

WORKSESSION MINUTES
College Park City Council
Tuesday, January 19, 2021
7:30 p.m. – 10:44 p.m.

Due to the COVID-19 Pandemic, this was a Virtual Meeting.

PRESENT: Mayor Wojahn; Councilmembers Kabir, Kennedy, Dennis, Esters, Day, Rigg, Mitchell and Mackie.

ABSENT: None.

ALSO PRESENT: Bill Gardiner, Interim City Manager; Janeen S. Miller, City Clerk; Suellen Ferguson, City Attorney; Teresa Way-Pezzuti, Director of Human Resources; Terry Schum, Director of Planning; Bridgette Johnson, Economic Development Manager; Kiaisha Barber, Director of Youth, Family and Senior Services; Robert Marsili, Director of Public Works; Gary Fields, Director of Finance; Adam Rosenbaum, Student Liaison; Julia Nikhinson, Deputy Student Liaison.

Mayor Wojahn opened the Virtual Worksession at 7:30 p.m. and called for a moment of silence for the Day of Remembrance for the 400,000 lives that have been lost due to COVID-19.

City Manager's Report: Mr. Gardiner reviewed the banner and signage the City displayed in lieu of our traditional tribute to Dr. Martin Luther King, Jr.; said the next Continuing the Conversation on Race and Equity (#4) will be held on January 25 at 7 p.m.; provided a summary of today's COVID-19 press conference from County Executive Alsobrooks.

Amendments to /Approval of Agenda: Rigg/Mitchell to approve with no amendments, 8-0.

Discussion items:

1. Review and possible approval of City Manager recruitment package:

Ms. Way-Pezzuti reviewed the staff report and introduced Anne Lewis from Baker Tilley. There was discussion about adding that the City Manager is encouraged to live in the City. A Charter amendment would be needed to amend the current language, which allows the City Manager to live outside the City only with approval by the Council.

- Revision to page 6: "The City Manager need not be a resident of the City or state at the time of appointment. The Manager is encouraged to live in the City of College Park, however the Manager may reside outside the City while in office with approval of the Mayor and Council."
- Add to page 6: "ICMA credentialed manager status is a preferred qualification, but not a requirement."

Ms. Ferguson asked if other changes were anticipated. Ms. Lewis replied yes and reviewed the changes she and Ms. Ferguson discussed today:

- Add “Mayor and” where it currently says “Council” so that it reads, “Mayor and Council.”

A motion was made by Councilmember Mitchell and seconded by Councilmember Kennedy to enter Special Session. Motion passed 8-0 and Council entered Special Session at 7:59 p.m. See Special Session minutes for 21-G-08.

2. FY 2022 Budget Guidance and annual review of Homestead Tax Credit Rate:

Mr. Fields said it is early in the budget process and he doesn't have any projections yet. COVID has a big impact on the budget. The budget will be released on March 12 and the first Worksession is scheduled for Saturday March 27. We will provide necessary funding for the initial year of the Strategic Plan. We won't get Constant Yield Certification from the County until February. We will scrutinize and reduce contingencies where possible. The Homestead Tax Credit is currently set at a 0% cap and we recommend keeping it there which provides the most relief to our residents. We are one of only 10 jurisdictions in the state that have a 0% cap.

Councilmember Kabir requested a list of properties that are contributing to an increase in the tax base.

Councilmember Mitchell asked about Council wish list items and whether there will be additional COVID relief funding. Mayor Wojahn said the bill that passed in December did not include any COVID relief funding for state and local governments, but President-elect Biden's plan may.

Mayor Wojahn said the best way to get things added into the budget is to get a majority vote at the budget Worksession.

Re: Homestead Tax Credit rate: Mayor Wojahn asked Mr. Fields to address the cumulative impact of not increasing the HTC cap. It is important to understand that for every year that we keep it at 0%, the total impact accumulates. Councilmember Rigg added that the HTC cap has the strategic benefit of increasing home ownership. There was no interest by Council in making any changes to the current cap.

3. Consideration of a request by Tempo (the northgate Gilbane project) for an amendment to the City Code for the City Revitalization Tax Credit:

Ms. Johnson reviewed the staff report.

Mayor Wojahn noted the Council rules about the requirement to disclose substantive communication with a developer on a matter before the Council, and disclosed that he had been in communication with Mr. Frome and Mr. Haller about the tax credit process.

Councilmember Mackie confirmed that under current law student undergraduate housing is not eligible for the tax credit, but they can still apply to the County for the school facility surcharge. She clarified the ask by Gilbane, which would ask the residents to incur that cost when it is not in our Code. She does not agree with that. Staff might consider clearing up the language so that this does not happen again.

Mr. Gardiner said the goal tonight is to hear the request, understand the context of how the mistake occurred, and ask any questions. We are not asking Council to debate a position or take any action tonight. We will discuss the legal issues with our City Attorney at a later date.

Tom Haller, representing Gilbane said the request for the Revitalization Tax Credit was based on some challenges they found on the site, proximity to the Paint Branch, and construction of the public trail. The project moved forward based on the erroneously approved tax credit. The need for the tax credit is even greater now because the cost has exceeded estimates. They operated in good faith and the applicant proceeded on reliance of the tax credit.

Mayor Wojahn said the Council will discuss the legal issues in closed session, but that any action by Council will be discussed in an open meeting at a later date.

4. Consideration of a request for waiver of school facilities surcharge for The Hub student housing development:

Ms. Schum reviewed the staff report and the request by Matt Tedesco, attorney for the applicant, Core Campus Manager LLC. She added that the City supported a partial waiver for the Tempo project and the County approved a 100% exemption. The City supported a 100% waiver for the Greystar project but she does not know the County's determination. There is no direct impact on City finances because the school surcharge goes to the County, not the City. The development will add to the City's tax base.

Matt Tedesco on behalf of the applicant, and Mark Goehausen, applicant: reviewed the history of the legislative changes relating to the school facilities surcharge exemption. This project will bring two previously tax-exempt properties to the tax rolls. He reviewed the advantages of the project. Imposition of the school facility surcharge will cause an increase in the rents. Payment of the surcharge would not necessarily benefit a school in the City and will not impact the City's budget.

Councilmember Dennis asked where the project is in the cycle, when they will break ground, and when the project will come on-line. Mr. Tedesco said the DSP has been approved, building permits are in process, and delivery is anticipated for the 2023-2024 school year.

Councilmember Rigg expressed his concerns with the legislation and the position it puts the City in. He said there is lack of capacity in schools in the north County area. It is hard for him to support the waiver of fees that would otherwise go to the school system. He takes issue with Mr. Tedesco's comments that they would have to raise rents if they don't get a school facilities surcharge because he previously indicated rents would be set by the market.

Councilmember Kabir asked what the total surcharge would be. Mr. Tedesco said it would be \$1,237,107.

Councilmember Kennedy also does not like to be in this situation. She could support a partial waiver and punting the decision to the County.

Ms. Schum said the legislation requires the County to file an annual report with the state indicating the impact of the waiver, including how fees were collected and expended. She has not seen such a report, but it might be helpful to obtain.

Councilmember Mackie shares the struggles previously mentioned and would prefer a recommendation of a partial waiver. Councilmember Rigg agrees. Councilmember Mitchell would support the recommendation for a partial waiver but is not pleased with the position we are put in by the legislation.

Councilmember Day prefers the 100% waiver because of the project's proximity to campus, but he will support the rest of the Council to move forward with support for a partial waiver next week. Day to agenda.

5. Presentation/Discussion on the 2021-2025 Strategic Plan - Jeff Parks and Jessica Brown:

Ms. Brown said the final step of the PBI contract was to present the five-year plan to Council and that tonight's goal is to wrap up the planning phase so we can move into the executing phase. She reviewed the PowerPoint and each Objective, and asked the Mayor and Council to provide context for the benefit of City staff and the public. Over the next week they will share the one-year objectives that have been developed with the Council.

Mayor Wojahn acknowledged how comprehensive the plan is and is pleased to see the inclusion of equity and diversity.

Councilmember Kennedy would like to see what we are doing to achieve the results so it will be easier to talk about. She wants to understand the specific role Council will have to operationalize the goals. Ms. Brown said the goal is for Council to be consulted and informed. The alignment step is where we make sure all steps are included. Mr. Parks said it is important to have role clarity.

Councilmember Dennis said we often talk about "staying out of the weeds." He added that the Key Results that staff provides will tell us how we will achieve the objective. We need to learn to trust the system.

Ms. Brown said we need to empower Bill Gardiner to keep the strategic plan in focus as Council makes decisions. Mr. Parks added that the plan should guide the budget.

Councilmember Kabir asked about the software tool to track the progress and how Council will receive updates. Ms. Brown said this is still to be determined but quarterly reports to Council are probably in order. He asked if there will be an annual Action Plan. Ms. Brown said the staff is developing quarterly plans. Mr. Gardiner said some of this is occurring simultaneously with the budget.

[10:30 p.m. - Motion to extend meeting - Mitchell/Kennedy - 8-0.]

6. Review of legislation

Mayor Wojahn raised the possible repeal of the LEOBR and other recommendations from the Police Reform Task Force. Mr. Gardiner said we will get summaries of legislation that came out of the Task Force report. There was a suggestion to schedule a future Worksession to discuss in detail; ask Del Washington or another member of the task force to attend. Councilmember Kabir said it is a large report and we should take time to review the recommendations. At a future “Continuing the Conversation Public Forum” we may want to invite someone from the Task Force to discuss the report.

7. Agenda items for January 28 Four Cities Meeting hosted by College Park:

- Vaccine distribution – what are other municipalities doing to help spread the word and answer questions.
- Dr. Darryll Pines, UMD President – opportunity to introduce himself, what he is working on, his priorities.

8. Requests for/Status of Future Agenda Items: None.

9. Mayor and Councilmember Comments

- Councilmember Dennis: The 4th community discussion on Community and Race Relations will be held on Monday and focus on urban renewal in Lakeland.

ADJOURN – Dennis/Rigg 8-0 10:44 p.m.

Janeen S. Miller
City Clerk

Date
Approved

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ABSENT: None.

ALSO PRESENT: Bill Gardiner, Interim City Manager; Janeen S. Miller, City Clerk; Suellen Ferguson, City Attorney; Teresa Way-Pezzuti, Director of Human Resources; Terry Schum, Director of Planning; Bridgette Johnson, Economic Development Manager; Kiaisha Barber, Director of Youth, Family and Senior Services; Robert Marsili, Director of Public Works; Gary Fields, Director of Finance; Adam Rosenbaum, Student Liaison; Julia Nihkinson, Deputy Student Liaison.

Action Item:

21-G-08 Approval of the City Manager Recruitment Package

Ms. Way-Pezzuti reviewed the staff report and introduced Anne Lewis from Baker Tilley. There was discussion about adding that the City Manager is encouraged to live in the City. A Charter amendment would be needed to amend the current language, which allows the City Manager to live outside the City only with approval by the Council.

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Ms. Ferguson asked if other changes were anticipated. Ms. Lewis replied yes and reviewed the changes she and Ms. Ferguson discussed today:

- Add “Mayor and” where it currently says “Council” so that it reads, “Mayor and Council.”

A motion was made by Councilmember Mitchell and seconded by Councilmember Kennedy to enter into a Special Session. The motion passed 8-0 and Council entered Special Session at 7:59 p.m.

A motion was made by Councilmember Mitchell and seconded by Councilmember Mackie to accept the City Manager Recruitment brochure with the changes outlined above, and in “substantially the form provided” because there may be additional non-substantive changes.

Comments from the audience:

Mary King, resident: you should itemize the changes rather than approve in “substantially the form provided.”

Councilmember Mackie asked what other changes are anticipated.

Ms. Ferguson said she made some clarifying, non-substantive suggestions, such as the continued focus on diversity and healing.

The motion carried 8-0.

A motion was made to exit Special Session by Councilmember Dennis, seconded by Councilmember Day, passed 8-0. The Special Session was adjourned at 8:04 p.m.

Janeen S. Miller
City Clerk

Date
Approved