
11 **LAND ACQUISITION BY PROGRAM APPLICANTS IS LESS THAN 50% OF THE GRANT**
12 **FUNDS AVAILABLE FOR A GIVEN FISCAL YEAR, THE REMAINING GRANT FUNDS MAY**
13 **BE AWARDED TO PROJECTS THAT DO NOT INCLUDE LAND ACQUISITION.**

14 **(2) A GRANT RECEIVED UNDER THIS SUBSECTION MAY BE USED FOR:**

15 **(I) LAND ACQUISITION, APPRAISALS, ENVIRONMENTAL**
16 **ASSESSMENTS, SITE CLEARANCE OR DEVELOPMENT, AND OTHER EXPENSES AND**
17 **MATERIALS RELATED TO PLANNING AND IMPLEMENTING A PROJECT, INCLUDING**
18 **STEWARDSHIP OF THE SITE;**

19 **(II) ADMINISTRATIVE COSTS IN AN AMOUNT NOT MORE THAN**
20 **5% OF THE TOTAL PROJECT COST, OR \$20,000, WHICHEVER IS LESS; OR**

21 **(III) STEWARDSHIP OF A PROJECT THAT:**

22 **1. PREVIOUSLY RECEIVED A GRANT UNDER THE**
23 **PROGRAM; OR**

24 **2. WOULD QUALIFY FOR A GRANT UNDER THE PROGRAM**
25 **BUT EXISTED BEFORE JULY 1, 2025.**

26 **(3) IN AWARDING GRANTS UNDER THIS SUBSECTION, THE**
27 **DEPARTMENT SHALL CONSIDER:**

28 **(I) THE EXTENT TO WHICH THE PROJECT ENGAGES AND IS**
29 **SUPPORTED BY RESIDENTS, ORGANIZATIONS, AND BUSINESSES LOCATED IN THE**
30 **OVERBURDENED COMMUNITY OR UNDERSERVED COMMUNITY:**

1. IN WHICH THE PROJECT WILL BE LOCATED; OR

2. THAT IS SERVED BY THE PROJECT;

(II) THE AMOUNT OF FINANCIAL OR IN-KIND CONTRIBUTIONS
FOR IMPLEMENTATION OF THE PROJECT, IF ANY; AND

(III) THE DEGREE TO WHICH THE PROJECT:

1. DEMONSTRATES PARTNERSHIPS AND
COLLABORATION AMONG LOCAL GOVERNMENTS, LAND TRUSTS,
NONGOVERNMENTAL ORGANIZATIONS, AND COMMUNITY ORGANIZATIONS; AND

2. ENHANCES THE PUBLIC HEALTH, LIVABILITY, AND
GREENSPACE IN THE OVERBURDENED COMMUNITY OR UNDERSERVED COMMUNITY:

A. IN WHICH THE PROJECT WILL BE LOCATED; OR

B. THAT IS SERVED BY THE PROJECT.

5-9D-03.

(A) (1) THE DEPARTMENT SHALL SUBMIT EACH PROPOSED GRANT
AWARD TO THE BOARD OF PUBLIC WORKS FOR APPROVAL BEFORE AWARDING A
GRANT UNDER THE PROGRAM.

(2) THE BOARD OF PUBLIC WORKS SHALL APPROVE OR DENY A
PROPOSED GRANT AWARD SUBMITTED BY THE DEPARTMENT UNDER THE
PROGRAM.

(B) (1) THE DEPARTMENT SHALL SUBMIT ALL GRANT APPLICATIONS
UNDER THE PROGRAM TO THE FOLLOWING ENTITIES FOR REVIEW AND COMMENT:

(I) THE DEPARTMENT OF AGRICULTURE;

(II) THE DEPARTMENT OF HOUSING AND COMMUNITY
DEVELOPMENT;

(III) THE DEPARTMENT OF PLANNING;

(IV) THE MARYLAND DEPARTMENT OF HEALTH; AND

(V) UNLESS THE APPLICANT IS A LOCAL GOVERNMENT, THE COUNTY OR MUNICIPALITY IN WHICH THE PROJECT WILL BE LOCATED.

(2) THE DEPARTMENT SHALL CONSULT WITH STATE OR LOCAL AGENCIES AND LOCAL GOVERNMENTS AS NECESSARY IN THE EVALUATION OF COMMENTS RECEIVED UNDER PARAGRAPH (1) OF THIS SUBSECTION.

5-9D-04.

(A) THERE IS A GREENSPACE EQUITY ADVISORY BOARD IN THE DEPARTMENT.

(B) THE PURPOSE OF THE BOARD IS TO SERVE AS A CONSULTANT TO THE DEPARTMENT IN THE IMPLEMENTATION AND ADMINISTRATION OF THE PROGRAM.

(C) THE BOARD CONSISTS OF THE FOLLOWING MEMBERS:

(1) ONE MEMBER OF THE SENATE OF MARYLAND, APPOINTED BY THE PRESIDENT OF THE SENATE;

(2) ONE MEMBER OF THE HOUSE OF DELEGATES, APPOINTED BY THE SPEAKER OF THE HOUSE; AND

(3) THE FOLLOWING MEMBERS, APPOINTED BY THE GOVERNOR:

(I) ONE REPRESENTATIVE OF A COUNTY DEPARTMENT OF PARKS AND RECREATION;

(II) ONE REPRESENTATIVE OF A MUNICIPAL DEPARTMENT OF PARKS AND RECREATION;

(III) ONE REPRESENTATIVE OF THE MARYLAND ENVIRONMENTAL TRUST;

(IV) ONE REPRESENTATIVE OF A LAND TRUST WORKING IN AN OVERBURDENED COMMUNITY OR AN UNDERSERVED COMMUNITY; AND

(V) FIVE REPRESENTATIVES WHO:

1. ARE RESIDENTS OF AN OVERBURDENED COMMUNITY OR AN UNDERSERVED COMMUNITY; AND

2. REFLECT THE DIVERSITY OF THE STATE.

1 **(D) THE BOARD MEMBERS SPECIFIED IN SUBSECTION (C)(3) OF THIS**
2 **SECTION:**

3 **(1) SHALL SERVE A TERM OF 4 YEARS; AND**

4 **(2) MAY NOT SERVE MORE THAN TWO 4-YEAR TERMS.**

5 **(E) THE GOVERNOR SHALL DESIGNATE THE CHAIR OF THE BOARD.**

6 **(F) THE DEPARTMENT SHALL PROVIDE STAFF FOR THE BOARD.**

7 **(G) THE DEPARTMENT SHALL CONSULT WITH THE BOARD IN THE**
8 **IMPLEMENTATION AND ADMINISTRATION OF THE PROGRAM, INCLUDING:**

9 **(1) DEVELOPING A GRANT APPLICATION;**

10 **(2) ESTABLISHING OPPORTUNITIES FOR MEMBERS OF THE BOARD**
11 **TO USE THEIR RESPECTIVE NETWORKS AND PUBLICATIONS TO PUBLICIZE AND**
12 **EDUCATE THE PUBLIC ABOUT THE PROGRAM; AND**

13 **(3) THE REVIEW OF AND COMMENT ON GRANT APPLICATIONS AND**
14 **COMMENTS RECEIVED UNDER § 5-9D-03(B) OF THIS SUBTITLE.**

15 **Article – Real Property**

16 14-501.

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

18 (b) “Affordable housing land trust” means an entity that:

19 (1) Provides affordable housing to low-income families and
20 moderate-income families through an affordable housing land trust agreement; and

21 (2) Is organized or managed by:

22 (i) A nonprofit organization exempt from taxation under § 501(c)(2),
23 (3), or (4) of the United States Internal Revenue Code; or

24 (ii) A unit or instrumentality of the State or a political subdivision
25 of the State.

26 (c) “Affordable housing land trust agreement” means an agreement between an
27 affordable housing land trust and a purchaser of real property owned by the affordable

1 housing land trust, or for which the affordable housing land trust has a proprietary or
2 reversionary interest, that:

3 (1) Grants the affordable housing land trust a preemptive right to purchase
4 or repurchase the property, including any improvements on the property;

5 (2) Contains language restricting the transfer, lease, sublease, assignment,
6 or occupancy of the property with regard to:

7 (i) Potential transferees, sublessees, assignees, or occupants; and

8 (ii) The price at which the property may be transferred; or

9 (3) Imposes other conditions on the use or transfer of the property that
10 would trigger a reversionary interest and that are designed to ensure that the property
11 remains available and affordable to low-income families and moderate-income families.

12 (d) “Family” means a household consisting of one or more individuals.

13 (e) “Low-income family” means a household with an income that does not exceed
14 80% of the area median income for a household of the same size.

15 (f) “Moderate-income family” means a household with an income that does not
16 exceed 140% of the area median income for a household of the same size.

17 (g) “Nonprofit status” means the recognition by the Internal Revenue Service that
18 an affordable housing land trust is exempt from taxation under § 501(c)(2), (3), or (4) of the
19 Internal Revenue Code.

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
21 1, 2023.

SENATE BILL 117

R1, M3
SB 26/21 – FIN

(PRE-FILED)

3lr0924

By: **Senator Ellis**

Requested: November 18, 2022

Introduced and read first time: January 11, 2023

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **State Highway Administration – Litter Collection and Mowing**

3 FOR the purpose of requiring the State Highway Administration to collect litter and mow
4 the grass along State highways and certain interstate highways with a certain
5 frequency; requiring the Administration to contract with a certain company to collect
6 litter and provide mowing services under this Act; specifying that the provision of
7 litter collection and mowing services under this Act be considered a supplemental
8 environmental project for certain purposes; and generally relating to maintenance
9 along State highways and interstate highways.

10 BY adding to
11 Article – Transportation
12 Section 8–609.4
13 Annotated Code of Maryland
14 (2020 Replacement Volume and 2022 Supplement)

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

17 **Article – Transportation**

18 **8–609.4.**

19 (A) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE
20 ADMINISTRATION SHALL, ON A CONSISTENT AND REGULAR BASIS, COLLECT LITTER
21 AND MOW THE GRASS ALONG STATE HIGHWAYS AND THE INTERSTATE HIGHWAYS
22 THAT THE ADMINISTRATION IS RESPONSIBLE FOR MAINTAINING.

23 (2) THE ADMINISTRATION MAY SEASONALLY ADJUST THE

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



FREQUENCY WITH WHICH THE ADMINISTRATION COLLECTS LITTER AND MOWS
UNDER PARAGRAPH (1) OF THIS SUBSECTION, BUT SHALL:

(I) COLLECT LITTER AND MOW AT LEAST TWICE A MONTH
DURING THE GROWING SEASON;

(II) COLLECT LITTER AT LEAST TWICE A MONTH OUTSIDE THE
GROWING SEASON, WEATHER PERMITTING; AND

(III) IF MOWING WILL OCCUR, COLLECT LITTER BEFORE
MOWING.

(B) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE
ADMINISTRATION SHALL CONTRACT WITH A MARYLAND-BASED COMPANY TO
COLLECT LITTER AND PROVIDE MOWING SERVICES UNDER THIS SECTION.

(2) WHEN AWARDING A CONTRACT UNDER PARAGRAPH (1) OF THIS
SUBSECTION, THE ADMINISTRATION SHALL GIVE PREFERENCE TO:

(I) COMPANIES BASED WITHIN THE COUNTY IN WHICH THE
LITTER COLLECTION AND MOWING WILL OCCUR; AND

(II) COMPANIES THAT HIRE FORMERLY INCARCERATED
INDIVIDUALS.

(C) THE PROVISION OF LITTER COLLECTION AND MOWING SERVICES
UNDER THIS SECTION SHALL BE CONSIDERED A SUPPLEMENTAL ENVIRONMENTAL
PROJECT FOR PURPOSES OF THE U.S. ENVIRONMENTAL PROTECTION AGENCY'S
SUPPLEMENTAL ENVIRONMENTAL PROJECT POLICY.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
October 1, 2023.

SENATE BILL 222

M3
HB 307/22 – ENT & ECM

3lr0665
CF 3lr0666

By: **Senators Augustine, Elfreth, and Hettleman**

Introduced and read first time: January 23, 2023

Assigned to: Education, Energy, and the Environment

A BILL ENTITLED

1 AN ACT concerning

2 **Environment – Reducing Packaging Materials – Producer Responsibility**

3 FOR the purpose of requiring certain producers of packaging materials to individually or
4 as part of a producer responsibility organization submit a certain packaging
5 materials producer responsibility plan to the Department of the Environment for
6 review and approval on or before a certain date and in accordance with certain
7 requirements; prohibiting, on or after a certain date, a producer of certain packaging
8 materials from selling, offering for sale, distributing, or importing certain packaging
9 materials unless the producer, individually or as part of a producer responsibility
10 organization, has an approved producer responsibility plan on file with the
11 Department; requiring a producer responsibility organization to pay certain costs to
12 the Department; requiring a producer responsibility organization to implement a
13 producer responsibility plan within a certain amount of time after the Department
14 approves the producer responsibility plan; establishing a producer responsibility
15 plan advisory council; authorizing a local government to request reimbursement
16 from a certain producer that has an approved producer responsibility plan on file
17 with the Department for certain costs in a certain manner; requiring the Office of
18 Recycling in the Department to conduct certain statewide recycling needs
19 assessments in a certain manner and to submit certain reports on the results of the
20 assessments to the Governor and the General Assembly on or before certain dates;
21 and generally relating to producer responsibility for packaging materials.

22 BY repealing and reenacting, with amendments,
23 Article – Environment
24 Section 9–1702 and 9–1707(f)
25 Annotated Code of Maryland
26 (2014 Replacement Volume and 2022 Supplement)

27 BY adding to
28 Article – Environment
29 Section 9–1702.2; and 9–2501 through 9–2510 to be under the new subtitle “Subtitle

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



25. Producer Responsibility for Packaging Materials”
Annotated Code of Maryland
(2014 Replacement Volume and 2022 Supplement)

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

Article – Environment

9–1702.

(a) There is an Office of Recycling created within the Department.

(b) The Secretary shall appoint a Director and sufficient staff to perform the functions of the Office. After July 1, 1989, the number of staff shall be as provided in the budget.

(c) The Secretary may adopt regulations to carry out the provisions of this subtitle.

(d) The Office shall:

(1) Assist the counties in developing an acceptable recycling plan required under § 9–1703 of this subtitle and § 9–505 of this title, including technical assistance to the local governments;

(2) Coordinate the efforts of the State to facilitate the implementation of the recycling goals at the county level;

(3) Review all recycling plans submitted as part of a county plan as required under § 9–505 of this title and advise the Secretary on the adequacy of the recycling plan;

(4) Administer the Statewide Electronics Recycling Program under Part IV of this subtitle; [and]

(5) Promote the development of markets for recycled materials and recycled products in the State in accordance with § 9–1702.1 of this subtitle;

(6) CONDUCT A STATEWIDE RECYCLING NEEDS ASSESSMENT IN ACCORDANCE WITH § 9–1702.2 OF THIS SUBTITLE; AND

(7) REVIEW AND APPROVE, IN CONSULTATION WITH THE PRODUCER RESPONSIBILITY PLAN ADVISORY COUNCIL ESTABLISHED UNDER § 9–2505 OF THIS TITLE, PRODUCER RESPONSIBILITY PLANS AND ANNUAL REPORTS SUBMITTED IN ACCORDANCE WITH SUBTITLE 25 OF THIS TITLE.

(e) Beginning on January 1, 1990, and biannually thereafter, the Office shall, in coordination with the Maryland Environmental Service, study and report to the Governor and, subject to § 2-1257 of the State Government Article, the General Assembly on:

(1) The identification and location of recycling centers, including an analysis of existing recycling centers and the need to expand these facilities or construct new recycling centers;

(2) Programs necessary to educate the public on the need to participate in recycling efforts;

(3) The economics and financing of existing and proposed systems of waste disposal and recycling;

(4) State procurement policies for the purchase of recycled materials;

(5) Programs necessary to reduce the amount of solid waste generated for disposal by a State agency or unit;

(6) The liaison role with local governments, the federal government, and the private sector;

(7) The percentage reduction in the amount of solid waste that has been achieved by each county; and

(8) Economically feasible methods for the recycling of scrap automobile tires, batteries, and white goods.

(f) (1) By December 1, 1988, the Office shall, in coordination with the Maryland Environmental Service and the Governor's Task Force on Solid Waste, make recommendations to the General Assembly for the financing of a comprehensive system of recycling at the State and local level, including funding for recycling centers, recycling equipment, recycling education, and marketing strategies.

(2) After the financing recommendations are made under paragraph (1) of this subsection, each county may submit to the Office and the Governor a detailed request for funds necessary to assist in the development and implementation of a recycling plan under guidelines developed by the Office.

(g) In studying feasible methods for the management and recycling of used tires under subsection (e)(9) of this section, the Office of Recycling shall consult with the appropriate industry, including representatives of:

(1) Tire manufacturers;

(2) Tire dealers; and

(3) Tire recyclers.

9-1702.2.

(A) IN THIS SECTION, “ADVISORY COUNCIL” AND “PRODUCER RESPONSIBILITY ORGANIZATION” HAVE THE MEANINGS STATED IN § 9-2501 OF THIS TITLE.

(B) IN ACCORDANCE WITH SUBSECTION (D) OF THIS SECTION AND TO CARRY OUT THE REQUIREMENTS OF § 9-1702(D)(6) OF THIS SUBTITLE, THE OFFICE SHALL CONDUCT A STATEWIDE RECYCLING NEEDS ASSESSMENT AT LEAST ONCE EVERY 10 YEARS OR AS RECOMMENDED BY THE ADVISORY COUNCIL THAT INCLUDES:

(1) AN EVALUATION OF THE CURRENT INFRASTRUCTURE AND CAPACITY RELATED TO, NEED FOR, AND ASSOCIATED COSTS OF:

(I) RECYCLING ACCESS AND AVAILABILITY;

(II) COLLECTING AND HAULING RECYCLABLE OR COMPOSTABLE MATERIALS IN THE STATE;

(III) PROCESSING RECYCLABLE OR COMPOSTABLE MATERIALS IN THE STATE;

(IV) TAKING ADVANTAGE OF FAVORABLE MARKET CONDITIONS OR OTHER OPPORTUNITIES FOR INCREASING RECYCLING OR ORGANICS RECYCLING IN THE STATE;

(V) IN COORDINATION WITH LOCAL GOVERNMENTS, CONSUMER EDUCATION REGARDING RECYCLING, ORGANICS RECYCLING, AND CONTAMINATION REDUCTION;

(VI) REUSE INFRASTRUCTURE; AND

(VII) ORGANICS RECYCLING INFRASTRUCTURE;

(2) AN EVALUATION OF COMMINGLED RECYCLING PROCESSING FACILITY WORKER CONDITIONS, WAGES, AND BENEFITS;

(3) AN EVALUATION OF OPPORTUNITIES IN THE RECYCLING SYSTEM FOR WOMEN AND MINORITY INDIVIDUALS;

1 **(4) AN EVALUATION OF LOCAL GOVERNMENT REQUIREMENTS**
2 **RELATED TO MULTIFAMILY RECYCLING SERVICES AND THEIR IMPLEMENTATION;**

3 **(5) THE SUFFICIENCY OF RECYCLING EDUCATION PROGRAMS**
4 **RELATIVE TO DESIRED EQUITY OUTCOMES;**

5 **(6) AN EVALUATION OF OPPORTUNITIES IN THE RECYCLING SYSTEM**
6 **FOR BUSINESSES IN THE STATE; AND**

7 **(7) RECOMMENDATIONS FOR IMPROVING EQUITY AND EQUITABLE**
8 **OUTCOMES FOR UNDERSERVED POPULATIONS IN THE STATE'S RECYCLING SYSTEM,**
9 **INCLUDING RECOMMENDATIONS FOR NEW RESPONSIBILITIES OF PRODUCER**
10 **RESPONSIBILITY ORGANIZATIONS AND RECOMMENDATIONS FOR FUNDING THE NEW**
11 **RESPONSIBILITIES.**

12 **(C) ON OR BEFORE APRIL 1, 2025, AND EACH APRIL 1 EVERY 10 YEARS**
13 **THEREAFTER OR AS RECOMMENDED BY THE ADVISORY COUNCIL, THE OFFICE**
14 **SHALL REPORT ON THE RESULTS OF THE MOST RECENT ASSESSMENT CONDUCTED**
15 **UNDER THIS SECTION TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1257 OF**
16 **THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY.**

17 **(D) IN CONDUCTING THE ASSESSMENT REQUIRED UNDER THIS SECTION,**
18 **THE OFFICE SHALL CONSULT WITH PRODUCER RESPONSIBILITY ORGANIZATIONS,**
19 **THE PRODUCER RESPONSIBILITY PLAN ADVISORY COUNCIL ESTABLISHED UNDER §**
20 **9-2505 OF THIS TITLE, APPROPRIATE LOCAL GOVERNMENTAL ENTITIES, AND**
21 **REGIONAL SOLID WASTE ORGANIZATIONS IN THE STATE.**

22 **(E) THE OFFICE SHALL ESTABLISH AND COLLECT A FEE TO BE PAID BY**
23 **PRODUCER RESPONSIBILITY ORGANIZATIONS TO COVER THE COSTS ASSOCIATED**
24 **WITH CONDUCTING THE ASSESSMENTS REQUIRED UNDER THIS SECTION.**

25 9-1707.

26 (f) (1) There is a State Recycling Trust Fund.

27 (2) The Fund shall consist of:

28 (i) The newsprint recycling incentive fee;

29 (ii) The telephone directory recycling incentive fee collected under §
30 9-1709 of this subtitle;

31 (iii) The covered electronic device manufacturer registration fee
32 collected under § 9-1728 of this subtitle;

(IV) ANY FEES COLLECTED FROM PRODUCER RESPONSIBILITY ORGANIZATIONS UNDER § 9-1702.2 OF THIS SUBTITLE OR SUBTITLE 25 OF THIS TITLE;

[(iv)] (V) All fines and penalties collected under this subtitle AND § 9-2510 OF THIS TITLE;

[(v)] (VI) Money appropriated in the State budget to the Fund; and

[(vi)] (VII) Any other money from any other source accepted for the benefit of the Fund.

(3) The Secretary shall administer the Fund.

(4) The Treasurer shall hold the Fund separately and the Comptroller shall account for the Fund.

(5) At the end of each fiscal year, any unspent or unencumbered balance in the Fund that exceeds \$2,000,000 shall revert to the General Fund of the State in accordance with § 7-302 of the State Finance and Procurement Article.

(6) In accordance with the State budget, the Fund shall be used only:

(i) To provide grants to the counties to be used by the counties to develop and implement local recycling plans;

(ii) To provide grants to counties that have addressed methods for the separate collection and recycling of covered electronic devices in accordance with § 9-1703(c)(1) of this subtitle;

(iii) To provide grants to municipalities to be used by the municipalities to implement local covered electronic device recycling programs; [and]

(IV) IN ACCORDANCE WITH PARAGRAPH (7) OF THIS SUBSECTION, TO COVER THE COSTS OF THE STATEWIDE RECYCLING NEEDS ASSESSMENT CONDUCTED UNDER § 9-1702.2 OF THIS SUBTITLE;

(V) IN ACCORDANCE WITH PARAGRAPH (7) OF THIS SUBSECTION, TO COVER THE COSTS OF PRODUCER RESPONSIBILITY PLAN REVIEW, OVERSIGHT, AND ENFORCEMENT UNDER SUBTITLE 25 OF THIS TITLE; AND

[(iv)] (VI) To carry out the purposes of the land management administration.

(7) (I) THERE SHALL BE A SEPARATE ACCOUNT WITHIN THE FUND.

(II) THE SEPARATE ACCOUNT SHALL CONSIST OF:

1. ANY FEES COLLECTED FROM PRODUCER RESPONSIBILITY ORGANIZATIONS UNDER § 9-1702.2 OF THIS SUBTITLE OR SUBTITLE 25 OF THIS TITLE; AND

2. ALL FINES AND PENALTIES COLLECTED UNDER § 9-2510 OF THIS TITLE.

(III) THE SEPARATE ACCOUNT SHALL BE USED ONLY FOR THE COSTS OF THE STATEWIDE RECYCLING NEEDS ASSESSMENT CONDUCTED UNDER § 9-1702.2 OF THIS SUBTITLE AND PRODUCER RESPONSIBILITY PLAN REVIEW, OVERSIGHT, AND ENFORCEMENT UNDER SUBTITLE 25 OF THIS TITLE.

[(7)] (8) (i) The Treasurer shall invest the money in the Fund in the same manner as other State money may be invested.

(ii) Any investment earnings of the Fund shall be credited to the General Fund of the State.

SUBTITLE 25. PRODUCER RESPONSIBILITY FOR PACKAGING MATERIALS.

9-2501.

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

(B) "ADVISORY COUNCIL" MEANS THE PRODUCER RESPONSIBILITY PLAN ADVISORY COUNCIL ESTABLISHED UNDER § 9-2505 OF THIS SUBTITLE.

(C) "BEVERAGE CONTAINER" MEANS A PREPACKAGED BEVERAGE CONTAINER:

(1) MADE OF ANY MATERIAL, INCLUDING GLASS, PLASTIC, METAL, CARTON, POUCH, OR ASEPTIC PACKAGING, SUCH AS A DRINK BOX, OR OF MULTIMATERIALS; AND

(2) THE VOLUME OF WHICH IS NOT MORE THAN 5 LITERS.

(D) "LOCAL GOVERNMENT" MEANS:

(1) A COUNTY; OR

1 **(2) A MUNICIPALITY.**

2 **(E) (1) “PACKAGING MATERIALS” MEANS, REGARDLESS OF**
3 **RECYCLABILITY, ANY PART OF A PACKAGE OR CONTAINER, INCLUDING MATERIAL**
4 **THAT IS USED FOR THE CONTAINMENT, PROTECTION, HANDLING, DELIVERY, AND**
5 **PRESENTATION OF A PRODUCT THAT IS SOLD, OFFERED FOR SALE, IMPORTED, OR**
6 **DISTRIBUTED IN THE STATE.**

7 **(2) “PACKAGING MATERIALS” INCLUDES:**

8 **(I) PRIMARY, SECONDARY, AND TERTIARY PACKAGING**
9 **INTENDED FOR THE CONSUMER MARKET;**

10 **(II) SERVICE PACKAGING DESIGNED AND INTENDED TO BE**
11 **FILLED AT THE POINT OF SALE, INCLUDING:**

12 1. **CARRY-OUT BAGS;**

13 2. **BULK GOODS BAGS; AND**

14 3. **TAKE-OUT AND HOME DELIVERY FOOD SERVICE**
15 **PACKAGING; AND**

16 **(III) BEVERAGE CONTAINERS.**

17 **(3) “PACKAGING MATERIALS” DOES NOT INCLUDE ANY PART OF A**
18 **PACKAGE OR CONTAINER THAT IS SOLD OR SUPPLIED IN CONNECTION WITH:**

19 **(I) A PESTICIDE PRODUCT REGULATED BY THE FEDERAL**
20 **INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT UNDER 7 U.S.C. § 136 ET SEQ.**
21 **OR ANY OTHER APPLICABLE FEDERAL LAW, RULE, OR REGULATION;**

22 **(II) A FEDERALLY REGULATED DRUG, MEDICAL DEVICE,**
23 **BIOLOGIC, OR DIAGNOSTIC, INCLUDING ITEMS INTENDED FOR ANIMALS; OR**

24 **(III) A MEDICAL PRODUCT THAT IS REQUIRED TO BE STERILE OR**
25 **ENCLOSED IN PACKAGING WITH TAMPER-RESISTANT SEALS TO PROTECT PUBLIC**
26 **HEALTH, INCLUDING MEDICAL PRODUCTS INTENDED FOR ANIMALS.**

27 **(F) (1) “PRODUCER” MEANS A PERSON THAT IS RESPONSIBLE FOR**
28 **COMPLYING WITH THIS SUBTITLE UNDER § 9-2503 OF THIS SUBTITLE.**

(2) “PRODUCER” DOES NOT INCLUDE:

(I) A LOCAL GOVERNMENT;

(II) A NONPROFIT CHARITABLE ORGANIZATION; OR

**(III) AN ENTITY THAT MANUFACTURES A DRUG OR DEVICE
AUTHORIZED FOR SALE BY THE U.S. FOOD AND DRUG ADMINISTRATION UNDER THE
FEDERAL FOOD, DRUG, AND COSMETIC ACT.**

(G) “PRODUCER RESPONSIBILITY ORGANIZATION” MEANS:

**(1) A PRODUCER THAT INDIVIDUALLY SUBMITS A PRODUCER
RESPONSIBILITY PLAN TO THE DEPARTMENT UNDER § 9-2504 OF THIS SUBTITLE;
OR**

(2) A NONPROFIT ORGANIZATION THAT IS:

**(I) EXEMPT FROM TAXATION UNDER § 501(C)(3) OF THE
INTERNAL REVENUE CODE; AND**

**(II) CREATED BY A GROUP OF PRODUCERS TO IMPLEMENT A
PRODUCER RESPONSIBILITY PLAN IN ACCORDANCE WITH § 9-2504(A) OF THIS
SUBTITLE.**

**(H) “PRODUCER RESPONSIBILITY PLAN” MEANS A PACKAGING MATERIALS
PRODUCER RESPONSIBILITY PLAN SUBMITTED TO THE DEPARTMENT BY A
PRODUCER OR PRODUCER RESPONSIBILITY ORGANIZATION IN ACCORDANCE WITH
§ 9-2504 OF THIS SUBTITLE.**

9-2502.

**IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT THIS SUBTITLE PROVIDE
A FRAMEWORK FOR:**

**(1) MODERNIZING AND IMPROVING WASTE AND RECYCLING SYSTEMS
IN THE STATE, INCLUDING BY FACILITATING:**

**(I) THE IMPROVEMENT OF REUSE, ORGANICS RECYCLING, AND
RECYCLING;**

(II) THE IMPROVEMENT OF RECYCLING MARKETS;

1 (III) THE REDUCTION OF WASTE; AND

2 (IV) AN INCREASE IN RECYCLING RATES; AND

3 (2) REIMBURSING LOCAL GOVERNMENTS FOR COSTS ASSOCIATED
4 WITH TRANSPORTING, COLLECTING, AND PROCESSING PACKAGING MATERIALS.

5 9-2503.

6 (A) (1) (I) THIS PARAGRAPH APPLIES TO ITEMS SOLD IN PACKAGING
7 MATERIALS AT A PHYSICAL RETAIL LOCATION IN THE STATE.

8 (II) IF THE ITEM IS SOLD UNDER THE MANUFACTURER'S OWN
9 BRAND OR IS SOLD IN PACKAGING MATERIALS THAT LACK IDENTIFICATION OF A
10 BRAND, THE PRODUCER OF THE PACKAGING MATERIALS IS THE PERSON THAT
11 MANUFACTURES THE ITEM.

12 (III) IF THE ITEM IS MANUFACTURED BY A PERSON OTHER THAN
13 THE BRAND OWNER, THE PRODUCER OF THE PACKAGING MATERIALS IS THE PERSON
14 THAT IS THE LICENSEE OF A BRAND OR TRADEMARK UNDER WHICH AN ITEM IS SOLD,
15 OFFERED FOR SALE, OR DISTRIBUTED IN THE STATE, WHETHER OR NOT THE
16 TRADEMARK IS REGISTERED IN THE STATE.

17 (IV) IF THERE IS NO PERSON DESCRIBED IN SUBPARAGRAPHS
18 (II) OR (III) OF THIS PARAGRAPH LOCATED WITHIN THE UNITED STATES, THE
19 PRODUCER OF THE PACKAGING MATERIALS IS THE PERSON THAT IMPORTS THE
20 ITEM INTO THE UNITED STATES FOR USE IN A COMMERCIAL ENTERPRISE THAT
21 SELLS, OFFERS FOR SALE, OR DISTRIBUTES THE ITEM IN THE STATE.

22 (2) (I) THIS PARAGRAPH APPLIES TO ITEMS SOLD OR
23 DISTRIBUTED IN PACKAGING MATERIALS IN THE STATE THROUGH REMOTE SALE OR
24 DISTRIBUTION.

25 (II) THE PRODUCER OF THE PACKAGING MATERIALS USED TO
26 DIRECTLY PROTECT OR CONTAIN THE ITEM IS THE SAME AS THE PRODUCER
27 ESTABLISHED UNDER PARAGRAPH (1) OF THIS SUBSECTION.

28 (III) THE PRODUCER OF THE PACKAGING MATERIALS USED TO
29 SHIP THE ITEM TO A CONSUMER IS THE PERSON THAT PACKAGES AND SHIPS THE
30 ITEM TO THE CONSUMER.

31 (IV) FOR ANY PACKAGING MATERIALS NOT IDENTIFIED UNDER

1 SUBPARAGRAPHS (II) AND (III) OF THIS PARAGRAPH, THE PRODUCER OF THE
2 PACKAGING MATERIALS IS THE PERSON THAT FIRST DISTRIBUTES THE PACKAGED
3 ITEM IN THE STATE.

4 (B) THIS SUBTITLE DOES NOT APPLY TO A PERSON THAT:

5 (1) (I) GENERATED LESS THAN \$5,000,000 IN GROSS REVENUE
6 DURING THE IMMEDIATELY PRECEDING CALENDAR YEAR;

7 (II) SOLD, OFFERED FOR SALE, OR DISTRIBUTED FOR SALE IN
8 THE STATE DURING THE IMMEDIATELY PRECEDING CALENDAR YEAR LESS THAN 1
9 METRIC TON OF PACKAGING MATERIALS;

10 (III) 1. OWNS OR OPERATES A RESTAURANT, FOOD CART, OR
11 SIMILAR ESTABLISHMENT THAT:

12 A. IS HEADQUARTERED IN THE STATE; AND

13 B. PRIMARILY SELLS TO MEMBERS OF THE PUBLIC FOOD
14 THAT IS GENERALLY INTENDED TO BE CONSUMED IMMEDIATELY AND WITHOUT THE
15 NEED FOR FURTHER PREPARATION, EITHER ON OR OFF THE PREMISES; AND

16 2. IS NOT A PRODUCER OF FOOD SERVICEWARE;

17 (IV) OWNS OR OPERATES A SINGLE RETAIL SALES
18 ESTABLISHMENT THAT:

19 1. HAS NO ONLINE SALES; AND

20 2. IS NOT SUPPLIED OR OPERATED AS PART OF A
21 FRANCHISE OR A CHAIN; OR

22 (V) 1. IS LICENSED UNDER TITLE 2 OF THE ALCOHOLIC
23 BEVERAGES ARTICLE; AND

24 2. GENERATED LESS THAN \$10,000,000 IN GROSS
25 REVENUE DURING THE IMMEDIATELY PRECEDING CALENDAR YEAR; AND

26 (2) ON REQUEST BY THE DEPARTMENT, PROVIDES TO THE
27 DEPARTMENT SUFFICIENT INFORMATION TO DEMONSTRATE THAT THE PRODUCER
28 MEETS THE CONDITIONS OF THIS SECTION.

29 (C) THIS SUBTITLE DOES NOT AFFECT THE AUTHORITY OF THE STATE OR A

1 LOCAL JURISDICTION TO REGULATE THE SALE OR USE OF ANY PACKAGING
2 MATERIAL.

3 (D) THIS SUBTITLE DOES NOT PROHIBIT A PRODUCER RESPONSIBILITY
4 ORGANIZATION FROM ESTABLISHING A DEPOSIT-RETURN SYSTEM AS ONE
5 STRATEGY FOR INCREASING THE CAPTURE AND RECYCLING OF BEVERAGE
6 CONTAINERS OR OTHER PACKAGING MATERIALS.

7 9-2504.

8 (A) (1) (I) BEGINNING JULY 1, 2024, AND EACH YEAR THEREAFTER, A
9 PRODUCER RESPONSIBILITY ORGANIZATION SHALL FILE A REGISTRATION FORM
10 WITH THE DEPARTMENT.

11 (II) THE REGISTRATION FORM SHALL INCLUDE:

12 1. A LIST OF THE RESPONSIBLE PARTIES
13 PARTICIPATING IN THE PRODUCER RESPONSIBILITY ORGANIZATION;

14 2. A LIST OF THE BRANDS OF EACH RESPONSIBLE PARTY
15 PARTICIPATING IN THE PRODUCER RESPONSIBILITY ORGANIZATION;

16 3. A LIST OF THE COVERED MATERIALS OF EACH
17 RESPONSIBLE PARTY PARTICIPATING IN THE PRODUCER RESPONSIBILITY
18 ORGANIZATION; AND

19 4. THE NAME, ADDRESS, AND CONTACT INFORMATION
20 OF A PERSON RESPONSIBLE FOR ENSURING THE PRODUCER RESPONSIBILITY
21 ORGANIZATION'S AND THE MEMBER RESPONSIBLE PARTIES' COMPLIANCE WITH
22 THIS SUBTITLE.

23 (III) AT THE TIME OF FILING THE REGISTRATION FORM, A
24 PRODUCER RESPONSIBILITY ORGANIZATION SHALL PAY TO THE DEPARTMENT AN
25 ANNUAL REGISTRATION FEE TO COVER THE COSTS OF RECORD KEEPING, NOT TO
26 EXCEED \$1,000.

27 (IV) AT THE TIME OF THE INITIAL SUBMISSION OF THE
28 REGISTRATION FORM BY A PRODUCER RESPONSIBILITY ORGANIZATION, THE
29 ORGANIZATION SHALL HAVE 60 DAYS TO PAY TO THE DEPARTMENT THE ESTIMATED
30 COST OF CONDUCTING THE INITIAL STATEWIDE RECYCLING NEEDS ASSESSMENT
31 REQUIRED UNDER § 9-1702.2 OF THIS TITLE.

32 (V) IF MORE THAN ONE PRODUCER RESPONSIBILITY

1 ORGANIZATION REGISTERS WITH THE DEPARTMENT, THE DEPARTMENT SHALL
2 EQUALLY DIVIDE THE COST OF THE STATEWIDE RECYCLING NEEDS ASSESSMENT.

3 (2) (I) ON OR BEFORE APRIL 1, 2026, EACH PRODUCER SHALL,
4 INDIVIDUALLY OR AS PART OF A PRODUCER RESPONSIBILITY ORGANIZATION,
5 SUBMIT A PRODUCER RESPONSIBILITY PLAN TO THE DEPARTMENT FOR REVIEW
6 AND APPROVAL.

7 (II) IF MORE THAN ONE PRODUCER RESPONSIBILITY
8 ORGANIZATION SUBMITS A PRODUCER RESPONSIBILITY PLAN TO THE
9 DEPARTMENT:

10 1. THE PRODUCER RESPONSIBILITY ORGANIZATIONS
11 SHALL COORDINATE WITH THE DEPARTMENT AND LOCAL GOVERNMENTS TO
12 ENSURE THAT:

13 A. RECYCLING SERVICES FOR RESIDENTS IN THE STATE
14 ARE PROVIDED IN A SEAMLESS MANNER; AND

15 B. PUBLIC OUTREACH, EDUCATION, AND
16 COMMUNICATION ARE PROVIDED IN A CONSISTENT MANNER; AND

17 2. THE PRODUCER RESPONSIBILITY ORGANIZATIONS
18 MAY CREATE A REPRESENTATIVE ORGANIZATION TO REPRESENT ALL
19 PARTICIPATING PRODUCER RESPONSIBILITY ORGANIZATIONS TO IMPLEMENT THE
20 REQUIREMENTS OF THIS SUBTITLE.

21 (III) BEFORE SUBMITTING THE PLAN REQUIRED UNDER THIS
22 SUBSECTION TO THE DEPARTMENT, A PRODUCER OR PRODUCER RESPONSIBILITY
23 ORGANIZATION SHALL:

24 1. CONSULT WITH THE ADVISORY COUNCIL
25 ESTABLISHED UNDER § 9-2505 OF THIS SUBTITLE; AND

26 2. CONSIDER THE WRITTEN RECOMMENDATIONS OF
27 THE ADVISORY COUNCIL PROVIDED UNDER § 9-2505(G)(6) OF THIS SUBTITLE AND
28 RESPOND IN WRITING TO THE ADVISORY COUNCIL.

29 (3) ON OR AFTER A DATE ESTABLISHED IN REGULATIONS ADOPTED
30 BY THE DEPARTMENT UNDER § 9-2509 OF THIS SUBTITLE, A PRODUCER MAY NOT
31 SELL, OFFER FOR SALE, DISTRIBUTE, OR IMPORT FOR SALE OR DISTRIBUTION
32 PACKAGING MATERIALS FOR USE IN THE STATE UNLESS THE PRODUCER,
33 INDIVIDUALLY OR AS PART OF A PRODUCER RESPONSIBILITY ORGANIZATION, HAS

1 AN APPROVED PRODUCER RESPONSIBILITY PLAN ON FILE WITH THE DEPARTMENT.

2 (B) A PRODUCER RESPONSIBILITY PLAN SHALL:

3 (1) IDENTIFY THE PRODUCERS COVERED BY THE PLAN, INCLUDING
4 THE CONTACT INFORMATION FOR EACH PARTICIPATING PRODUCER AND THE
5 PRODUCER RESPONSIBILITY ORGANIZATION;

6 (2) IDENTIFY EACH BRAND OF PACKAGING MATERIALS COVERED BY
7 THE PLAN;

8 (3) REQUIRE, IN ACCORDANCE WITH SUBSECTION (C) OF THIS
9 SECTION, ACHIEVEMENT WITHIN 5 YEARS AFTER THE DATE ON WHICH THE FIRST
10 VERSION OF THE PLAN IS APPROVED AND ESTABLISH THE FOLLOWING
11 PERFORMANCE GOALS, AS RELEVANT, FOR EACH PACKAGING MATERIAL TYPE:

12 (I) POSTCONSUMER RECYCLED CONTENT GOALS;

13 (II) RECYCLABILITY AND RECYCLING RATE GOALS;

14 (III) REUSE GOALS;

15 (IV) PACKAGING REDUCTION GOALS;

16 (V) COMPOST ACCESS OR COMPOST RATE GOALS, IF
17 APPLICABLE AND TECHNOLOGICALLY AND ENVIRONMENTALLY FEASIBLE;

18 (VI) CONTAMINATION REDUCTION RATE GOALS;

19 (VII) GREENHOUSE GAS REDUCTION GOALS; AND

20 (VIII) ANY OTHER GOAL THAT REDUCES PACKAGING MATERIAL
21 WASTE AND IS JUSTIFIED IN THE PLAN;

22 (4) REQUIRE EACH PARTICIPATING PRODUCER TO REDUCE ALL
23 PACKAGING MATERIAL WASTE TO THE MAXIMUM EXTENT PRACTICABLE, AND BY
24 NOT LESS THAN 25% FOR EACH PACKAGING MATERIAL TYPE, WITHIN 5 YEARS AFTER
25 THE DATE ON WHICH THE FIRST VERSION OF THE PLAN IS APPROVED;

26 (5) DESCRIBE, IN ACCORDANCE WITH SUBSECTION (D) OF THIS
27 SECTION, THE FINANCING METHOD THAT WILL BE USED TO IMPLEMENT THE PLAN;

28 (6) DESCRIBE HOW THE PERFORMANCE GOALS ESTABLISHED UNDER

1 **ITEM (3) OF THIS SUBSECTION WILL BE MET OR EXCEEDED;**

2 **(7) DESCRIBE HOW STAKEHOLDER COMMENTS WERE CONSIDERED IN**
3 **THE DEVELOPMENT OF THE PLAN;**

4 **(8) DESCRIBE HOW STAFFING AND ADMINISTERING THE**
5 **IMPLEMENTATION OF THE PLAN WILL BE HANDLED;**

6 **(9) DESCRIBE THE STRATEGY FOR REDUCING PACKAGING**
7 **MATERIALS IN THE STATE, INCLUDING HOW PRODUCERS PARTICIPATING IN A PLAN**
8 **WILL WORK TOGETHER TO REDUCE PACKAGING THROUGH PRODUCT DESIGN AND**
9 **PROGRAM INNOVATIONS;**

10 **(10) DESCRIBE THE ACTIONS TAKEN OR THAT WILL BE TAKEN FOR**
11 **PUBLIC OUTREACH, EDUCATION, AND COMMUNICATION, TAKING INTO ACCOUNT**
12 **THAT PUBLIC OUTREACH, EDUCATION, AND COMMUNICATION SHALL:**

13 **(I) PROMOTE THE RESPONSIBLE END-OF-LIFE MANAGEMENT**
14 **OF PACKAGING MATERIALS;**

15 **(II) PROVIDE INFORMATION ON HOW TO PREVENT LITTER OF**
16 **PACKAGING MATERIALS;**

17 **(III) PROVIDE RECYCLING AND ORGANICS RECYCLING**
18 **INSTRUCTIONS THAT ARE, TO THE EXTENT PRACTICABLE:**

19 1. **CONSISTENT STATEWIDE, TAKING INTO ACCOUNT**
20 **DIFFERENCES AMONG LOCAL LAWS AND PROCESSING CAPABILITIES;**

21 2. **EASY TO UNDERSTAND; AND**

22 3. **EASILY ACCESSIBLE; AND**

23 **(IV) PROVIDE FOR OUTREACH AND EDUCATION THAT ARE:**

24 1. **DESIGNED TO ACHIEVE PACKAGING MATERIALS**
25 **MANAGEMENT GOALS AND REQUIREMENTS, INCLUDING THE PREVENTION OF**
26 **CONTAMINATION OF PACKAGING MATERIALS;**

27 2. **COORDINATED ACROSS PROGRAMS TO AVOID**
28 **CONFUSION FOR CONSUMERS; AND**

29 3. **DEVELOPED IN CONSULTATION WITH LOCAL**

1 GOVERNMENTS AND OTHER STAKEHOLDERS;

2 (11) DESCRIBE, IN ACCORDANCE WITH SUBSECTION (E) OF THIS
3 SECTION, THE AMOUNT OF FUNDING THAT WILL BE USED FOR IMPROVING REUSE,
4 ORGANICS RECYCLING, AND RECYCLING IN THE STATE;

5 (12) DESCRIBE THE PROCESS BY WHICH A LOCAL GOVERNMENT MAY
6 REQUEST REIMBURSEMENT FOR COSTS ASSOCIATED WITH TRANSPORTING,
7 COLLECTING, AND PROCESSING PACKAGING MATERIALS THAT ARE IDENTIFIED IN
8 THE PLAN, INCLUDING:

9 (I) THE PROCESS BY WHICH THE REQUEST WILL BE REVIEWED;

10 (II) THE PROCESS FOR APPROVING OR DENYING A REQUEST
11 FOR REIMBURSEMENT;

12 (III) THE SCHEDULE FOR PROVIDING REIMBURSEMENT THAT
13 INCLUDES REIMBURSEMENT ON AT LEAST A QUARTERLY BASIS; AND

14 (IV) THE PROCESS FOR PROVIDING REIMBURSEMENT FOR
15 MULTIPLE BRANDS OF PACKAGING MATERIALS;

16 (13) (I) PROVIDE THE WRITTEN RECOMMENDATIONS FROM THE
17 ADVISORY COUNCIL PROVIDED UNDER § 9-2505(G)(6) OF THIS SUBTITLE AND THE
18 PRODUCER RESPONSIBILITY ORGANIZATION'S WRITTEN RESPONSE TO THE
19 ADVISORY COUNCIL; AND

20 (II) DESCRIBE HOW THE WRITTEN RECOMMENDATIONS FROM
21 THE ADVISORY COUNCIL WERE CONSIDERED AND ADDRESSED IN THE
22 DEVELOPMENT OF THE PLAN; AND

23 (14) INCLUDE ANY OTHER INFORMATION THAT IS REQUIRED BY THE
24 DEPARTMENT.

25 (C) BASED ON THE RESULTS OF THE STATEWIDE RECYCLING NEEDS
26 ASSESSMENT CONDUCTED UNDER § 9-1702.2 OF THIS TITLE, THE DEPARTMENT, IN
27 COORDINATION WITH A PRODUCER RESPONSIBILITY ORGANIZATION, SHALL
28 ESTABLISH PERFORMANCE GOALS FOR EACH PACKAGING MATERIAL TYPE USING A
29 BASELINE YEAR THAT IS INFORMED BY THE STATEWIDE RECYCLING NEEDS
30 ASSESSMENT, INCLUDING ESTABLISHING RECYCLING RATE GOALS FOR EACH
31 PACKAGING MATERIAL TYPE, AT 5-, 10-, AND 15-YEAR INTERVALS.

32 (D) (1) THE FINANCING METHOD THAT WILL BE USED BY A PRODUCER

1 RESPONSIBILITY ORGANIZATION TO IMPLEMENT A PRODUCER RESPONSIBILITY
2 PLAN SHALL:

3 (I) PROVIDE THE METHOD FOR EITHER DIRECT INVESTMENTS
4 OR REIMBURSEMENTS FOR IMPROVING INFRASTRUCTURE FOR REUSE, ORGANICS
5 RECYCLING, AND RECYCLING IN ACCORDANCE WITH SUBSECTION (B)(11) OF THIS
6 SECTION;

7 (II) PROVIDE A REASONABLE ANNUAL RATE PER TON OF
8 RECYCLED OR COMPOSTED PACKAGING MATERIALS FOR REIMBURSING LOCAL
9 GOVERNMENTS FOR COSTS ASSOCIATED WITH:

10 1. UP TO 50% OF THE COST OF COLLECTING PACKAGING
11 MATERIALS THAT ARE IDENTIFIED IN THE PLAN;

12 2. TRANSPORTING RECYCLABLE OR COMPOSTABLE
13 PACKAGING MATERIALS TO A RECYCLING OR ORGANICS RECYCLING FACILITY;

14 3. PROCESSING PACKAGING MATERIALS, INCLUDING
15 REMOVING CONTAMINATION; AND

16 4. RECYCLING PACKAGING MATERIALS THAT ARE
17 DIVERTED TO BE RECYCLED OR COMPOSTED IN THE STATE;

18 (III) ESTABLISH A FEE STRUCTURE FOR PARTICIPATING
19 PRODUCERS THAT IS SET IN A MANNER TO COVER COSTS ASSOCIATED WITH:

20 1. IMPLEMENTING THE PLAN, INCLUDING THE
21 ADMINISTRATIVE COSTS OF A PRODUCER RESPONSIBILITY ORGANIZATION;

22 2. REIMBURSING LOCAL GOVERNMENTS FOR COSTS IN
23 ACCORDANCE WITH ITEM (II) OF THIS PARAGRAPH;

24 3. THE ADMINISTRATION, REVIEW, OVERSIGHT, AND
25 ENFORCEMENT OF THE PLAN BY THE DEPARTMENT;

26 4. IMPLEMENTING THE STRATEGY IN THE PLAN FOR
27 REDUCING PACKAGING MATERIALS IN ACCORDANCE WITH SUBSECTION (B)(9) OF
28 THIS SECTION; AND

29 5. IMPLEMENTING THE STRATEGY IN THE PLAN FOR
30 IMPROVING REUSE, ORGANICS RECYCLING, AND RECYCLING IN THE STATE IN
31 ACCORDANCE WITH SUBSECTION (B)(11) OF THIS SECTION;

(IV) 1. DESCRIBE THE INCENTIVES TO ENCOURAGE PARTICIPATING PRODUCERS TO ENGAGE IN WASTE REDUCTION AND RECYCLING ACTIVITIES; AND

2. DESCRIBE THE DISINCENTIVES TO DISCOURAGE DESIGNS OR PRACTICES THAT INCREASE THE COST OF MANAGING PACKAGING MATERIALS;

(V) BE EVALUATED BY AN INDEPENDENT FINANCIAL AUDITOR, AS DESIGNATED BY THE DEPARTMENT, TO ENSURE THAT THE COSTS OF IMPLEMENTING THE PLAN ARE COVERED; AND

(VI) MEET ANY OTHER REQUIREMENT ESTABLISHED BY THE DEPARTMENT BY REGULATION.

(2) THE REIMBURSEMENT RATE ESTABLISHED UNDER PARAGRAPH (1)(II) OF THIS SUBSECTION SHALL BE:

(I) BASED ON:

1. THE POPULATION SIZE OF A LOCAL JURISDICTION;

2. THE DISTANCE TO THE NEAREST RECYCLING OR ORGANICS RECYCLING FACILITY;

3. THE COMMODITY VALUE OF RECYCLED PACKAGING MATERIALS; AND

4. ANY SOCIOECONOMIC OR GEOGRAPHIC FACTOR, AS DETERMINED BY THE DEPARTMENT; AND

(II) DISCOUNTED EQUIVALENT TO THE ESTIMATED ANNUAL VOLUME OF PACKAGING MATERIALS SOLD IN THE STATE TO A PERSON THAT IS EXEMPT FROM THE REQUIREMENTS OF THIS SUBTITLE UNDER § 9-2503(B) OF THIS SUBTITLE.

(3) THE FEE STRUCTURE ESTABLISHED UNDER PARAGRAPH (1)(III) OF THIS SUBSECTION SHALL BE VARIABLE BASED ON:

(I) COSTS ASSOCIATED WITH TRANSPORTING, COLLECTING, AND PROCESSING PACKAGING MATERIALS;

(II) AN ECO-MODULATION OF FEES, INCLUDING ESTABLISHING:

1. A HIGHER FEE FOR PACKAGING MATERIALS WITH LOW RECYCLABILITY OR RECYCLED CONTENT; AND

2. A DISCOUNTED FEE FOR PACKAGING MATERIALS WITH HIGH RECYCLABILITY OR RECYCLED CONTENT; AND

(III) ANY OTHER FACTOR, AS DETERMINED BY THE DEPARTMENT.

(4) (I) A PRODUCER RESPONSIBILITY ORGANIZATION SHALL RETAIN ANY FEE COLLECTED UNDER THIS SUBSECTION IN ITS OWN ACCOUNT.

(II) THE DEPARTMENT MAY REQUEST AT ANY TIME AN AUDIT OF THE FINANCIAL RECORDS OF A PRODUCER RESPONSIBILITY ORGANIZATION.

(E) THE FUNDING THAT WILL BE USED FOR IMPROVING REUSE, ORGANICS RECYCLING, AND RECYCLING SHALL INCLUDE INVESTMENT IN MARKET DEVELOPMENT AND EXISTING AND FUTURE REUSE, ORGANICS RECYCLING, AND RECYCLING INFRASTRUCTURE, GIVING PRIORITY TO INVESTMENT IN EXISTING INFRASTRUCTURE, INCLUDING:

(1) INSTALLING OR UPGRADING EQUIPMENT TO IMPROVE THE SORTING OF PACKAGING MATERIALS AT EXISTING SORTING AND PROCESSING FACILITIES;

(2) MITIGATING THE IMPACTS OF PACKAGING MATERIALS ON OTHER COMMODITIES AT EXISTING SORTING AND PROCESSING FACILITIES; AND

(3) CAPITAL EXPENDITURES FOR NEW TECHNOLOGY, EQUIPMENT, AND FACILITIES, BASED ON THE RESULTS OF THE STATEWIDE RECYCLING NEEDS ASSESSMENT CONDUCTED UNDER § 9-1702.2 OF THIS TITLE.

(F) THE DEPARTMENT SHALL REVIEW:

(1) THE PRODUCER RESPONSIBILITY PLAN REQUIRED UNDER SUBSECTION (A) OF THIS SECTION; AND

(2) THE WORK PRODUCT OF THE INDEPENDENT FINANCIAL AUDITOR DESIGNATED BY THE DEPARTMENT TO EVALUATE THE FINANCING COMPONENT OF THE PRODUCER RESPONSIBILITY PLAN UNDER SUBSECTION (D)(1)(V) OF THIS SECTION.

(G) (1) WITHIN 120 DAYS AFTER RECEIVING A PROPOSED PRODUCER RESPONSIBILITY PLAN, THE DEPARTMENT SHALL APPROVE, APPROVE WITH CONDITIONS, OR REJECT THE PLAN.

(2) IN MAKING A DETERMINATION UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE DEPARTMENT SHALL CONSIDER WHETHER:

(I) THE PRODUCER RESPONSIBILITY PLAN COMPLIES WITH THE REQUIREMENTS OF THIS SECTION, INCLUDING WHETHER THE FINANCING METHOD WILL COVER THE COSTS OF IMPLEMENTING THE PLAN; AND

(II) THE PRODUCER RESPONSIBILITY ORGANIZATION ENGAGED SUFFICIENTLY WITH STAKEHOLDERS, INCLUDING LOCAL GOVERNMENTS, IN DEVELOPING THE PLAN.

(3) NOT LATER THAN 60 DAYS AFTER THE DATE A PRODUCER RESPONSIBILITY PLAN IS INITIALLY APPROVED UNDER THIS SECTION, A PRODUCER RESPONSIBILITY ORGANIZATION SHALL PAY TO THE DEPARTMENT:

(I) THE DEPARTMENT'S COST OF REVIEWING THE PLAN; AND

(II) THE DEPARTMENT'S ESTIMATED COSTS OF ADMINISTERING, OVERSEEING, AND ENFORCING THE PLAN BETWEEN THE INITIAL DATE OF APPROVAL AND THE DATE OF THE INITIAL ANNUAL REPORT REQUIRED UNDER § 9-2507 OF THIS SUBTITLE.

(H) WITHIN 6 MONTHS AFTER THE DATE A PRODUCER RESPONSIBILITY PLAN IS APPROVED UNDER THIS SECTION, A PRODUCER RESPONSIBILITY ORGANIZATION SHALL IMPLEMENT THE PLAN.

(I) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION AND SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, AN APPROVED PRODUCER RESPONSIBILITY PLAN SHALL EXPIRE AFTER 5 YEARS.

(2) A PRODUCER RESPONSIBILITY PLAN MAY CONTINUE AFTER 5 YEARS IF IT IS RENEGOTIATED, RENEWED, OR AMENDED AND APPROVED BY THE DEPARTMENT IN ACCORDANCE WITH THIS SUBTITLE.

(3) THE DEPARTMENT MAY RESCIND APPROVAL OF A PRODUCER RESPONSIBILITY PLAN AT ANY TIME FOR GOOD CAUSE.

(4) IF THE DEPARTMENT RESCINDS AN APPROVAL OF A PRODUCER

1 RESPONSIBILITY PLAN UNDER PARAGRAPH (3) OF THIS SUBSECTION, THE
2 PRODUCER, OR IF APPLICABLE, THE PRODUCER RESPONSIBILITY ORGANIZATION
3 MAY AMEND THE PLAN AND SUBMIT IT TO THE DEPARTMENT FOR APPROVAL IN
4 ACCORDANCE WITH THIS SUBTITLE.

5 (5) IF, BASED ON THE ANNUAL REPORT SUBMITTED UNDER § 9-2507
6 OF THIS SUBTITLE, THE PERFORMANCE GOALS ESTABLISHED UNDER SUBSECTION
7 (B)(3) OF THIS SECTION HAVE NOT BEEN ACHIEVED, THE DEPARTMENT MAY:

8 (I) REQUIRE THAT A PRODUCER RESPONSIBILITY
9 ORGANIZATION AMEND THE PRODUCER RESPONSIBILITY PLAN; AND

10 (II) IMPOSE AN ADMINISTRATIVE PENALTY ON A PRODUCER
11 RESPONSIBILITY ORGANIZATION IN ACCORDANCE WITH § 9-2510(C) OF THIS
12 SUBTITLE.

13 (6) IF THE DEPARTMENT REQUIRES A PRODUCER RESPONSIBILITY
14 ORGANIZATION TO AMEND THE PRODUCER RESPONSIBILITY PLAN UNDER
15 PARAGRAPH (5) OF THIS SUBSECTION, THE PRODUCER RESPONSIBILITY
16 ORGANIZATION MUST COVER THE COST OF THE DEPARTMENT'S REVIEW AND
17 SUPPLEMENTAL WORK ON THE PLAN.

18 9-2505.

19 (A) THERE IS A PRODUCER RESPONSIBILITY PLAN ADVISORY COUNCIL.

20 (B) THE PURPOSE OF THE ADVISORY COUNCIL IS TO PROVIDE ADVICE TO
21 THE DEPARTMENT AND PRODUCER RESPONSIBILITY ORGANIZATIONS FOR
22 DRAFTING, AMENDING, AND IMPLEMENTING PRODUCER RESPONSIBILITY PLANS.

23 (C) (1) THE ADVISORY COUNCIL SHALL CONSIST OF A BROAD RANGE OF
24 INTERESTED STAKEHOLDERS APPOINTED BY THE SECRETARY, INCLUDING:

25 (I) REPRESENTATIVES FROM THE FOLLOWING INDUSTRIES OR
26 ENTITIES IN THE STATE:

27 1. LOCAL GOVERNMENT AGENCIES RESPONSIBLE FOR
28 RECYCLING PROGRAMS;

29 2. RECYCLABLES AND COMPOSTABLE MATERIALS
30 COLLECTORS;

31 3. RECYCLING PROCESSORS;

1 4. **ORGANICS RECYCLING PROCESSORS;**

2 5. **THE CONSUMER GOODS SECTOR;**

3 6. **RETAIL AND SMALL BUSINESSES; AND**

4 7. **MATERIAL-ORIENTED TRADE GROUPS;**

5 (II) **A REPRESENTATIVE FROM EACH PRODUCER**
6 **RESPONSIBILITY ORGANIZATION;**

7 (III) **REPRESENTATIVES OF AT LEAST TWO NONPROFIT**
8 **ORGANIZATIONS IN THE STATE WITH MISSIONS RELATED TO REDUCING WASTE;**

9 (IV) **AT LEAST ONE REPRESENTATIVE OF AN ENVIRONMENTAL**
10 **ADVOCACY ORGANIZATION;**

11 (V) **AT LEAST ONE REPRESENTATIVE OF AN ENVIRONMENTAL**
12 **JUSTICE ADVOCACY ORGANIZATION; AND**

13 (VI) **AT LEAST TWO MEMBERS OF THE PUBLIC WHO RESIDE IN**
14 **THE STATE.**

15 (2) **IN APPOINTING MEMBERS TO THE ADVISORY COUNCIL, THE**
16 **SECRETARY SHALL, TO THE EXTENT PRACTICABLE, ENSURE THAT THE**
17 **MEMBERSHIP OF THE ADVISORY COUNCIL REPRESENTS:**

18 (I) **ALL GEOGRAPHIC REGIONS OF THE STATE;**

19 (II) **LARGE AND SMALL COUNTIES AND MUNICIPALITIES; AND**

20 (III) **THE VARIABILITY IN HOW WASTE AND RECYCLABLE AND**
21 **COMPOSTABLE MATERIALS ARE COLLECTED AND PROCESSED IN THE STATE.**

22 (3) **A REPRESENTATIVE FROM A PRODUCER RESPONSIBILITY**
23 **ORGANIZATION MAY NOT SERVE AS A VOTING MEMBER OR AS COCHAIR OF THE**
24 **ADVISORY COUNCIL.**

25 (D) **FROM AMONG THE ADVISORY COUNCIL MEMBERS, THE SECRETARY**
26 **SHALL DESIGNATE TWO REPRESENTATIVES TO SERVE AS COCHAIRS.**

27 (E) **A MEMBER OF THE ADVISORY COUNCIL:**

1 (1) MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE
2 ADVISORY COUNCIL; BUT

3 (2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE
4 STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.

5 (F) THE ADVISORY COUNCIL SHALL MEET AT LEAST QUARTERLY.

6 (G) THE ADVISORY COUNCIL SHALL:

7 (1) ON REQUEST BY A PRODUCER OR PRODUCER RESPONSIBILITY
8 ORGANIZATION, PROVIDE ADVICE REGARDING THE DRAFTING OR AMENDING OF A
9 PRODUCER RESPONSIBILITY PLAN REQUIRED UNDER § 9-2504 OF THIS SUBTITLE;

10 (2) RECEIVE AND REVIEW THE PRODUCER RESPONSIBILITY PLANS
11 SUBMITTED IN ACCORDANCE WITH § 9-2504 OF THIS SUBTITLE;

12 (3) RECEIVE AND REVIEW ANNUAL REPORTS SUBMITTED IN
13 ACCORDANCE WITH § 9-2507 OF THIS SUBTITLE;

14 (4) MAKE RECOMMENDATIONS TO THE DEPARTMENT REGARDING
15 PRODUCER RESPONSIBILITY PLAN APPROVAL;

16 (5) MAKE RECOMMENDATIONS TO THE DEPARTMENT AND
17 PRODUCER RESPONSIBILITY ORGANIZATIONS REGARDING PRODUCER
18 RESPONSIBILITY PLAN IMPLEMENTATION; AND

19 (6) PROVIDE WRITTEN RECOMMENDATIONS REGARDING THE
20 PRODUCER RESPONSIBILITY PLAN, INCLUDING ANY UPDATE OR REVISION TO AN
21 APPROVED PLAN, TO A PRODUCER RESPONSIBILITY ORGANIZATION BEFORE THE
22 PRODUCER RESPONSIBILITY ORGANIZATION SUBMITS THE PLAN TO THE
23 DEPARTMENT.

24 9-2506.

25 (A) IN ACCORDANCE WITH THE REQUIREMENTS OF A PRODUCER
26 RESPONSIBILITY ORGANIZATION, AS ESTABLISHED IN AN APPROVED PRODUCER
27 RESPONSIBILITY PLAN ON FILE WITH THE DEPARTMENT, AND ANY OTHER
28 REQUIREMENT ADOPTED BY THE DEPARTMENT, A LOCAL GOVERNMENT MAY
29 REQUEST REIMBURSEMENT FROM A PRODUCER RESPONSIBILITY ORGANIZATION
30 FOR COSTS ASSOCIATED WITH COLLECTING, TRANSPORTING, AND PROCESSING
31 PACKAGING MATERIALS THAT ARE IDENTIFIED UNDER THE PLAN, INCLUDING COSTS

1 ASSOCIATED WITH RECYCLING SERVICES FOR PUBLIC PLACES AND PUBLIC
2 HOUSING.

3 (B) (1) IF MULTIPLE PRODUCER RESPONSIBILITY ORGANIZATIONS
4 REGISTER APPROVED PRODUCER RESPONSIBILITY PLANS WITH THE DEPARTMENT
5 IN ACCORDANCE WITH THIS SUBTITLE, THE PRODUCER RESPONSIBILITY
6 ORGANIZATIONS SHALL COORDINATE REIMBURSEMENT REQUESTED UNDER THIS
7 SECTION.

8 (2) MULTIPLE PRODUCER RESPONSIBILITY ORGANIZATIONS MAY
9 ESTABLISH A THIRD-PARTY ENTITY TO COORDINATE REIMBURSEMENT IN
10 ACCORDANCE WITH THIS SUBSECTION.

11 (C) THIS SECTION DOES NOT AUTHORIZE A LOCAL GOVERNMENT TO
12 REQUEST REIMBURSEMENT FROM A PRODUCER RESPONSIBILITY ORGANIZATION
13 FOR COSTS ASSOCIATED WITH COMPOSTING MATERIALS THAT ARE NOT PACKAGING
14 MATERIALS, INCLUDING FOOD WASTE AND OTHER ORGANIC MATERIALS.

15 9-2507.

16 (A) BEGINNING MARCH 1, 2027, EACH PRODUCER RESPONSIBILITY
17 ORGANIZATION THAT HAS AN APPROVED PRODUCER RESPONSIBILITY PLAN ON FILE
18 WITH THE DEPARTMENT SHALL REPORT ANNUALLY TO THE DEPARTMENT ON THE
19 PROGRESS TOWARD MEETING PLAN REQUIREMENTS AND GOALS FOR THE
20 IMMEDIATELY PRECEDING CALENDAR YEAR.

21 (B) THE REPORT REQUIRED UNDER SUBSECTION (A) OF THIS SECTION
22 SHALL INCLUDE:

23 (1) A DETAILED DESCRIPTION OF THE REIMBURSEMENT METHODS
24 USED FOR COLLECTING, TRANSPORTING, AND PROCESSING PACKAGING
25 MATERIALS;

26 (2) (I) THE STATUS ON ACHIEVING THE PERFORMANCE GOALS
27 ESTABLISHED UNDER § 9-2504(B)(3) OF THIS SUBTITLE; AND

28 (II) IF THE GOALS HAVE NOT BEEN ACHIEVED, A DESCRIPTION
29 OF THE ACTIONS PROPOSED TO ACHIEVE THE GOALS;

30 (3) THE AMOUNT OF EACH PACKAGING MATERIAL TYPE COLLECTED
31 IN THE STATE, INCLUDING THE METHOD OF DISPOSITION OF EACH PACKAGING
32 MATERIAL TYPE;

1 (4) (I) THE NUMBER OF BEVERAGE CONTAINERS SOLD IN THE
2 STATE AND THE NUMBER COLLECTED, BY MATERIAL TYPE;

3 (II) THE OVERALL REDEMPTION RATE AND EFFECTIVE RATE OF
4 RECYCLING OF BEVERAGE CONTAINERS BY MATERIAL TYPE, AFTER SUBTRACTING
5 CONTAMINATION RATES, AND BY NUMBER OF UNITS AND WEIGHT; AND

6 (III) 1. A DESCRIPTION OF THE LOCATION OF COLLECTION
7 FACILITIES OR POINTS AND SORTING AND PROCESSING FACILITIES FOR BEVERAGE
8 CONTAINERS;

9 2. A DESCRIPTION OF ANY IMPROVEMENTS MADE IN THE
10 REPORTING YEAR TO INCREASE THE EASE AND CONVENIENCE FOR CONSUMERS TO
11 RETURN BEVERAGE CONTAINERS;

12 3. A DESCRIPTION OF UNDERSERVED AREAS AND
13 ACTIONS THAT WILL BE TAKEN BY THE PRODUCER RESPONSIBILITY ORGANIZATION
14 TO IMPROVE THE AVAILABILITY OF COLLECTION FACILITIES OR POINTS IN
15 UNDERSERVED AREAS; AND

16 4. ANY OTHER INFORMATION ON BEVERAGE
17 CONTAINERS REQUIRED BY THE DEPARTMENT;

18 (5) THE TOTAL COST OF IMPLEMENTING THE PLAN, AS DETERMINED
19 BY AN INDEPENDENT FINANCIAL AUDITOR INCLUDING:

20 (I) A COPY OF THE WORK PRODUCT OF THE INDEPENDENT
21 FINANCIAL AUDITOR; AND

22 (II) FINANCIAL STATEMENTS DETAILING ALL PAYMENTS
23 RECEIVED AND ISSUED BY THE PRODUCERS COVERED UNDER THE APPROVED PLAN;

24 (6) SAMPLES OF ALL EDUCATIONAL MATERIALS PROVIDED TO
25 CONSUMERS OR OTHER ENTITIES;

26 (7) A DETAILED DESCRIPTION OF THE ACTIONS TAKEN AND AN
27 EVALUATION OF THE METHODS USED TO DISSEMINATE EDUCATIONAL MATERIALS,
28 INCLUDING RECOMMENDATIONS, IF ANY, FOR HOW THE EDUCATIONAL COMPONENT
29 OF THE PLAN CAN BE IMPROVED;

30 (8) A DETAILED DESCRIPTION OF INVESTMENTS MADE IN MARKET
31 DEVELOPMENT AND FOR IMPROVING REUSE, ORGANICS RECYCLING, AND
32 RECYCLING INFRASTRUCTURE;

(9) PROOF OF A THIRD-PARTY AUDIT OF:

(I) THE REDUCTION IN PACKAGING REPORTED;

(II) THE DATA USED TO DETERMINE THE STATUS OF ACHIEVING PERFORMANCE GOALS;

(III) THE AMOUNT OF EACH PACKAGING MATERIAL TYPE COLLECTED IN THE STATE;

(IV) THE NUMBER OF BEVERAGE CONTAINERS SOLD, COLLECTED, AND REDEEMED IN THE STATE; AND

(V) THE OVERALL REDEMPTION RATE AND RECYCLING RATE OF BEVERAGE CONTAINERS IN THE STATE; AND

(10) ANY OTHER INFORMATION AS REQUIRED BY THE DEPARTMENT.

(C) WHEN PROVIDING THE DEPARTMENT WITH THE ANNUAL REPORT REQUIRED UNDER THIS SECTION, A PRODUCER RESPONSIBILITY ORGANIZATION SHALL PAY TO THE DEPARTMENT THE DEPARTMENT'S ESTIMATED COSTS OF ADMINISTERING, OVERSEEING, AND ENFORCING THE PLAN FOR THE 1 YEAR IMMEDIATELY FOLLOWING THE ANNUAL REPORT.

(D) FINANCIAL, PRODUCTION, OR SALES DATA REPORTED TO THE DEPARTMENT BY A PRODUCER RESPONSIBILITY ORGANIZATION SHALL BE KEPT CONFIDENTIAL BY THE DEPARTMENT AND MAY NOT BE SUBJECT TO PUBLIC INSPECTION.

(E) SUBJECT TO SUBSECTION (D) OF THIS SECTION, THE REPORT SHALL BE POSTED ON THE WEBSITE OF THE DEPARTMENT AND THE PRODUCER RESPONSIBILITY ORGANIZATION.

9-2508.

ANY PERSON PARTICIPATING IN A PRODUCER RESPONSIBILITY PLAN IN COMPLIANCE WITH THIS SUBTITLE IS IMMUNE FROM LIABILITY UNDER STATE LAW RELATING TO ANTITRUST AND RESTRAINT OF TRADE FOR ANY COOPERATED ACTIVITIES ARISING OUT OF THE RECYCLING, REUSE, AND DISPOSAL OF PACKAGING MATERIALS.

9-2509.

1 **THE DEPARTMENT SHALL ADOPT REGULATIONS TO CARRY OUT THIS**
2 **SUBTITLE.**

3 **9-2510.**

4 **(A) EXCEPT AS OTHERWISE PROVIDED UNDER SUBSECTIONS (B) AND (C) OF**
5 **THIS SECTION, THE PROVISIONS OF §§ 9-334 THROUGH 9-344 OF THIS TITLE APPLY**
6 **TO ENFORCE VIOLATIONS OF:**

7 **(1) THIS SUBTITLE;**

8 **(2) ANY REGULATION ADOPTED UNDER THIS SUBTITLE; OR**

9 **(3) ANY ORDER ISSUED UNDER THIS SUBTITLE.**

10 **(B) (1) A PRODUCER OR PRODUCER RESPONSIBILITY ORGANIZATION**
11 **THAT VIOLATES THIS SUBTITLE IS SUBJECT TO:**

12 **(I) FOR A FIRST VIOLATION, A CIVIL PENALTY OF \$5,000;**

13 **(II) FOR A SECOND VIOLATION, A CIVIL PENALTY OF \$10,000;**

14 **AND**

15 **(III) FOR A THIRD AND SUBSEQUENT VIOLATION, A CIVIL**
16 **PENALTY OF \$20,000.**

17 **(2) A PENALTY MAY NOT BE IMPOSED ON A PRODUCER UNDER THIS**
18 **SECTION UNLESS:**

19 **(I) THE DEPARTMENT FIRST ISSUES A WRITTEN NOTICE OF**
20 **VIOLATION TO THE PRODUCER; AND**

21 **(II) THE VIOLATION IS NOT CORRECTED WITHIN 60 DAYS OF**
22 **RECEIPT OF THE WRITTEN NOTICE.**

23 **(C) IF, BASED ON THE ANNUAL REPORT SUBMITTED UNDER § 9-2507 OF**
24 **THIS SUBTITLE, THE PERFORMANCE GOALS ESTABLISHED UNDER § 9-2504(B)(3) OF**
25 **THIS SUBTITLE HAVE NOT BEEN ACHIEVED, THE DEPARTMENT MAY IMPOSE AN**
26 **ADMINISTRATIVE PENALTY, NOT TO EXCEED \$5,000, ON THE PRODUCER**
27 **RESPONSIBILITY ORGANIZATION.**

28 **(D) ANY PENALTY COLLECTED BY THE DEPARTMENT UNDER THIS SECTION**

1 SHALL BE PAID INTO THE STATE RECYCLING TRUST FUND ESTABLISHED UNDER §
2 9-1707 OF THIS TITLE.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 October 1, 2023.

SENATE BILL 229

R6

3lr1872
CF 3lr0721

By: **Senator Beidle**

Introduced and read first time: January 23, 2023

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws – Noise Abatement Monitoring Systems – Authorization, Use, and**
3 **Penalties**

4 FOR the purpose of authorizing a local government to use noise abatement monitoring
5 systems, if authorized by local law; providing that the owner or driver of a motor
6 vehicle recorded in violation of certain motor vehicle noise requirements is subject to
7 a citation and a certain civil penalty under certain circumstances; establishing
8 certain defenses to a charge of an alleged violation recorded by a noise abatement
9 monitoring system; prohibiting a contractor that administers a noise abatement
10 monitoring system from being compensated in a certain manner; and generally
11 relating to the use of noise abatement monitoring systems.

12 BY repealing and reenacting, with amendments,
13 Article – Courts and Judicial Proceedings
14 Section 4–401(13), 7–302(e)(1) through (3) and (4)(i), and 10–311
15 Annotated Code of Maryland
16 (2020 Replacement Volume and 2022 Supplement)

17 BY repealing and reenacting, without amendments,
18 Article – Transportation
19 Section 22–602
20 Annotated Code of Maryland
21 (2020 Replacement Volume and 2022 Supplement)

22 BY adding to
23 Article – Transportation
24 Section 22–612
25 Annotated Code of Maryland
26 (2020 Replacement Volume and 2022 Supplement)

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 That the Laws of Maryland read as follows:

2 **Article – Courts and Judicial Proceedings**

3 4–401.

4 Except as provided in § 4–402 of this subtitle, and subject to the venue provisions of
5 Title 6 of this article, the District Court has exclusive original civil jurisdiction in:

6 (13) A proceeding for a civil infraction under § 21–202.1, § 21–704.1, §
7 21–706.1, § 21–809, § 21–810, § 21–1134, **§ 22–612**, or § 24–111.3 of the Transportation
8 Article or § 10–112 of the Criminal Law Article;

9 7–302.

10 (e) (1) (i) A citation issued pursuant to § 21–202.1, § 21–706.1, § 21–809, §
11 21–810, § 21–1134, **§ 22–612**, or § 24–111.3 of the Transportation Article shall provide that
12 the person receiving the citation may elect to stand trial by notifying the issuing agency of
13 the person’s intention to stand trial at least 5 days prior to the date of payment as set forth
14 in the citation.

15 (ii) On receipt of the notice to stand trial, the agency shall forward
16 to the District Court having venue a copy of the citation and a copy of the notice from the
17 person who received the citation indicating the person’s intention to stand trial.

18 (iii) On receipt thereof, the District Court shall schedule the case for
19 trial and notify the defendant of the trial date under procedures adopted by the Chief Judge
20 of the District Court.

21 (2) (i) A citation issued as the result of a vehicle height monitoring
22 system, a traffic control signal monitoring system, or a speed monitoring system, including
23 a work zone speed control system, controlled by a political subdivision, a school bus
24 monitoring camera, [or] a bus lane monitoring system, **OR A NOISE ABATEMENT**
25 **MONITORING SYSTEM** shall provide that, in an uncontested case, the penalty shall be paid
26 directly to that political subdivision.

27 (ii) A citation issued as the result of a traffic control signal
28 monitoring system or a work zone speed control system controlled by a State agency, or as
29 a result of a vehicle height monitoring system, a traffic control signal monitoring system, a
30 speed monitoring system, a school bus monitoring camera, [or] a bus lane monitoring
31 system, **OR A NOISE ABATEMENT MONITORING SYSTEM** in a case contested in District
32 Court, shall provide that the penalty shall be paid directly to the District Court.

33 (3) Civil penalties resulting from citations issued using a vehicle height
34 monitoring system, traffic control signal monitoring system, speed monitoring system,
35 work zone speed control system, school bus monitoring camera, [or] bus lane monitoring

1 system, **OR A NOISE ABATEMENT MONITORING SYSTEM** that are collected by the District
2 Court shall be collected in accordance with subsection (a) of this section and distributed in
3 accordance with § 12–118 of the Transportation Article.

4 (4) (i) Except as provided in paragraph (5) of this subsection, from the
5 fines collected by a political subdivision as a result of violations enforced by speed
6 monitoring systems, school bus monitoring cameras, [or] bus lane monitoring systems, **OR**
7 **NOISE ABATEMENT MONITORING SYSTEMS**, a political subdivision:

8 1. May recover the costs of implementing and administering
9 the speed monitoring systems, school bus monitoring cameras, [or] bus lane monitoring
10 systems, **OR NOISE ABATEMENT MONITORING SYSTEMS**; and

11 2. Subject to subparagraphs (ii), (iii), and (iv) of this
12 paragraph, may spend any remaining balance solely for public safety purposes, including
13 pedestrian safety programs.

14 10–311.

15 (a) A recorded image of a motor vehicle produced by a traffic control signal
16 monitoring system in accordance with § 21–202.1 of the Transportation Article is
17 admissible in a proceeding concerning a civil citation issued under that section for a
18 violation of § 21–202(h) of the Transportation Article without authentication.

19 (b) A recorded image of a motor vehicle produced by a speed monitoring system
20 in accordance with § 21–809 or § 21–810 of the Transportation Article is admissible in a
21 proceeding concerning a civil citation issued under that section for a violation of Title 21,
22 Subtitle 8 of the Transportation Article without authentication.

23 (c) A recorded image of a motor vehicle produced by a school bus monitoring
24 camera in accordance with § 21–706.1 of the Transportation Article is admissible in a
25 proceeding concerning a civil citation issued under that section for a violation of § 21–706
26 of the Transportation Article without authentication.

27 (d) A recorded image of a motor vehicle produced by a vehicle height monitoring
28 system in accordance with § 24–111.3 of the Transportation Article is admissible in a
29 proceeding concerning a civil citation issued under that section for a violation of a State or
30 local law restricting the presence of certain vehicles during certain times without
31 authentication.

32 (e) A recorded image of a motor vehicle produced by a bus lane monitoring system
33 in accordance with § 21–1134 of the Transportation Article is admissible in a proceeding
34 concerning a civil citation issued under that section for a violation of § 21–1133 of the
35 Transportation Article without authentication.

36 (f) **A RECORDED IMAGE OF A MOTOR VEHICLE PRODUCED BY A NOISE**

1 ABATEMENT MONITORING SYSTEM IN ACCORDANCE WITH § 22-612 OF THE
2 TRANSPORTATION ARTICLE IS ADMISSIBLE IN A PROCEEDING CONCERNING A CIVIL
3 CITATION ISSUED UNDER THAT SECTION FOR A VIOLATION OF § 22-602 OF THE
4 TRANSPORTATION ARTICLE WITHOUT AUTHENTICATION.

5 (G) In any other judicial proceeding, a recorded image produced by a vehicle
6 height monitoring system, traffic control signal monitoring system, speed monitoring
7 system, work zone speed control system, school bus monitoring camera, [or] bus lane
8 monitoring system, OR NOISE ABATEMENT MONITORING SYSTEM is admissible as
9 otherwise provided by law.

10 Article – Transportation

11 22-602.

12 (a) A person may not drive on a highway in this State any motor vehicle or
13 combination of vehicles of a type required to be registered under Title 13 of this article, in
14 a manner that, at any time, at any speed, or under any condition of grade, load,
15 acceleration, or deceleration, exceeds the maximum sound level limits established under §
16 22-601 of this subtitle for the operation of that type of motor vehicle or combination of
17 vehicles.

18 (b) An owner or lessee of a motor vehicle may not permit to be driven on a highway
19 in this State any motor vehicle or combination of vehicles of a type required to be registered
20 under Title 13 of this article, in a manner that, at any time, at any speed, or under any
21 condition of grade, load, acceleration, or deceleration, exceeds the maximum sound level
22 limits established under § 22-601 of this subtitle for the operation of that type of motor
23 vehicle or combination of vehicles.

24 22-612.

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

27 (2) “AGENCY” MEANS:

28 (I) A LAW ENFORCEMENT AGENCY OF A LOCAL POLITICAL
29 SUBDIVISION THAT IS AUTHORIZED TO ISSUE A CITATION FOR A VIOLATION OF THE
30 MARYLAND VEHICLE LAW OR OF LOCAL TRAFFIC LAWS OR REGULATIONS; OR

31 (II) FOR A MUNICIPAL CORPORATION THAT DOES NOT
32 MAINTAIN A POLICE FORCE, AN AGENCY ESTABLISHED OR DESIGNATED BY THE
33 MUNICIPAL CORPORATION TO IMPLEMENT A PROGRAM OF NOISE ABATEMENT
34 MONITORING SYSTEMS IN ACCORDANCE WITH THIS SECTION.

1 **(3) “NOISE ABATEMENT MONITORING SYSTEM” MEANS A MOBILE OR**
2 **FIXED VEHICLE SENSOR THAT WORKS IN CONJUNCTION WITH A NOISE MEASURING**
3 **DEVICE, SUCH AS A DECIBEL READER, THAT AUTOMATICALLY PRODUCES TWO OR**
4 **MORE PHOTOGRAPHS, TWO OR MORE MICROPHOTOGRAPHS, A VIDEOTAPE, OR**
5 **OTHER RECORDED IMAGES OF A MOTOR VEHICLE AT THE TIME THE MOTOR VEHICLE**
6 **IS OPERATED DURING THE COMMISSION OF A VIOLATION.**

7 **(4) “NOISE ABATEMENT MONITORING SYSTEM OPERATOR” MEANS A**
8 **REPRESENTATIVE OF AN AGENCY OR CONTRACTOR THAT OPERATES A NOISE**
9 **ABATEMENT MONITORING SYSTEM.**

10 **(5) (I) “OWNER” MEANS THE REGISTERED OWNER OF A MOTOR**
11 **VEHICLE OR A LESSEE OF A MOTOR VEHICLE UNDER A LEASE OF 6 MONTHS OR**
12 **MORE.**

13 **(II) “OWNER” DOES NOT INCLUDE:**

- 14 1. **A MOTOR VEHICLE RENTAL OR LEASING COMPANY;**
15 **OR**
- 16 2. **A HOLDER OF A SPECIAL REGISTRATION PLATE**
17 **ISSUED UNDER TITLE 13, SUBTITLE 9, PART III OF THIS ARTICLE.**

18 **(6) “RECORDED IMAGE” MEANS AN IMAGE RECORDED BY A NOISE**
19 **ABATEMENT MONITORING SYSTEM:**

20 **(I) ON:**

- 21 1. **A PHOTOGRAPH;**
- 22 2. **A MICROPHOTOGRAPH;**
- 23 3. **AN ELECTRONIC IMAGE;**
- 24 4. **VIDEOTAPE; OR**
- 25 5. **ANY OTHER MEDIUM; AND**

26 **(II) SHOWING:**

- 27 1. **THE REAR OF A MOTOR VEHICLE;**
- 28 2. **THE DECIBEL LEVEL RECORDED FOR THE MOTOR**

1 VEHICLE AT THE TIME OF RECORDATION; AND

2 3. ON AT LEAST ONE IMAGE OR PORTION OF TAPE, A
3 CLEAR AND LEGIBLE IDENTIFICATION OF THE ENTIRE REGISTRATION PLATE
4 NUMBER OF THE MOTOR VEHICLE.

5 (7) "VIOLATION" MEANS A VIOLATION OF § 22-602 OF THIS SUBTITLE.

6 (B) (1) (I) A NOISE ABATEMENT MONITORING SYSTEM MAY BE USED IN
7 A LOCAL JURISDICTION UNDER THIS SECTION IF ITS USE IS AUTHORIZED BY THE
8 GOVERNING BODY OF THE LOCAL JURISDICTION BY LOCAL LAW ENACTED AFTER
9 REASONABLE NOTICE AND A PUBLIC HEARING.

10 (II) BEFORE A COUNTY MAY USE A NOISE ABATEMENT
11 MONITORING SYSTEM ON A STATE HIGHWAY AT A LOCATION WITHIN A MUNICIPAL
12 CORPORATION, THE COUNTY SHALL:

13 1. OBTAIN THE APPROVAL OF THE STATE HIGHWAY
14 ADMINISTRATION;

15 2. NOTIFY THE MUNICIPAL CORPORATION OF THE
16 STATE HIGHWAY ADMINISTRATION'S APPROVAL OF THE USE OF A NOISE
17 ABATEMENT MONITORING SYSTEM AT THAT LOCATION; AND

18 3. GRANT THE MUNICIPAL CORPORATION 60 DAYS
19 FROM THE DATE OF THE COUNTY'S NOTICE TO THE MUNICIPAL CORPORATION TO
20 ENACT AN ORDINANCE AUTHORIZING THE MUNICIPAL CORPORATION INSTEAD OF
21 THE COUNTY TO USE A NOISE ABATEMENT MONITORING SYSTEM AT THAT LOCATION.

22 (III) BEFORE ACTIVATING A NOISE ABATEMENT MONITORING
23 SYSTEM, THE LOCAL JURISDICTION SHALL:

24 1. PUBLISH NOTICE OF THE LOCATION OF THE NOISE
25 ABATEMENT MONITORING SYSTEM ON ITS WEBSITE AND IN A NEWSPAPER OF
26 GENERAL CIRCULATION IN THE JURISDICTION; AND

27 2. ENSURE THAT EACH NOISE ABATEMENT MONITORING
28 SYSTEM IS PROXIMATE TO A SIGN THAT:

29 A. INDICATES THAT NOISE ABATEMENT MONITORING
30 SYSTEMS ARE IN USE IN THE AREA; AND

31 B. IS IN ACCORDANCE WITH THE MANUAL FOR AND THE

1 SPECIFICATIONS FOR A UNIFORM SYSTEM OF TRAFFIC CONTROL DEVICES ADOPTED
2 BY THE STATE HIGHWAY ADMINISTRATION UNDER § 25-104 OF THIS ARTICLE.

3 (iv) 1. A LOCAL JURISDICTION THAT AUTHORIZES A
4 PROGRAM OF NOISE ABATEMENT MONITORING SYSTEMS SHALL DESIGNATE AN
5 OFFICIAL OR EMPLOYEE TO INVESTIGATE AND RESPOND TO QUESTIONS OR
6 CONCERNS ABOUT THE LOCAL JURISDICTION'S NOISE ABATEMENT MONITORING
7 SYSTEM PROGRAM.

8 2. A. THE LOCAL DESIGNEE SHALL REVIEW A
9 WARNING NOTICE OR CITATION GENERATED BY A NOISE ABATEMENT MONITORING
10 SYSTEM IF THE PERSON WHO RECEIVED THE WARNING NOTICE OR CITATION
11 REQUESTS REVIEW BEFORE THE DEADLINE FOR CONTESTING LIABILITY UNDER
12 THIS SECTION.

13 B. IF THE LOCAL DESIGNEE DETERMINES THAT THE
14 WARNING NOTICE OR CITATION IS AN ERRONEOUS VIOLATION, THE LOCAL
15 DESIGNEE SHALL VOID THE WARNING NOTICE OR CITATION.

16 C. IF THE LOCAL DESIGNEE DETERMINES THAT A
17 PERSON DID NOT RECEIVE NOTICE OF A WARNING NOTICE OR CITATION ISSUED
18 UNDER THIS SECTION DUE TO AN ADMINISTRATIVE ERROR, THE LOCAL DESIGNEE
19 MAY RESEND THE WARNING NOTICE OR CITATION IN ACCORDANCE WITH
20 SUBSECTION (D) OF THIS SECTION OR VOID THE WARNING NOTICE OR CITATION.

21 D. A LOCAL DESIGNEE THAT TAKES ANY ACTION
22 DESCRIBED UNDER SUBSUBSUBPARAGRAPH C OF THIS SUBSUBPARAGRAPH SHALL
23 NOTIFY THE ADMINISTRATION OF THE ACTION FOR THE PURPOSE OF RESCINDING
24 ANY ADMINISTRATIVE PENALTIES IMPOSED UNDER SUBSECTION (G) OF THIS
25 SECTION.

26 E. A LOCAL DESIGNEE MAY NOT DETERMINE THAT A
27 WARNING NOTICE OR CITATION IS AN ERRONEOUS VIOLATION BASED SOLELY ON
28 THE DISMISSAL OF THE WARNING NOTICE OR CITATION BY A COURT.

29 3. A LOCAL DESIGNEE MAY NOT BE EMPLOYED BY A
30 NOISE ABATEMENT MONITORING SYSTEM CONTRACTOR OR HAVE BEEN INVOLVED
31 IN ANY REVIEW OF A NOISE ABATEMENT MONITORING SYSTEM WARNING NOTICE OR
32 CITATION, OTHER THAN REVIEW OF A WARNING NOTICE OR CITATION UNDER THIS
33 SUBPARAGRAPH.

34 4. ON RECEIPT OF A WRITTEN QUESTION OR CONCERN
35 FROM A PERSON, THE LOCAL DESIGNEE SHALL PROVIDE A WRITTEN ANSWER OR

1 RESPONSE TO THE PERSON WITHIN A REASONABLE TIME.

2 5. A LOCAL JURISDICTION SHALL MAKE ANY WRITTEN
3 QUESTIONS OR CONCERNS RECEIVED UNDER THIS SUBPARAGRAPH AND ANY
4 SUBSEQUENT WRITTEN ANSWERS OR RESPONSES AVAILABLE FOR PUBLIC
5 INSPECTION.

6 (2) (I) A NOISE ABATEMENT MONITORING SYSTEM OPERATOR
7 SHALL COMPLETE TRAINING BY THE MANUFACTURER OF THE NOISE ABATEMENT
8 MONITORING SYSTEM IN THE PROCEDURES FOR SETTING UP AND OPERATING THE
9 NOISE ABATEMENT MONITORING SYSTEM.

10 (II) THE MANUFACTURER SHALL ISSUE A SIGNED CERTIFICATE
11 TO THE NOISE ABATEMENT MONITORING SYSTEM OPERATOR ON COMPLETION OF
12 THE TRAINING.

13 (III) THE CERTIFICATE OF TRAINING SHALL BE ADMITTED AS
14 EVIDENCE IN ANY COURT PROCEEDING FOR A VIOLATION OF THIS SECTION.

15 (3) A NOISE ABATEMENT MONITORING SYSTEM OPERATOR SHALL
16 FILL OUT AND SIGN A DAILY SET-UP LOG FOR A NOISE ABATEMENT MONITORING
17 SYSTEM THAT:

18 (I) STATES THAT THE NOISE ABATEMENT MONITORING SYSTEM
19 OPERATOR SUCCESSFULLY PERFORMED OR REVIEWED AND EVALUATED THE
20 MANUFACTURER-SPECIFIED DAILY SELF-TEST OF THE NOISE ABATEMENT
21 MONITORING SYSTEM PRIOR TO PRODUCING A RECORDED IMAGE;

22 (II) SHALL BE KEPT ON FILE; AND

23 (III) SHALL BE ADMITTED AS EVIDENCE IN ANY COURT
24 PROCEEDING FOR A VIOLATION.

25 (4) (I) A NOISE ABATEMENT MONITORING SYSTEM SHALL
26 UNDERGO AN ANNUAL CALIBRATION CHECK PERFORMED BY AN INDEPENDENT
27 CALIBRATION LABORATORY THAT IS:

28 1. SELECTED BY THE LOCAL JURISDICTION; AND

29 2. UNAFFILIATED WITH THE MANUFACTURER OF THE
30 NOISE ABATEMENT MONITORING SYSTEM.

31 (II) THE INDEPENDENT CALIBRATION LABORATORY SHALL

1 ISSUE A SIGNED CERTIFICATE OF CALIBRATION AFTER THE ANNUAL CALIBRATION
2 CHECK THAT SHALL BE:

3 1. KEPT ON FILE; AND

4 2. ADMITTED AS EVIDENCE IN ANY COURT PROCEEDING
5 FOR A VIOLATION.

6 (5) IF A LOCAL JURISDICTION AUTHORIZES A PROGRAM OF NOISE
7 ABATEMENT MONITORING SYSTEMS UNDER THIS SECTION THE LOCAL
8 JURISDICTION SHALL DESIGNATE A PROGRAM ADMINISTRATOR WHO MAY NOT BE
9 AN EMPLOYEE OR REPRESENTATIVE OF THE NOISE ABATEMENT MONITORING
10 SYSTEM CONTRACTOR.

11 (6) (I) THE MARYLAND POLICE TRAINING AND STANDARDS
12 COMMISSION, IN CONSULTATION WITH THE STATE HIGHWAY ADMINISTRATION AND
13 OTHER INTERESTED STAKEHOLDERS, SHALL DEVELOP A TRAINING PROGRAM
14 CONCERNING THE OVERSIGHT AND ADMINISTRATION OF A NOISE ABATEMENT
15 MONITORING PROGRAM BY A LOCAL JURISDICTION, INCLUDING A CURRICULUM OF
16 BEST PRACTICES IN THE STATE.

17 (II) 1. A PROGRAM ADMINISTRATOR SHALL PARTICIPATE IN
18 THE TRAINING PROGRAM ESTABLISHED UNDER THIS PARAGRAPH BEFORE A LOCAL
19 JURISDICTION INITIALLY IMPLEMENTS A NEW NOISE ABATEMENT MONITORING
20 PROGRAM AND SUBSEQUENTLY AT LEAST ONCE EVERY 2 YEARS.

21 2. IF A LOCAL JURISDICTION DESIGNATES A NEW
22 PROGRAM ADMINISTRATOR, THE NEW PROGRAM ADMINISTRATOR SHALL
23 PARTICIPATE IN THE NEXT AVAILABLE TRAINING PROGRAM.

24 (7) A LOCAL JURISDICTION THAT ESTABLISHES A NOISE ABATEMENT
25 MONITORING SYSTEM PROGRAM SHALL BEAR THE COST OF IMPLEMENTING THE
26 PROGRAM.

27 (C) (1) UNLESS THE DRIVER OF THE MOTOR VEHICLE RECEIVED A
28 CITATION FROM A POLICE OFFICER AT THE TIME OF THE VIOLATION, THE OWNER
29 OR, IN ACCORDANCE WITH SUBSECTION (F)(4) OF THIS SECTION, THE DRIVER OF A
30 MOTOR VEHICLE IS SUBJECT TO A CIVIL PENALTY IF THE MOTOR VEHICLE IS
31 RECORDED BY A NOISE ABATEMENT MONITORING SYSTEM WHILE BEING OPERATED
32 DURING THE COMMISSION OF A VIOLATION.

33 (2) A PERSON LIABLE FOR A VIOLATION ENFORCED BY A NOISE
34 ABATEMENT MONITORING SYSTEM IS SUBJECT TO:

1 (I) FOR A FIRST OFFENSE, A WARNING NOTICE; AND

2 (II) FOR A SECOND OR SUBSEQUENT OFFENSE, A CIVIL PENALTY
3 NOT EXCEEDING \$70.

4 (3) FOR PURPOSES OF THIS SECTION, THE DISTRICT COURT SHALL
5 PRESCRIBE:

6 (I) A UNIFORM CITATION FORM CONSISTENT WITH
7 SUBSECTION (D)(1) OF THIS SECTION AND § 7-302 OF THE COURTS ARTICLE; AND

8 (II) A CIVIL PENALTY, WHICH SHALL BE INDICATED ON THE
9 CITATION, TO BE PAID BY PERSONS WHO CHOOSE TO PREPAY THE CIVIL PENALTY
10 WITHOUT APPEARING IN DISTRICT COURT.

11 (D) (1) SUBJECT TO THE PROVISIONS OF PARAGRAPHS (2) THROUGH (4)
12 OF THIS SUBSECTION, AN AGENCY SHALL MAIL TO AN OWNER LIABLE UNDER
13 SUBSECTION (C) OF THIS SECTION A WARNING NOTICE OR CITATION THAT SHALL
14 INCLUDE:

15 (I) THE NAME AND ADDRESS OF THE REGISTERED OWNER OF
16 THE VEHICLE;

17 (II) THE REGISTRATION NUMBER OF THE MOTOR VEHICLE
18 INVOLVED IN THE VIOLATION;

19 (III) THE VIOLATION CHARGED;

20 (IV) THE LOCATION WHERE THE VIOLATION OCCURRED;

21 (V) THE DATE AND TIME OF THE VIOLATION;

22 (VI) A COPY OF THE RECORDED IMAGE;

23 (VII) THE AMOUNT OF THE CIVIL PENALTY IMPOSED AND THE
24 DATE BY WHICH THE CIVIL PENALTY SHOULD BE PAID, IF APPLICABLE;

25 (VIII) A SIGNED STATEMENT BY A DULY AUTHORIZED LAW
26 ENFORCEMENT OFFICER EMPLOYED BY OR UNDER CONTRACT WITH AN AGENCY
27 THAT, BASED ON INSPECTION OF RECORDED IMAGES, THE MOTOR VEHICLE WAS
28 BEING OPERATED DURING THE COMMISSION OF A VIOLATION;

1 (IX) A STATEMENT THAT RECORDED IMAGES ARE EVIDENCE OF
2 A VIOLATION;

3 (X) INFORMATION ADVISING THE PERSON ALLEGED TO BE
4 LIABLE UNDER THIS SECTION OF THE MANNER AND TIME IN WHICH LIABILITY AS
5 ALLEGED IN THE CITATION MAY BE CONTESTED IN THE DISTRICT COURT; AND

6 (XI) INFORMATION ADVISING THE PERSON ALLEGED TO BE
7 LIABLE UNDER THIS SECTION THAT FAILURE TO PAY THE CIVIL PENALTY OR TO
8 CONTEST LIABILITY IN A TIMELY MANNER:

9 1. IS AN ADMISSION OF LIABILITY;

10 2. MAY RESULT IN THE REFUSAL BY THE
11 ADMINISTRATION TO REGISTER THE MOTOR VEHICLE; AND

12 3. MAY RESULT IN THE SUSPENSION OF THE MOTOR
13 VEHICLE REGISTRATION.

14 (2) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS
15 PARAGRAPH, AN AGENCY MAY MAIL A WARNING NOTICE INSTEAD OF A CITATION TO
16 THE OWNER LIABLE UNDER SUBSECTION (C) OF THIS SECTION.

17 (II) AN AGENCY SHALL MAIL A WARNING NOTICE INSTEAD OF A
18 CITATION FOR A VIOLATION RECORDED BY THE NOISE ABATEMENT MONITORING
19 SYSTEM DURING THE FIRST 90 DAYS THAT THE NOISE ABATEMENT MONITORING
20 SYSTEM IS IN OPERATION.

21 (3) EXCEPT AS PROVIDED IN SUBSECTION (F)(4) OF THIS SECTION, AN
22 AGENCY MAY NOT MAIL A CITATION TO A PERSON WHO IS NOT AN OWNER.

23 (4) EXCEPT AS PROVIDED IN SUBSECTION (F)(4) OF THIS SECTION, A
24 CITATION ISSUED UNDER THIS SECTION SHALL BE MAILED NOT LATER THAN 2
25 WEEKS AFTER THE ALLEGED VIOLATION IF THE VEHICLE IS REGISTERED IN THIS
26 STATE, AND 30 DAYS AFTER THE ALLEGED VIOLATION IF THE VEHICLE IS
27 REGISTERED IN ANOTHER STATE.

28 (5) A PERSON WHO RECEIVES A CITATION UNDER PARAGRAPH (1) OF
29 THIS SUBSECTION MAY:

30 (I) PAY THE CIVIL PENALTY, IN ACCORDANCE WITH
31 INSTRUCTIONS ON THE CITATION, DIRECTLY TO THE POLITICAL SUBDIVISION; OR

(II) ELECT TO STAND TRIAL IN THE DISTRICT COURT FOR THE ALLEGED VIOLATION.

(E) (1) A CERTIFICATE ALLEGING THAT THE VIOLATION OCCURRED AND THE REQUIREMENTS UNDER SUBSECTION (B) OF THIS SECTION HAVE BEEN SATISFIED, SWORN TO, OR AFFIRMED BY A DULY AUTHORIZED LAW ENFORCEMENT OFFICER EMPLOYED BY OR UNDER CONTRACT WITH AN AGENCY, BASED ON INSPECTION OF RECORDED IMAGES PRODUCED BY A NOISE ABATEMENT MONITORING SYSTEM, SHALL BE EVIDENCE OF THE FACTS CONTAINED IN THE CERTIFICATE AND SHALL BE ADMISSIBLE IN A PROCEEDING ALLEGING A VIOLATION WITHOUT THE PRESENCE OR TESTIMONY OF THE NOISE ABATEMENT MONITORING SYSTEM OPERATOR WHO PERFORMED THE REQUIREMENTS UNDER SUBSECTION (B) OF THIS SECTION.

(2) IF A PERSON WHO RECEIVED A CITATION UNDER SUBSECTION (D) OF THIS SECTION DESIRES THE NOISE ABATEMENT MONITORING SYSTEM OPERATOR TO BE PRESENT AND TESTIFY AT TRIAL, THE PERSON SHALL NOTIFY THE COURT AND THE AGENCY IN WRITING NOT LATER THAN 20 DAYS BEFORE TRIAL.

(3) ADJUDICATION OF LIABILITY SHALL BE BASED ON A PREPONDERANCE OF EVIDENCE.

(F) (1) THE DISTRICT COURT MAY CONSIDER IN DEFENSE OF A VIOLATION:

(I) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THAT THE MOTOR VEHICLE OR THE REGISTRATION PLATES OF THE MOTOR VEHICLE WERE STOLEN BEFORE THE VIOLATION OCCURRED AND WERE NOT UNDER THE CONTROL OR POSSESSION OF THE OWNER AT THE TIME OF THE VIOLATION;

(II) SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, EVIDENCE THAT THE PERSON NAMED IN THE CITATION WAS NOT OPERATING THE VEHICLE AT THE TIME OF THE VIOLATION;

(III) THAT THE NOISE ABATEMENT MONITORING SYSTEM WAS MALFUNCTIONING AT THE TIME OF THE VIOLATION; OR

(IV) ANY OTHER ISSUES AND EVIDENCE THAT THE DISTRICT COURT DEEMS PERTINENT.

(2) TO DEMONSTRATE THAT THE MOTOR VEHICLE OR THE REGISTRATION PLATES WERE STOLEN BEFORE THE VIOLATION OCCURRED AND WERE NOT UNDER THE CONTROL OR POSSESSION OF THE OWNER AT THE TIME OF

1 THE VIOLATION, THE OWNER SHALL SUBMIT PROOF THAT A POLICE REPORT
2 REGARDING THE STOLEN MOTOR VEHICLE OR REGISTRATION PLATES WAS FILED IN
3 A TIMELY MANNER.

4 (3) TO SATISFY THE EVIDENTIARY BURDEN UNDER PARAGRAPH
5 (1)(II) OF THIS SUBSECTION, THE PERSON NAMED IN THE WARNING NOTICE
6 CITATION SHALL PROVIDE TO THE DISTRICT COURT A LETTER, SWORN TO OR
7 AFFIRMED BY THE PERSON AND MAILED BY CERTIFIED MAIL, RETURN RECEIPT
8 REQUESTED, THAT:

9 (I) STATES THAT THE PERSON NAMED IN THE CITATION WAS
10 NOT OPERATING THE VEHICLE AT THE TIME OF THE VIOLATION; AND

11 (II) INCLUDES ANY OTHER CORROBORATING EVIDENCE.

12 (4) (I) IF THE DISTRICT COURT FINDS THAT THE PERSON NAMED
13 IN THE CITATION WAS NOT OPERATING THE VEHICLE AT THE TIME OF THE
14 VIOLATION OR RECEIVES EVIDENCE UNDER PARAGRAPH (3) OF THIS SUBSECTION
15 IDENTIFYING THE PERSON DRIVING THE VEHICLE AT THE TIME OF THE VIOLATION,
16 THE CLERK OF THE COURT SHALL PROVIDE TO THE AGENCY ISSUING THE CITATION
17 A COPY OF ANY EVIDENCE SUBSTANTIATING WHO WAS OPERATING THE VEHICLE AT
18 THE TIME OF THE VIOLATION.

19 (II) ON RECEIPT OF SUBSTANTIATING EVIDENCE FROM THE
20 DISTRICT COURT UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, AN AGENCY MAY
21 ISSUE A CITATION AS PROVIDED IN SUBSECTION (D) OF THIS SECTION TO THE
22 PERSON WHO THE EVIDENCE INDICATES WAS OPERATING THE VEHICLE AT THE TIME
23 OF THE VIOLATION.

24 (III) A CITATION ISSUED UNDER SUBPARAGRAPH (II) OF THIS
25 PARAGRAPH SHALL BE MAILED NOT LATER THAN 2 WEEKS AFTER RECEIPT OF THE
26 EVIDENCE FROM THE DISTRICT COURT.

27 (G) IF A PERSON LIABLE UNDER THIS SECTION DOES NOT PAY THE CIVIL
28 PENALTY OR CONTEST THE VIOLATION, THE ADMINISTRATION MAY REFUSE TO
29 REGISTER OR REREGISTER THE MOTOR VEHICLE CITED FOR THE VIOLATION.

30 (H) A VIOLATION FOR WHICH A CIVIL PENALTY IS IMPOSED UNDER THIS
31 SECTION:

32 (1) IS NOT A MOVING VIOLATION FOR THE PURPOSE OF ASSESSING
33 POINTS UNDER § 16-402 OF THIS ARTICLE;

1 **(2) MAY NOT BE RECORDED BY THE ADMINISTRATION ON THE**
2 **DRIVING RECORD OF THE OWNER OR DRIVER OF THE VEHICLE;**

3 **(3) MAY BE TREATED AS A PARKING VIOLATION FOR THE PURPOSES**
4 **OF § 26–305 OF THIS ARTICLE; AND**

5 **(4) MAY NOT BE CONSIDERED IN THE PROVISION OF MOTOR VEHICLE**
6 **INSURANCE COVERAGE.**

7 **(I) IN CONSULTATION WITH THE APPROPRIATE LOCAL GOVERNMENT**
8 **AGENCIES, THE CHIEF JUDGE OF THE DISTRICT COURT SHALL ADOPT**
9 **PROCEDURES FOR THE ISSUANCE OF CITATIONS, THE TRIAL OF CIVIL VIOLATIONS,**
10 **AND THE COLLECTION OF CIVIL PENALTIES UNDER THIS SECTION.**

11 **(J) (1) AN AGENCY OR AN AGENT OR CONTRACTOR DESIGNATED BY THE**
12 **AGENCY SHALL ADMINISTER AND PROCESS CIVIL CITATIONS ISSUED UNDER THIS**
13 **SECTION IN COORDINATION WITH THE DISTRICT COURT.**

14 **(2) IF A CONTRACTOR IN ANY MANNER OPERATES A NOISE**
15 **ABATEMENT MONITORING SYSTEM OR ADMINISTERS OR PROCESSES WARNING**
16 **NOTICES OR CITATIONS GENERATED BY A NOISE ABATEMENT MONITORING SYSTEM**
17 **ON BEHALF OF A LOCAL JURISDICTION, THE CONTRACTOR’S FEE MAY NOT BE**
18 **CONTINGENT ON A PER–TICKET BASIS ON THE NUMBER OF WARNING NOTICES OR**
19 **CITATIONS ISSUED OR PAID.**

20 **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect**
21 **October 1, 2023.**

City Council Agenda Item Report

Meeting Date: February 13, 2023

Submitted by: Shaniya Lashley-Mullen

Submitting Department: Administration

Item Type: OTHER BUSINESS

Agenda Section: OTHER BUSINESS (60 mins - 8:35 - 9:35 pm)

Subject:

Business Improvement Recovery Fund Round III Grant Program

Suggested Action:

Reference:

Memorandum, K. Simpson, 02/10/2023

Economic Development ARPA BIRF Round III Grant Program Summary

The City Council approved the allocation of 1.5 million dollars (\$1,500,000.00) for the Small Business Assistance Grants Project, which will support the City's small businesses. The funding source for this project is the American Rescue Plan Act (ARPA).

The Business Improvement Recovery Fund (BIRF) Round III Grant Program offers financial assistance to small businesses, cooperatives, contractors, or self-employed individuals located in the City impacted by the COVID-19 pandemic. This grant program is designed for capacity building and operational improvements to support economic recovery, resiliency, and sustainability.

Staff is seeking from the City Council approval of the Business Improvement Recovery Fund (BIRF) Round III Grant Program.

Attachments:

[Eco. Dev BIRF Round III Memo 2.10.23 K.Simpson.pdf](#)

[Eco. Dev. ARPA BIRF Round 3 Grant Program Summary Draft 2.13.23 Regular Meeting KLS - Copy.pdf](#)



City of Greenbelt, Maryland

Economic Development Department

TO: Timothy George, Acting City Manager

FROM: Kevin Simpson, Economic Development Manager

DATE: February 10, 2023

RE: Business Improvement Recovery Fund (BIRF) Round III Grant Program

Background:

The City Council approved the allocation of 1.5 million dollars (\$1,500,000.00) for the Small Business Assistance Grants Project, which will support the City's small businesses. The funding source for this project is the American Rescue Plan Act (ARPA).

The following information details the Business Improvement and Recovery Fund (BIRF) Round III, as an ARPA-funded program under the Small Business Assistance Grants Project.

Overview:

The Business Improvement Recovery Fund (BIRF) Round III Grant Program offers financial assistance to small businesses, cooperatives, contractors, or self-employed individuals located in the City impacted by the COVID-19 pandemic. This grant program is designed for capacity building and operational improvements to support economic recovery, resiliency, and sustainability.

Summary:

BIRF Round III continues to provide business operational support as the previous rounds of BIRF (Rounds I and II), but it contains notable changes which is highlighted below:

1. BIRF Round III grant fund amount is \$700,000 (Round I and Round II were \$300,000 and \$400,000, respectively);
2. Application period is increased to sixty (60) days (Previous rounds were 30 days);
3. Eligible uses focus more on capacity-building / operational improvements instead of general operating expenses
4. Purpose statement for the grant program is now provided;
5. Applicants are now required to provide Unique Entity ID from sam.gov;

6. One-time stipend for grant reviewers (not to exceed \$500).

Administration:

The maximum grant award amount for the Business Improvement Recovery Fund Round III is \$30,000 to selected applicants. Furthermore, the timeline of this grant program is listed below:

1. Applicants will have sixty (60) days from the anticipated launch date (March 2023) to apply for BIRF Round III;
2. Applications will be reviewed by an independent review team based on the grant guidelines and evaluation criteria (please see grading rubric in the attached document);
3. Awardees will be notified of the award amount;
4. Grant funds will be disbursed to the awardees contingent upon fulfillment of grant requirements and conditions;

For more information about BIRF Round III, please review the attached draft summary of the grant program which includes, grant summary, guidelines, application, and grading rubric.

Action(s) Requested:

Staff is seeking from the City Council approval of the Business Improvement Recovery Fund (BIRF) Round III Grant Program.

Attachment (1):

1. *Business Improvement Recovery Fund Round III Draft Summary*



FY 2023

Business Improvement and Recovery Fund Round III Grant Program



Kevin Simpson

Economic Development Manager

Table of Contents

Grant Summary:	1
Overview	1
Purpose	1
Funding Source	1
Award Amount	1
Grant Administration:	1 - 2
Application Period	1
Application Submission & Process	1 - 2
Grant Guidelines:	2 - 3
Evaluation Criteria	2
Eligibility	2
Eligible Uses	2
Ineligible Uses	3
Required Documentation	3
Grant Application Questions:	4 - 10
Business Contact Information	4
Business Information	5 - 7
COVID-19 Impact	7 - 9
Business Recovery & Sustainability	9
Certifications	9 - 10
Contact	11
Grant Application Evaluation Rubric:	12

Press and hold the "CTRL" key and select the desired topic.



City of Greenbelt, Maryland **Economic Development Department**

Business Improvement and Recovery Fund Round III Grant Application

Grant Summary:

- 1. Overview:** The Greenbelt Business Improvement Recovery Fund Round III offers financial assistance to local small businesses impacted by the COVID-19 pandemic. This grant supports capacity building efforts, along with operating and workforce-related expenses related to business interruption, improvements and continuity. Applicants must meet eligibility guidelines and provide evidence of financial impact due to the COVID-19 pandemic.
- 2. Purpose:** This grant program is designed to for capacity building and operational improvements pertaining to businesses to support economic recovery, resiliency, and sustainability due to impacts of COVID-19.
- 3. Funding Source:** This fund is from the Small Business Assistance Grant Project, as provided by the American Rescue Plan Act (ARPA). Fund total is to be determined.
- 4. Award Amount:** Award amount is to be determined. No match is required.

Grant Administration:

- 1. Application Period:** Sixty days (60) from the launch date (Tentative Date January 30, 2023)
- 2. Application Submission & Process:**
 - A) Completed applications and required supporting documents must be submitted online at greenbeltmd.gov (**please see "Required Documentation" section**)

B) To ensure a fair and equitable process, an independent committee will review the applications and make recommendations for funding. City staff will verify whether applicants are in good standing.

C) Awardees will receive award letter and grant agreement. The City will disburse the grant contingent upon agreement signed by awardee. Awardees receiving funding are required to:

- Adopt Federal, State and County guidance for operating their business (i.e. social distancing, cleaning procedures, limiting in-store occupancy, etc.).
- Pay employees the [Minimum Wage](#) or a [Living Wage](#) as defined by the Maryland Department of Labor.

D) Awardee are encouraged to prioritize hiring Greenbelt residents; deliver and /or designate special hours for the purchase of food and services to Greenbelt seniors or other economically vulnerable populations.

Grant Guidelines:

1. Evaluation Criteria: All applicants will be evaluated based on the attached grading rubric

2. Eligibility: Awardees must be a business, cooperative, contractor, or self-employed individual, physically located in the City of Greenbelt, and follow all Federal, State, County and City laws, codes, rules and regulations at the time of application.

- Awardees must have been a legal business entity and fully operating prior to March 13, 2020, which is date that COVID-19 was declared an emergency by the federal government.
- Awardees must have a current City business license (if applicable), and are fully operational prior to the disbursement of grant funds.
- Awardees of this program cannot receive funding from other ARPA-funded City grant programs from the Economic Development Department within this fiscal year (FY 23 July 1, 2022 – June 30, 2023).

3. Eligible Uses: Examples of eligible expenses include, but are not limited to:

- Advertising / Marketing
- Business Planning
- Capacity-Building / Organizational Development
- Information Security / Technology
- Online / Website Development or Improvements
- Professional / Workforce Development
- Technical Assistance

- Other (Rent, Utilities, etc.)

4. Ineligible Uses:

- Capital & Façade Improvements (**Please see Capital Improvement Recovery Fund**)
- Debt / Loan Repayments
- Property Maintenance / Construction Work
- Staff Compensation

5. Required Documentation: Applicants are required to provide the following:

- Completed grant application
- Business is in Good Standing documentation from the Maryland Department of Assessments and Taxation (SDAT)
- 2020, 2021 and 2022 Business Tax Returns
- 2020, 2021, and 2022 Personal Tax Returns (If filing a Schedule C)
- 2020, 2021, and 2022- Income Statements
- Proof of employment (if you have full and part-time W2 employees)
- **Unique Entity ID from sam.gov**

Grant Application Questions:

I. Business Contact Information

- 1) First Name
- 2) Last Name
- 3) Business / Organization Name
- 4) Doing Business As (DBA)
- 5) Title
- 6) Phone Number
- 7) Primary Business Address
- 8) State
- 9) Zip Code

- 10) Email
- 11) Website

II. Business Information

- 12) Please Select Business Entity Type:
 - (a) C-Corporation
 - (b) Cooperative
 - (c) Limited Liability Corporation (LLC)
 - (d) Partnership
 - (e) S-Corporation
 - (f) Single Member LLC
 - (g) Sole Proprietorship
- 13) Year Established
- 14) Number of W2 Employees (Full Time)
- 15) Number of W2 Employees (Part Time)
- 16) What is the starting hourly rate of pay for your W2 employees (full and part-time)?
- 17) How many employees has your business been able to retain from January 1, 2021 to September 30, 2021?
- 18) Does your company have any of the following designations? (Check all that apply.)
 - (a) Disabled Owned
 - (b) Minority Owned
 - (c) Small Business
 - (d) Veteran Owned
 - (e) Woman Owned
 - (f) Not Applicable
- 19) Is your business located in the City of Greenbelt's HUB Zone?
 - (a) Yes
 - (b) No

- 20) What is the sector or industry for your business?
- (a) Agriculture/Mining/Utilities
 - (b) Business Services
 - (c) Communications
 - (d) Computers/Data Processing
 - (e) Engineers/Architects
 - (f) Financial Institutions
 - (g) Government
 - (h) Hospitality (i.e. restaurants, hotels, etc.)
 - (i) Insurance
 - (j) Law Firms
 - (k) Manufacturing
 - (l) Medical
 - (m) Personal Services
 - (n) Real Estate
 - (o) Retail/Wholesale
 - (p) Transportation
 - (q) Other (please describe)
- 21) Are you a home-based business?
- (a) Yes
 - (b) No
- 22) Are you a seasonal business?
- (a) Yes
 - (b) No
- 23) If yes, what is your busiest season(s)?
- (a) Winter
 - (b) Spring
 - (c) Summer
 - (d) Fall
 - (e) Not Applicable
- 24) Are you a franchise business?
- (a) Yes
 - (b) No

- 25) If yes, are you independently owned and operated?
(a) Other
(b) Yes
(c) No
- 26) Is the City of Greenbelt the primary location or headquarters location for your business?

(a) Yes
(b) No
- 27) If not, what city and state is your business headquarters located?

III. COVID-19 Impact

- 28) Have you been able to remain open or reopen since March 30th, 2020?

(a) Yes
(b) No
- 29) If not, when did you reopen?
- 30) To what capacity has your business been able to open since July 1, 2021, the date that the Governor lifted the state of emergency restrictions?

(a) Less than 25%
(b) 25%
(c) 50%
(d) 75%
(e) 100%
- 31) What was your year-to-date revenue as of December 31, 2019?
- 32) What was your year-to-date revenue as of December 31, 2020?
- 33) What was your actual year-to-date revenue as of December 31, 2021?
- 34) From January 1, 2022 December 31, 2022 what has been the estimated percent revenue loss that you have experienced compared to this time in 2019?

(a) 10%

- (b) 20%
- (c) 30%
- (d) 40%
- (e) 50%
- (f) 60%
- (g) 70%
- (h) 80%
- (i) 90%
- (j) 100%

35) Have you applied for and received COVID-19 assistance through the City of Greenbelt's Business Improvement Recovery Fund (BIRF) Round I and / or Round II?

- (a) Yes
- (b) No

36) Have you applied for and received COVID-19 assistance through any of the following programs? (Check all that apply.)

- (a) Federal Paycheck Protection Program (PPP)
- (b) Small Business Administration Economic Injury Disaster Loan (EIDL)
- (c) Small Business Administration Economic Injury Disaster Loan (EIDL) Cash Advance
- (d) Small Business Administration Shuttered Venues Operators Grant
- (e) Small Business Administration Restaurant Revitalization Fund
- (f) Maryland COVID-19 Small Business Emergency Relief Fund
- (g) Prince George's County Covid19 Business Recovery Initiative
- (h) Prince George's County Personal Services eBusiness Grant
- (i) Prince George's County Restaurant Assistance Grant
- (j) Prince George's County Restaurant Resiliency Fund
- (k) Prince George's County Hotel Resiliency Fund
- (l) Prince George's County Childcare Recovery Program
- (m) FSC First Legacy Fund
- (n) Not Applicable
- (o) Another program through any other state or local municipality

37) Please upload your 2019 - 2022 Business Tax Returns

38) Please upload your 2019 - 2022 Income Statements

- 39) Please upload your 2019 – 2022 Personal Tax Returns (If filing a Schedule C)
- 40) Please upload proof of employment if applicable as of December 31, 2022 (i.e. most recent payroll, schedule or roster)
- 41) Please upload proof of your business "Good Standing Status" Certificate with the State of Maryland.
- 42) Please provide Unique Entity ID from sam.gov (System for Awards Management).**

Effective April 4, 2022, the unique entity identifier used across the federal government changed from the DUNS Number to the Unique Entity ID (generated by SAM.gov). Please visit sam.gov for more information about obtaining this ID.

IV. Business Recovery & Sustainability

- 43) Describe your statement of need including why you are requesting funds and an explanation of what they will be used for. Be specific as possible by quantifying things where applicable. (i.e. need to spend "X" on purchase of PPE; have "X" amount of past due bills; etc.)
- 44) Specify eligible use:
 - (a) Advertising / Marketing
 - (b) Business Planning
 - (c) Capacity-Building / Organizational Development
 - (c) Employee Recruitment / Retention
 - (d) Information Security / Technology
 - (e) Online/Website Development or Improvements
 - (f) Professional / Workforce Development
 - (g) Technical Assistance
 - (h) Rent
 - (i) Utilities
 - (j) Other (Please Describe)
- 45) Outline the specific steps that you have taken and plan to take to recover from the pandemic. Please include examples of specific systems that you put in place to help reduce the risk of financial impact should there be another health or economic crisis.

V. Certification Statement:

46) *I certify that I will uphold the City's Community Pledge which states:*

The strength of Greenbelt is diverse people living together in a spirit of cooperation. We celebrate all people. By sharing together, all are enriched. We strive to be a respectful, welcoming community that is open, accessible, safe and fair.

I certify that the business has been negatively impacted by the COVID-19 pandemic (i.e. has been temporarily shut down, has been required to reduce hours, has had at least a 10% drop in revenue, has been materially impacted by employees who cannot work due to the outbreak, or has a supply chain that has materially been disrupted and therefore slowed business-level production).

I certify that the business has a material financial need that cannot be overcome without the grant of emergency relief funds at this time (i.e. does not have significant cash reserves that can support the firm during this period of economic disruption).

By signing below, I certify that the above statements/information provided are true and correct to the best of my knowledge. I understand that a false statement may disqualify me from relief funds. I have read the information provided in this application and acknowledge that I understand that funding is provided on a needs basis up to (TBD) for businesses. I also certify that I will provide W-9 and all required forms to be submitted with this application for tax verification purposes. I understand this to be important for receiving payment.

I understand that any document submitted may be deemed a public record by the Maryland Public Information Act and may be subject to disclosure in response to a request under said law. I understand if awarded funding under this grant, information including, but not limited to, business name and award amount are subject to public notice.

(a) Yes

(b) No

47) Signature (Full Name)

48) Today's Date

49) **Optional:** I identify my ethnicity as (check all that apply):

- (a) Asian
- (b) Black/African American
- (c) Hispanic/Latinx
- (d) Native American
- (e) Pacific Islander
- (f) Other

Contact: If you need help with your application or would like to request a special accommodation, please contact:

Kevin Simpson, Economic Development Manager
ksimpson@greenbeltmd.gov
(240) 542-2044

Grant Application Evaluation Rubric:

The **Greenbelt Business Improvement and Recovery Fund Round III** was established to offer immediate financial assistance to local small businesses whose operations have been impacted by the COVID-19 pandemic. Use the below rubric to evaluate the grant applicant based on financial and community impact, statement of need, recovery planning and business sustainability. **The scoring range is designed to calculate a maximum value based on the significance of community impact; financial impact; the applicant's ability to specifically describe statement of need and recovery; business sustainability. The maximum score that an applicant can receive is 100.**

No.	Evaluation Criteria	Description	Scoring Range (Points)	Evaluator's Score
1.	Hourly Wage	Applicant pays their W2 employees <u>at least the Maryland minimum wage</u> of \$11.75 for 15 or more employees and \$11.60 for 14 or fewer employees.	0 or 10	
2.	Business Designation	Applicant self-identified <u>as at least one</u> of the following: disabled-owned, minority-owned, veteran-owned, or woman-owned business.	0 or 10	
3.	Financial Impact	COVID-19 pandemic resulted in a <u>loss of revenue</u> in 2022 compared to the 2019 pre-pandemic revenue.	0 – 15	
4.	Statement of Need	Applicant <u>was able to clearly identify</u> the way grant funds will be used to support capacity-building, operational improvement, or recovery efforts by sharing specific examples of actions they will or have taken to follow safety guidelines; promote social distancing; ensure the safety of employees and residents; make changes to product / service delivery.	0 – 20	
5.	Recovery Planning	Applicant was <u>able to identify specific strategies, new products or services</u> that they have or plan to adopt for continuity and long-term resiliency.	0 – 15	
6.	Business Sustainability	Applicant <u>was able to demonstrate</u> plans and strategies to be a viable and sustainable business in the City of Greenbelt.	0 – 20	
7.	Purpose	Applicant is seeking funding for capacity building efforts / operational improvement(s) that <u>best reflects</u> the City's purpose for this grant program.	0 – 10	
	Total Score:		100	Applicant's Total Score:

City Council Agenda Item Report

Meeting Date: February 13, 2023

Submitted by: Shaniya Lashley-Mullen

Submitting Department: Administration

Item Type: OTHER BUSINESS

Agenda Section: OTHER BUSINESS (60 mins - 8:35 - 9:35 pm)

Subject:

Appointment to Advisory Board

Suggested Action:

Reference: Application and Code of Conduct

The City Council interviewed the following for the Advisory Committee on Education, Korrie Johnson on July 13, 2022, Robert Snyder on November 7, 2022, and Jennifer Pompei on January 9, 2023.

The City Council interviewed the following for the Public Safety Advisory Committee, John Ottina on August 10, 2020, and Steven Mirsky on October 21, 2020.

Approval of this item on the consent agenda will indicate Council's intent to appoint Mr. Johnson, Mr. Snyder, and Ms. Pompei to the Advisory Committee on Education and Mr. Ottina and Mirsky to the Public Safety Advisory Committee.

Attachments:

City Council Agenda Item Report

Meeting Date: February 13, 2023

Submitted by: Shaniya Lashley-Mullen

Submitting Department: Administration

Item Type: MEETINGS

Agenda Section: OTHER BUSINESS (60 mins - 8:35 - 9:35 pm)

Subject:

Meetings

Suggested Action:

Reference: Meetings Calendar

2023 Meeting Schedule: At the work session on February 8, Council reviewed the 2023 meeting schedule. The following suggested changes to Council's 2023 meeting scheduled are:

- No Work Session on Monday, March 6 (Purim)
- Reschedule Monday, April 10 Regular Meeting to Tuesday, April 11 (Easter Monday)
- No Work Session on Monday, May 29 (Memorial Day)
- Reschedule Monday, June 12 Regular Meeting and Monday, June 26 Regular Meeting to Monday, June 5th and Monday, June 19th (To adopt budget before June 10 and MML Annual Conference in Ocean City - June 25-28)
- No Work Session on Monday and Wednesday, June 26 and 28 (MML Annual Conference in Ocean City - June 25-28)
- No Work Session on Wednesday, November 15 (NLC City Summit in Atlanta, GA - November 15-18)

Approval of this item on the consent agenda will indicate Council's intent to approval of the changes to the 2023 meeting schedule.

Attachments:

[2023_Calendar_memo.pdf](#)
[meetings.pdf](#)

**CITY OF GREENBELT
City Clerk's Office
25 Crescent Road
Greenbelt, Maryland 20770**

Memorandum

Date: January 23, 2023
To: Tim George, Acting City Manager
Fr: Bonita Anderson, City Clerk
RE: Council Meeting Schedule for 2023

Attached is a proposed Council Meeting Schedule for 2023. It is suggested that the schedule be included on the next agenda of the Regular Council Meeting for action.

Budget Approval: Prior to June 10

Conferences

NLC Congressional Cities Conference in DC – March 26-28, 2023
MML Annual Conference in Ocean City – June 25-28, 2023
MML Fall Conference in College Park, MD – October 15-17, 2023
NLC City Summit in Atlanta, GA – November 15-18, 2023

Jewish Holidays – When work is not permitted (should be avoided)

1. Purim - Sunset Monday, March 6 (6:05 pm) to Sunset Tuesday, March 7 (6:06 pm) **School is closed for students (Professional Development Day)**
2. Passover – Sunset Wednesday, April 5 (7:34 pm) to Sunset Thursday, April 13 (7:42 pm) **School is closed Monday, April 3 – April 10, 2023.**
3. Shavuot – Sunset Thursday, May 25 (8:21 pm) to Sunset Saturday, May 27 (8:23 pm) **School is open**
4. Rosh Hashanah - Sunset Friday, September 15 (7:16 pm) to Sunset Sunday, September 17 (7:12 pm) **As of 1/23/23, PGCPs has not decided on their 2023-2024 school calendar.**
5. Yom Kippur – Sunset Sunday, September 24 (7:01 pm) to Sunset Monday, September 25 (6:59 pm) **As of 1/23/23, PGCPs has not decided on their 2023-2024 school calendar.**
6. Sukkot - Sunset Friday, September 29 (6:53 pm) to Sunset Friday, October 6 (6:42 pm) **As of 1/23/23, PGCPs has not decided on their 2023-2024 school calendar.**
7. Shemini Atzeret & Simchat Torah - Sunset Friday, October 6 (6:42 pm) to Sunset Sunday, October 8 (6:39 pm) **As of 1/23/23, PGCPs has not decided on their 2023-2024 school calendar.**

School Board Holidays – Not covered by City Holidays or Jewish Holidays:

1. Good Friday – April 7
2. Easter Monday – April 10

Based on the above information, suggested changes to Council's 2023 meeting scheduled are:

- 1) No Work Session on Monday, March 6 (Purim)
- 2) Reschedule Monday, April 10 Regular Meeting to Tuesday, April 11 (Easter Monday);
- 3) No Work Session on Monday, May 29 (Memorial Day);
- 4) Reschedule Monday, June 12 Regular Meeting and Monday, June 26 Regular Meeting to Monday, June 5 and Monday, June 19 (To adopt budget before June 10 and MML Annual Conference in Ocean City – June 25-28);
- 5) No Work Session on Monday and Wednesday, June 26 and 28 (MML Annual Conference in Ocean City – June 25-28); and
- 6) No Work Session on Wednesday, November 15 (NLC City Summit in Atlanta, GA – November 15-18).

CITY OF GREENBELT, MARYLAND
25 Crescent Road, Greenbelt, MD 20770-1891



2/9/2023 4:22 PM

City Council Meetings & Work Sessions
February – March

Advisory Board Interview	Wed.	02/08	7:10 pm
Work Session – Board of Elections	Wed.	02/08	7:30 pm
Advisory Board Interview	Mon.	02/13	7:10 pm
Regular Meeting	Mon.	02/13	7:30 pm
Work Session – City Manager's Update	Wed.	02/15	7:30 pm
Closed Session – Personnel and Pending Legal Matters	Wed.	02/15	Following WS
No Meeting	Mon.	02/20	
Advisory Board Interview	Wed.	02/22	7:10 pm
Work Session – Neighborhood Design Center on Greenbelt Station Greenspace Vision	Wed.	02/22	7:30 pm
Regular Meeting	Mon.	02/27	7:30 pm
Work Session – Greenbelt Center HOAs/COAs	Wed.	03/01	7:30 pm
No Meeting – Purim	Mon.	03/06	
Work Session – Bring Your Own Bag Ordinance	Wed.	03/08	7:30 pm
Regular Meeting	Mon.	03/13	7:30 pm
Work Session – Greenbelt National Park Service	Wed.	03/15	7:30 pm
Work Session – Economic Development	Mon.	03/20	7:30 pm
Work Session – Council Referral – Board Reports (CRAB/ERB)	Wed.	03/22	7:30 pm
Regular Meeting	Mon.	03/27	7:30 pm
Budget Work Session – Overview, Revenues & General Government/Other Funds/ Non-Departmental & Fund Transfers/ Economic Development	Wed.	03/29	7:30 pm

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 Video Relay Services (VRS) at 711 or e-mail banderson@greenbeltmd.gov to reach the City Clerk. Unless otherwise noted, meetings will be held in the Council Chambers in the Municipal Building (MB) at 25 Crescent Road and virtually by Zoom. Zoom meeting information for public participation is posted on the City's website at www.greenbeltmd.gov on the meeting calendar.

Bonita Anderson, City Clerk

A NATIONAL HISTORIC LANDMARK

(301) 474-8000

fax (301) 441-8248
www.greenbeltmd.gov

MD RELAY 711

CITY OF GREENBELT, MARYLAND

25 Crescent Road, Greenbelt, MD 20770-1891



2/9/2023 4:22 PM

Ready to be scheduled:

Closed Session (*Cable Ordinance*)
Parke Crescent Apartment Complex
Virtual Meetings Accessibility for Blind and
Visually Impaired
Walk-way Light Fixture
Prince George's County Council
Space Study
Greenbelt Center HOAs (*March 1st*)
Greenbelt Fire Department/Prince George's
County Fire Department

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
Department of Permitting, Inspections &
Enforcement (DPIE)
Museum Plan
Term Limits legislation (*referral submitted to
CRAB*) (*March 22nd*)
ERB Reports: (#2020-01 Procedures for
Employee Appeals & Grievances (#2021-02
Collective Bargaining) (~~*waiting for CRAB
Report*~~) (*March 22nd*)
Bernard Penney (*Memorial Donation in honor of
Leonie Penney*)
Potential Bond Referendum/Capital Financing
Cemetery Plans
City Contracting Policy
MARC Train Service/ MDOT
Arts & Entertainment District

Annual															
Advisory Group Chairs	7/22														
Franklin Park at Greenbelt Station Mgmt.	12/21	12/22													
Greenbelt Center HOAs															
Greenbelt East HOAs and COAs/Greenbelt East Advisory Coalition	4/22														
Greenbelt Homes, Inc.	8/22														
Greenbelt Station HOA/Verde Apts.	8/22														
School Board Member	9/21														
State Highway Administration	11/20	11/22													
Biennial															
Beltsville Ag. Research Center	8/18	11/22													
Beltway Plaza	9/22														
NASA/GSFC	3/22														
Greenbelt Business Alliance	10/22														
Greenbelt Park NPS	1/22														
Greenway Shopping Center	12/20	2/23													
Religious/Spiritual Organizations	6/22														
Twice a Year															
County Council Person and At Large Members															
Meetings as Needed															
Apartments	4/21														
Comcast/Verizon	3/21														
Greenbelt Office Parks															
Greenbelt Watershed Groups	10/19														
Hotels															
PEPCO/WSSC	2/22														
Prince George's Economic Development Corp.	11/21														
Prince George's Planning Board	10/19														
Roosevelt Center Owner	8/20														
University of Maryland	4/15														
WMATA/PGDPW&T (Semi-Annual)	5/22														
Newly Elected/Appointed Officials (Presentation of a Council Regular Meeting)															
County Executive															
School Board CEO															
State's Attorney	1/23														