

**RESOLUTION NO. 10-01**

**A RESOLUTION OF THE CITY OF LAUREL APPROVING AND  
AUTHORIZING THE SUBMITTAL OF A MANAGEMENT PLAN FOR THE  
CERTIFICATION OF THE ANACOSTIA TRAILS HERITAGE AREA**

Sponsored by the President at the request of the Administration.

**WHEREAS**, the City of Laurel (hereinafter “the City”), a partner and a Member of the Board of the Anacostia Trails Heritage Area, Inc. (hereinafter “ATHA”), has contributed to the development of a Management plan to designate a portion of Prince George’s County located in the northern part of the County as a Certified Heritage Area as part of the Maryland System of Heritage Areas, a copy of which is attached hereto as Exhibit A and incorporated herein by reference; and,

**WHEREAS**, ATHA has important environmental, recreational and cultural resources, as well as significant historical sites and districts on the Nation Register of Historic Places; and,

**WHEREAS**, the Anacostia Trails Heritage Area Management Plan (hereinafter “the Plan”) presents strategies for enhancing these resources, improving linkages, advancing economic development strategies, and providing for stewardship and preservation; and,

**WHEREAS**, the Plan will complement other State and County initiatives in the Certified Heritage Area; and

**WHEREAS**, ATHA and the Prince George’s County Redevelopment Authority who is the Management Entity, as designated by the County Executive of Prince George’s County with the approval of the Prince George’s County Council, have entered into a Memorandum of Understanding with the City making it clear that no action by either party or the County shall be effective within the City without the City’s prior written approval and that only the City has

planning, zoning, permit (and the like) authority as well as a historic approval authority within the City; (See copy of such Memorandum of Understanding attached hereto as Exhibit A) and,

**WHEREAS**, upon approval of the Plan and the Certified Heritage Area proposal by the Maryland Heritage Areas Authority, the City will make such proposal an Addendum to the City's Master Plan as a strategy to implement the Master Plan; and,

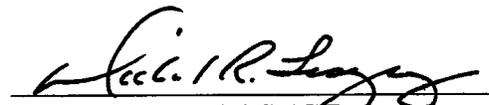
**NOW THEREFORE**, be it jointly resolved by the Mayor and the City Council of Laurel, Maryland that the Plan and the proposal to request that the Anacostia Trails Heritage Area become a Certified Maryland Heritage Area, attached hereto as Exhibit A; be and the same is hereby approved and the ATHA is hereby authorized on behalf of the City of Laurel to submit the Plan and Certified Heritage Area proposal to the Maryland Heritage Areas Authority for approval subject to the provisions of the Memorandum of Understanding (Exhibit B).

**BE IT FURTHER RESOLVED**, that this resolution shall take effect upon the date of its adoption.

**ADOPTED** this 10th day of October, 2001.

**ATTEST:**

  
KIMBERLY A. RAU, CMC  
Clerk to the City Council

  
MICHAEL R. LESZCZ  
President of the City Council

**APPROVED** this 10th day of October, 2001.

  
FRANK P. CASULA, Mayor

## MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding made this 10<sup>th</sup> day of October, 2001, by and between the Mayor and City Council of the City of Laurel, Maryland, a body corporate and politic in the State of Maryland (hereinafter "Laurel"); and the Anacostia Trails Heritage Area, Inc., a Maryland nonprofit corporation (hereinafter "ATHA"); and the Redevelopment Authority of Prince George's County, a body corporate and politic in the State of Maryland and an instrumentality of Prince George's County (hereinafter "Authority").

### WITNESSETH:

WHEREAS, ATHA is a nonprofit corporation with the purpose of promoting economic development through heritage tourism within the Anacostia Trails Heritage Area (hereinafter "Heritage Area"); and

WHEREAS, the Authority is a governmental agency of Prince George's County (hereafter "County") with the mission of contributing to the creation of a diverse and vibrant economy and living environment for the County; and

WHEREAS, ATHA and the Authority have prepared and approved an Anacostia Trails Heritage Area Management Plan (hereinafter "Plan") for the Heritage Area; and

WHEREAS, the preparation of said Plan is a condition to Heritage Area certification by the Maryland Heritage Areas Authority (hereinafter "MHAA"); and

WHEREAS, certification by MHAA entitles the Heritage Area to apply for project funding from MHAA; and

WHEREAS, MHAA seeks to identify a single management entity (hereinafter "ME") within the Heritage Area that will be MHAA's primary point of contact for the following management issues, including but not limited to:

- maintenance of certification;
- submission of performance data;
- designation of proposed Target Investment Zones ("hereinafter "TIZ"s);
- solicitation of work program approval;
- submission of proposals for project funding; and

WHEREAS, the Heritage Area includes Laurel; and

WHEREAS, Laurel seeks to be a full and active participant within the Heritage Area;

WHEREAS, all parties hereto fully acknowledge that the Authority, ATHA, County and the Maryland-National Capital Park and Planning Commission ("hereinafter M-NCPPC") have no authority or jurisdiction within Laurel concerning zoning, planning, permits, and

historic sites or districts, including development and redevelopment of such sites and resources; and

WHEREAS, the County has designated the Authority as the ME for that portion of the Heritage Area outside of Laurel; and

WHEREAS, Laurel seeks to similarly designate the Authority as the ME for Laurel without in any way whatsoever undermining the sovereignty of Laurel with respect to its planning, zoning, redevelopment, and historic sites and districts authority and jurisdiction; and

NOW THEREFORE, in consideration of Laurel agreeing to remain part of the Heritage Area and agreeing to pass a resolution agreeing to such participation and the designation of the Authority as the ME for Laurel, the parties agree as follows:

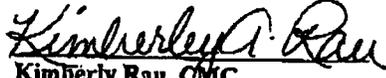
- 1) Laurel and ATHA agree that the Authority may act as Laurel's agent for the sole purpose of performing the functions of ME liaison with MHAA for the Heritage Area. Such ME liaison functions are limited to maintenance of Heritage Areas certification, submission of Heritage Area and TIZ performance data, designation of proposed TIZs, solicitation of Heritage Area work program approval, and submission of proposals for project funding to MHAA. In performing said function, the Authority and ATHA agree to take no action affecting Laurel without prior authorization and approval of Laurel. Furthermore, it is agreed by all parties to this Memorandum of Understanding that any action so taken will not in any way be construed as an infringement of Laurel's sovereignty with respect to planning, zoning, redevelopment and historic sites within its jurisdiction. Laurel and ATHA shall be afforded the opportunity to participate in meetings face-to-face and in electronic communications between the ME, MHAA and the Authority.
- 2) Laurel shall oversee all the responsibilities for the heritage tourism program within its borders. Historic preservation within Laurel's seven historic districts will be coordinated by Laurel's Historic District Commission. Zoning and permitting authority within the city limits are the responsibility of the Department of Development Management. Grants and development initiatives are coordinated by the City Administrator. Additionally, the City Department of Parks and Recreation acquires, develops, operates and maintains Laurel's green infrastructure and coordinates recreation facilities and activities to meet the needs of Laurel's residents.

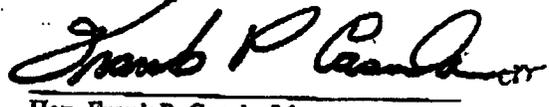
- 3) Within Laurel, Laurel's Office of the City Administrator or the Authority will manage the Heritage Tourism Program for the Heritage Area, where applicable. Through that Office, ATHA, Laurel and the County will continue their partnership effort.
- 4) ATHA and the Authority hereby acknowledge the sovereignty of Laurel with respect to certain governmental powers in Laurel and agree to comply with all applicable City laws and ordinances, including the area of planning, zoning, permits, historic preservation, development, redevelopment and including the approval process involved in each area. The parties agree that any actions taken by the County in derogation of Laurel's powers or jurisdiction will not be binding upon Laurel and that in no case will approvals by the County be binding upon or considered to be approved by Laurel.
- 5) ATHA and the Authority hereby acknowledge receipt of a Technical Staff Report from the Laurel Department of Development Management dated September 10, 2001, containing proposed technical corrections to the Plan, a copy of which is attached hereto as Exhibit "A". ATHA and the Authority agree to incorporate the substantive content of such changes and represent to Laurel that such changes shall be made a part of the inducement for Laurel to pass a Resolution approving the Plan. ATHA and the Authority represent that their attorneys have opined that these changes are not substantive and therefore can be made administratively without formal approval by the County or M-NCPPC.
- 6) ATHA and the Authority agree to amend the Heritage Area work program to include projects and programs within Laurel, but only with the specific written request and authorization of Laurel.
- 7) That this Memorandum of Understanding contains the entire agreement between the parties hereto and shall be binding upon each party, their heirs, executors, successors and assigns.
- 8) In case of any default hereunder in the representations made herein by ATHA and the Authority, Laurel may immediately rescind its Resolution of Approval.
- 9) ATHA and the Authority specifically warrant to the City that the signatures of their representatives on this Memorandum of Understanding are within the power of such representation or have been duly authorized and are binding on ATHA and the Authority.

IN WITNESS WHEREOF, the parties have executed this Memorandum of Understanding on the day and date first above written.

WITNESS:

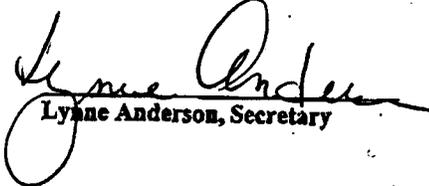
Mayor and City Council for  
The City of Laurel, Maryland

  
Kimberly Rau, *CMC*

  
Hon. Frank P. Casula, Mayor

WITNESS:

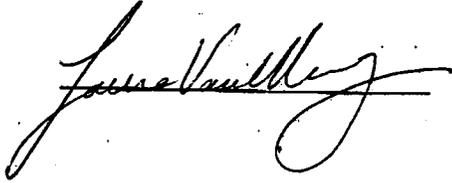
Anacostia Trails Heritage Area, Inc.

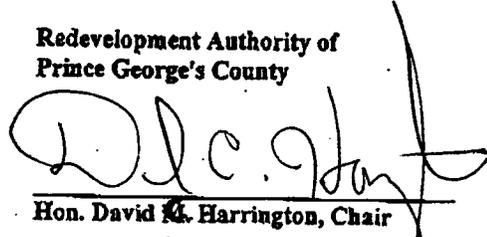
  
Lynne Anderson, Secretary

  
Hon. Robert McGrory, Chair and  
President

WITNESS:

Redevelopment Authority of  
Prince George's County



  
Hon. David A. Harrington, Chair

## ACKNOWLEDGMENTS

### Anacostia Trails Heritage Area, Inc.

The Honorable Robert McGrory	Chair/President
Frank Derro	Vice-Chair/Vice-President; Chair, Transportation Subcommittee
Lynn Anderson	Secretary; Chair, Events Subcommittee
Elaine Murphy	Treasurer
The Honorable Robert W. Armentrout	
The Honorable Lillian K. Beverly	
The Honorable John Brunner	
The Honorable Michael Cassidy	
The Honorable Judith Davis	
The Honorable George D. Denny, Jr.	
The Honorable Diana Fennell	
The Honorable Ann Ferguson	
The Honorable Tawanna Gaines	
The Honorable Paulette G. Horan	
The Honorable Michael Jacobs	
The Honorable Michael Lawson	
The Honorable Darald Lofgren	
Zola E. Boone, Ph.D.	
Anita Clyburn	
Brian C. Darmody	
Joseph J. James	
Mary Jurkiewicz	Chair, Interpretation and Education Subcommittee
William J. Kelly	
Douglas McElrath	
Kenneth Michael	
J. Matthew Neitzey	Co-Chair, Economic Revitalization and Tourism Subcommittee
Carl E. Smith	
Beverly Warfield	
The Honorable Frank P. Casula	(Former Chair)
The Honorable William Armistead	(Former Member)
The Honorable Michael Garrett	(Former Member)
The Honorable William Hall, Sr.	(Former Member)
The Honorable David C. Harrington	(Former Member)
The Honorable Margaret Mallino	(Former Member)
The Honorable Diane E. Schmidt	(Former Member)
The Honorable Fred Sissine	(Former Member and Chair, Stewardship Committee)
Robert Boone	(Former Member)
Karen Coakley	(Former Member)
Tim Wanamaker	(Former Member and Co-Chair, Economic Revitalization and Tourism Subcommittee)
Patricia E. Williams	(Former Member)
Patricia E. Hayes-Parker	Executive Director
Evan Meyers, Esq.	Counsel

### Prince George's Heritage, Inc.

Douglas McElrath	Chair
Patricia E. Williams	Former Chair
Stephanie Stulich	Vice-Chair
W. Dickerson Charlton	Treasurer
Edward Brenner	
Laurence Eldridge	

