



Takoma Park City Council Meeting – October 5, 2020 Agenda Item 2

Voting Session

Uncodified Emergency Ordinance Suspending Appointments to Boards, Commissions, and Committees Except in Circumstances in Which the Council Determines that an Appointment is Necessary to Perform the Assigned Function, is Representative of Takoma Park's Diversity, and Shortening the Terms of Such Appointments

Recommended Council Action

Consider and vote on the emergency ordinance.

Context with Key Issues

The City Council set as one of its priorities a review of the existing structure, appointment processes, and practices for Council-appointed committees to increase efficiency and effectiveness and attract new members, and to explore innovative ways to engage residents who tend to be harder to reach, with a desired outcome of enabling diverse, engaged, productive, and rewarding committee membership.

On June 3, 2020, the Council heard an update on the work of a small ad hoc committee that included a number of staff members, Mayor Stewart, and Councilmember Dyballa. The committee had put out preliminary draft recommendations that included, among other things, establishing a new process for selecting and appointing committee members.

Because these and other preliminary draft recommendations had not been shared with committees and the public for comment and feedback, and, recognizing that the review process will extend into early 2021, the committee recommended 1) that Council consider delaying appointments to fill committee vacancies unless needed to keep the committee functioning, and 2) that Council extend the terms of eligible committee members to June 30, 2021.

On July 29, 2020, the Council adopted an emergency ordinance (Ordinance 2020-25) to extend committee terms for eligible members. No final decision was made on whether to delay filling vacancies. The Council agreed to revisit the question in September.

At a work session on September 23, the City Council discussed how to approach filling vacancies on Council-appointed committees. No clear consensus was reached by the Council. The City Attorney was asked to draft several emergency ordinances to provide options for the Council at a work session on September 30.

On September 30, the Council discussed the options and requested that the City Attorney prepare a draft ordinance that enables the Council to fill positions when necessary for a board, commission or committee to perform its assigned function and/or, in the Council's own discretion, when the applicant is representative of Takoma Park's diversity. In either case, such appointments will be for terms that will expire on June 30, 2021, subject to reappointment depending upon the Council's final determination.

Council Priority

Prepared by: Jessie Carpenter, City Clerk

Approved by: Suzanne R. Ludlow, City Manager

Posted: 2020-10-04

Engaged, Responsive and Service-Oriented Government. Review existing structure, appointment processes, and practices for Council-appointed committees to increase efficiency and effectiveness and attract new members, and to explore innovative ways to engage residents who tend to be harder to reach, with a desired outcome of enabling diverse, engaged, productive, and rewarding committee membership.

Environmental Considerations

N/A

Fiscal Considerations

N/A

Racial Equity Considerations

Council-appointed committees do not generally reflect the diversity of the population of Takoma Park. Improvements of the recruitment, training, functionality and support of committees may encourage more people from all backgrounds in the City to participate in the Council-appointed committees.

Attachments and Links

- Draft ordinance.
- Committee rosters

1 Introduced by: Councilmember _____
2

3 **CITY OF TAKOMA PARK**
4 **MARYLAND**

5
6 **UNCODIFIED EMERGENCY ORDINANCE**
7 **2020—__**
8

9 **An uncodified Ordinance whereby the City of Takoma Park suspends**
10 **appointments to Boards, Commissions, and Committees except in**
11 **circumstances in which the Council determines that an appointment**
12 **for a Board, Commission, or Committee is necessary to perform its**
13 **assigned function, and is representative of Takoma Park’s diversity,**
14 **and shortens the term of such appointments.**
15

16 **WHEREAS,** the City of Takoma Park Code, section 2.16.010(A) Boards and Commissions,
17 Membership of statutory Council-appointed committees, states that the “Council
18 shall appoint all members of the committees identified in this section,” which
19 include: the Arts and Humanities Commission, the Board of Elections, the
20 Commemoration Commission, the Commission on Landlord-Tenant Affairs, the
21 Committee on the Environment, the Emergency Preparedness Committee, the
22 Ethics Commission, the Facade Advisory Board, the Noise Control Board, the
23 Nuclear-Free Committee, the Personnel Appeal Board, the Recreation
24 Committee, the Complete Safe Streets Committee, and the Tree Commission; and
25

26 **WHEREAS,** the City of Takoma Park Code, section 2.16.010(C) Membership of statutory
27 Council-appointed committees sets forth a Term Expiration Chart for
28 appointments to the aforementioned Boards, Commissions, and Committees,
29 which identifies varying term lengths and varying dates of expiration; and
30

31 **WHEREAS,** the City of Takoma Park code, section 2.04.040(B)(1) Ordinances and resolutions
32 defined, permits the Council to further establish “various City commissions and
33 task forces” by “simple resolution,” which do not have the force and effect of
34 law; and
35

36 **WHEREAS,** various aspects of the City’s Boards, Commissions, and Committees are presently
37 undergoing a general review and it is anticipated that revisions to portions of the
38 Code governing such entities will be made; and
39

40 **WHEREAS,** the City was unable to complete its review prior to the conclusion of FY 2020 for
41 a variety of reasons, to include the state of emergency and public health
42 catastrophe caused by the outbreak of the disease known as COVID-19, also
43 referred to as the novel coronavirus; and
44

45 **WHEREAS,** in order to ensure the City has the ability to address the length of terms of office
46 as part of its general review of the City’s Boards, Commissions, and Committees,

1 and simultaneously ensure that vacancies are filled, it is necessary to modify the
2 terms of office for those appointed prior to the review being completed; and
3

4 **WHEREAS,** in light of the current pandemic, and until the City completes its general review
5 of the City’s Boards, Commissions, and Committees, it is the sense of the Council
6 that future appointments should be confined to circumstances in which such
7 appointments are necessary to allow a Board, Commission, or Committee to
8 perform its assigned functions, provided any appointment thereto represents the
9 diversity of the community.

10
11 **NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF**
12 **TAKOMA PARK, MARYLAND, THAT** the City Council hereby suspends the requirement to
13 make appointments to the City’s Boards, Commissions, and Committees, except as stated herein,
14 and shortens the term for any appointments thereto, as follows:
15

16 **Section 1.** The requirement to make appointments to the City’s Boards, Commissions, and
17 Committees is suspended except in circumstances in which the Council
18 determines, at its sole discretion, that such appointments are necessary to allow
19 the Board, Committee, or Commission to perform its assigned functions, or the
20 appointment increases the diversity of the committee to better reflect the diversity
21 of the community.
22

23 **Section 2.** The terms of office for members appointed to City Boards, Commissions, and
24 Committees pursuant to this Emergency Ordinance shall expire on June 30, 2021.
25

26 **Section 3.** This Ordinance applies to all City Boards, Commissions, and Committees, and
27 not just those identified in the City of Takoma Park Code, section 2.16.010(C).
28

29 **Section 3.** The City Council may rescind, modify, or extend this uncodified emergency
30 Ordinance.
31

32 **THIS ORDINANCE, WHICH IS EFFECTIVE IMMEDIATELY, IS ADOPTED BY THE**
33 **COUNCIL OF THE CITY OF TAKOMA PARK, MARLYAND, THIS ____ DAY OF**
34 **OCTOBER 2020, BY ROLL-CALL VOTE AS FOLLOWS:**
35

36 AYE:
37 NAY:
38 ABSTAIN:
39 ABSENT: