

CITY OF TAKOMA PARK, MARYLAND

Regular Meeting of the Mayor and Council
April 22, 1985

CITY OFFICIALS PRESENT:

Mayor Abbott	City Administrator Wilson
Councilmember Aldrighetti	Asst. City Administrator Habada
Councilmember Bradley	Housing Director Tyree
Councilmember Dalmat	Recreation Director Ziegler
Councilmember D'Ovidio	Corporation Counsel Gagliardo
Councilmember Haney	Asst. Corporation Counsel DeNovo
Councilmember Iddings	
EXCUSED: Councilmember Williams	

The Mayor and Council met on Monday, April 22, 1985, at 8:15 P.M., in the Council Chamber, 7500 Maple Avenue, Takoma Park, Maryland.

Following the pledge, Mayor Abbott noted the recent passing away of City resident John W. Coffman, who, with his father, founded the Takoma Park Journal and was later publisher; worked on Mayor Miller's and Mayor Roth's advisory committee(s); was first editor of the City Newsletter and produced it for a number of years. A moment of silence was observed in his memory. The Mayor read a letter from Takoma Park VFW Post 350 requesting permission to purchase and plant a camellia bush in Veterans' Park in memory of Mr. Coffman, with placement of a memorial plaque at the base of the bush. The Mayor moved that the VFW Post be granted permission and so notified, duly seconded by Councilmember Aldrighetti; carried unanimously. Councilmember Iddings commented he was glad to see a tradition carried forward that was begun when a tree was planted and plaque placed in honor of Joe Ferrier.

The Council Meeting Minutes of April 8, 1985, were presented for approval, which was moved by Councilmember Bradley, duly seconded by Councilmember Haney, carried unanimously.

ADDITIONAL AGENDA ITEMS:

Two resolutions authorizing investment of City funds (Wilson)
Ordinance authorizing acceptance of proposal and execution of contract re Takoma Junction Design Engineering (Wilson)

GENERAL CITIZENS' COMMENTS (not directed at items for Council action)
Mary D'Ovidio, 7324 Piney Branch Road, Co-chair of House & Garden Tour:

Spoke concerning the good condition of the treasury of the organization, which permitted donating sums of money to other City groups benefitting the community. She encouraged all to attend the upcoming May 5 tour; presented a brochure and tickets to the Mayor and Council. The Mayor commented on the worthwhile use of funds earned by the Tour. Councilmember Haney remarked that money given to the Tree Commission was put into the City's tree allotment in the budget; two of the trees purchased are earmarked for planting on New Hampshire Avenue just north of East-West Highway.

Mary Dean, 7118 Maple Avenue, Chair of the Historic Preservation Committee: Began comments on work done by the committee toward expansion of the Master Plan Districts in the Historic Areas of the City. Mayor Abbott remarked that there would be a long article in the upcoming Newsletter and Ms. Dean's report might be more appropriate at the next Council Meeting. Ms. Dean concurred; commented that since the \$1,000 seed money given the committee by the City, plus the \$1,000 in-kind, they now have a budget of \$3,000 cash plus the \$1,000 in-kind, as well as the promise of additional funds from the County Executive's committee.

ITEMS FOR COUNCIL CONSIDERATION:

(1) Resolution of remembrance for the 40th anniversary of the Holocaust.

Councilmember Dalmat read the resolution and moved its adoption; duly seconded; carried unanimously. Mayor Abbott commented he felt it appropriate for Council to take positions on such items; thanked Ms. Dalmat for introducing the resolution. He noted copies should be sent to representatives in the Senate and the House who serve on the

Foreign Relations Committee asking them to disseminate it, as well as to the President. Jonathan Weiss suggested that a copy also be sent to the Chairman of the Holocaust Commission.

RESOLUTION #1985-11
(attached)

(2) Resolution re opposing aid to "Contras" in Nicaragua.

Mayor Abbott moved passage, duly seconded by Councilmember Iddings. Jonathan Weiss of 16 Philadelphia Avenue read the resolution; commented he would like to add a clause expressing support for Congressman Barnes' alternative proposal to provide humanitarian aid rather than military assistance, which was not publicly released until after completion of drafting the original resolution. Mr. Weiss noted that various aid proposals will be voted on April 23, according to the newscast he heard prior to the meeting. Councilmember D'Ovidio commented that he could not fully support the resolution as currently written. Mr. Weiss spoke concerning his experiences in Nicaragua a year and a half ago, at which time he spent several weeks there. He noted that what the administration calls humanitarian aid is defined as non-lethal; i.e., everything with the exception of guns and bullets, e.g.; jeeps, trucks, binoculars, uniforms, food, fuel, etc. Councilmember Haney related having a conversation with a Mr. Robello, one of the original 5 leaders who came to power after Somoza was overthrown by the original Sandanista government, and is now living in the U. S.; he relayed information from that conversation, said he too would have trouble supporting a number of statements in the resolution. Councilmember Aldrighetti commented on talking with an individual who graduated from a military school in Latin America and has contacts through OAS; he said he felt, and this person concurred, that the role the U. S. is playing in Latin America is an embarrassment, is wrong and bad. The Mayor noted that an upcoming Newsletter article from CASA of Maryland points out that there are 18,000 (mostly undocumented) refugees from Central America living in Montgomery County.

Sue Wheaton, 7211 Spruce Avenue: Spoke as a supporter of the resolution; commented on a relevant article in last Saturday's Post. She related experiences during a visit to Nicaragua in February 1983 and conditions the people live under. She strongly urged opposing military aid to the "Contras." Councilmember Bradley stated she supported the resolution in principle, however, moved it be tabled temporarily (for approximately an hour) allowing time for rewording/rework; Council concurred.

(3) Special Exception S-1117, to permit the use of an existing apartment as an accessory apartment at 7117 Woodland Avenue.

Councilmember Dalmat stated that the consensus in worksession was to oppose granting of the Special Exception and point out to the county in the letter of opposition that the basis for opposition is the fact that the owner does not reside on the premises; the owner's daughter lives on the premises, but that violates both the regulations and their intent (she cannot reside there in place of the owner).

Barbara Gibson, 7110 Woodland Avenue: Said she had lived on Woodland for 9 years, had never seen the owners of 7117, Mr. & Mrs. Black. She stated a man lives in the accessory apartment, a family lives upstairs (not sure who they are, but did not think it was the Black's daughter). She said neighbors have had a lot of problems with renters of 7117 in the past, have had to call the police, Mr. Black does not seem to be particular about who he rents to. She supported Council's position of opposition. Councilmember Dalmat moved expressing opposition to granting of the Special Exception to the county for the reasons cited, duly seconded by Councilmember Bradley. The motion carried with Councilmember Aldrighetti Abstaining due to being the supervisor of the individual living in the upstairs of the subject premises, balance of Council voting Aye. The Mayor noted that the subject building comes under the 1988 phaseout, will have to revert to single-family at that time.

(4) Second reading of two ordinances amending or adding the following sections to Chapter 5, City Code, pertaining to personnel: Sec. 2-74, Holiday Leave; Sec. 2-75, Annual Leave; Sec. 2-76.1, Compensatory Leave.

Mr. Wilson noted that certain portions of the documents provided have been revised since first reading on 3-11-85, alternatives to some sections have been supplied by the employees' committee as indicated. He stated that the Employees'/Administration Personnel Committees had met 3 times in the past 2 weeks; noted that Sec. 2.50.1 is a new section, agreed upon by both employees' and administration personnel committees, which would formalize the employees' committee. For purposes of discussion, and amendment if so desired, Councilmember D'Ovidio moved 2nd reading/adoption of draft 7A which had its first reading on 3/11/85, duly seconded by Councilmember Iddings. Councilmember D'Ovidio commented that his purpose for making the motion was to provide a framework on which to build the ordinance; commented the ordinance contained in the agenda packet is a mixture of options.

Councilmember Bradley moved addition of Sec. 2-50.1, as an amendment, to the ordinance. Mr. Wilson stated that he initially concurred with this proposal based on the assumption that administration was authorized to acknowledge and recognize the employees' committee as a group; the employees' group felt more secure if that recognition was formally established within the framework of the ordinance. The Mayor suggested proceeding with the material included with the packet, making decisions on the options presented, and having those incorporated into a final draft prior to a second reading/adoption. Councilmember D'Ovidio emphasized that the matter had been hanging for months and said it was imperative to move ahead on it. He said that the 3 major issues to be addressed were the employees' personnel committee, administrative time, and how the accumulated leave will be handled. Mr. Iddings pointed out that the annual leave cap is also of major import. Councilmember Dalmat seconded the motion on the floor made by Ms. Bradley. Mr. D'Ovidio commented that the setting up of the committee in question is an administrative procedure, does not belong in an ordinance; he said it sounded to him like formation of a house union, which he would not support. Councilmember Aldrighetti noted that a grievance procedure already exists which could be used to address problems; did not think administration should be bound to monthly discussions; would not support the section. Councilmember Bradley spoke in favor of the section, said she did not feel its inclusion in the ordinance would be inappropriate and it would reassure employees. In response to query, Mr. Wilson reiterated that the section was jointly agreed upon by administration and employees' committee members. Councilmember Iddings commented that he preferred to see the matter handled administratively, did not think it should be included in the ordinance. Betty Amt stated that initially, employees felt that handling the matter administratively would be alright, however, realistically, administrations change. She noted that the committee would not replace or substitute for the grievance procedure as related to problems of individual employees, would primarily allow employee input/participation in any anticipated personnel policy changes. Councilmember Haney stated he would support the section; that it would afford employees access to the decision making process, would be beneficial not only to employees, but to administration and to future Mayors and Councils. Lengthy discussion ensued with Councilmembers Aldrighetti, D'Ovidio and Iddings reiterating opposition to including the section in the ordinance; the Mayor, Councilmembers Bradley and Haney reiterating support. Police Sgt. Czerski, a member of the employees' committee, stated that the section was a joint effort of both committees; employees' reason for wanting the process formalized was twofold: 1) to ensure that personnel items did not become law without the knowledge of employees and 2) that employees be afforded an opportunity for input prior to final decisions being made on issues affecting them. It was noted that employees in all departments have been advised by committee members of the results of the joint committee meetings. Mr. Wilson stated that he had no problem recognizing the employees' committee and the intent of the section whether or not it were included in the ordinance, however, thought issues raised concerning management, management and policy directives would have to be dealt with at some point in time. Councilmember Iddings stated that the issue was not whether or not there would be a committee, but whether it would be in an ordinance, legally binding the City Admini-

strator in the management area, rather than allowing him to handle matters administratively. Mayor Abbott pointed out again that the section is the result of a joint effort on the part of administration and employees; if not adopted, the entire effort is negated. Councilmember Bradley suggested that the language of the section be changed to state that the committee shall meet periodically (rather than monthly) with representatives of City administration, as well as deleting reference to the Mayor and Council. Councilmember Iddings suggested making the section a separate resolution at the end of the ordinance endorsing the City Administrator's proposals for developing an employees' committee to meet on issues of mutual concern. The question was called on the motion to insert Sec. 2-50.1 into draft ordinance 7A. The roll call vote was recorded as follows: AYE: Councilmembers Bradley, Dalmat, Haney, and Mayor Abbott; NAY: Councilmembers Aldrighetti, D'Ovidio and Iddings; EXCUSED: Councilmember Williams. The Mayor voted to break a 3-3 tie vote.

Mr. Wilson noted that Sec. 2-70.1 is a new section designed to clarify and define administrative time and how it shall be used, monitored, and, at the discretion of Mayor and Council, paid. Councilmember Iddings commented that it appeared to him that under this section, administrative time would be recognized as a fiscal obligation mandating remuneration; he said it sneaks comp time back in for managers. In response to query, Mr. Wilson stated the section was agreed upon by the joint committees; he said the intent was to allow the accrual and use of such time, as set forth in subsection (b). Councilmember Bradley commented on supporting the concept of administrative time, however, did not support monetary compensation for such time. Councilmember D'Ovidio agreed with Ms. Bradley's and Mr. Iddings' comments; did not think the section belonged in the ordinance. Ms. Bradley stated that generally, if it is known an individual accumulating such time is approaching either retirement or termination, pressure is brought to bear for them to use up any such time accumulated, as well as not permitting any very large balance to accrue. Mr. Wilson stated it is common practice elsewhere to allow individuals leaving their employment to use up any accumulation of administrative leave, i.e., take the leave and be paid until it runs out as though they were working. He stated he and staff went along with this proposal because they saw no harm in it, however, had not foreseen the implication of reaffirming compensatory leave under another guise, and would not support that. For purposes of discussion, Councilmember Aldrighetti moved adoption of the section, duly seconded by the Mayor. Betty Amt stated that the section was an attempt to legalize money payment in the event someone had given their time in good faith and could not use it up prior to termination. The City Clerk's position was mentioned; Councilmember Bradley commented that perhaps that was a job that should be exempt because of the extraordinary hours required during certain periods, which should probably be handled administratively by the City Administrator. Councilmember Haney expressed lack of support for the entire section and cited reasons; he stated he would vote against it and move dropping it. In response to query, Mr. Wilson stated that should the payment of any accumulated administrative time become necessary, it would be paid at straight-time rate, if that were the consensus of Mayor and Council. Councilmember Bradley moved striking subsection (d) from the section, duly seconded by Councilmember Haney. It was reiterated that any obligation through accumulated administrative time could be dealt with administratively. The roll was called on Ms. Bradley's motion to strike subsection (d), and was recorded as follows: AYE: Councilmembers Aldrighetti, Bradley, Dalmat, D'Ovidio, and Haney; NAY: Councilmember Iddings; EXCUSED: Councilmember Williams. The roll call vote on Councilmember Aldrighetti's motion to adopt the section, as amended, was recorded as follows: AYE: Councilmember Bradley; NAY: Councilmembers Aldrighetti, Dalmat, D'Ovidio, Haney and Iddings; EXCUSED: Councilmember Williams.

(5) COLTA Appeal re Case No. TP-171, 657 Houston Avenue, Tuscan Apartments.

Mayor Abbott noted that in view of the late hour and lengthy agenda, if all concerned parties were agreeable, Council would hear the appeal separately, by itself, on another night. All parties, including Michael Grant, representing Waggaman-Brawner, Dana Dembro, representing the former owners (the Goldsteins), and tenants, concurred with

the postponement and the new hearing date which was set for 7:30 P.M., May 15, 1985. It was noted that Housing Director Tyree would disseminate necessary documents.

Discussion reverted to the prior agenda item, personnel ordinances and amendments thereto. Mr. Wilson noted that there were no changes to Sec. 2-74, Holiday Leave, since its first reading. The Mayor commented he did not think the 1/2 day December 31 (New Year's Eve) should be deleted; Councilmember Iddings supported leaving time off that date to the discretion of management, pointed out that if it were an official holiday, some personnel, such as police, would have to be paid double time for working those hours. It was noted that "the Schnuer memo" concerning alternate holiday leave was not supported by either the administration or the employees' committees; concerning the 1/2 day holiday on Christmas Eve, it was noted by Councilmember Haney that non-Christian employees should have the option of using that 1/2 day on one of their own religious holidays; Mr. Wilson concurred that could be handled administratively with no problem. Councilmember Iddings moved replacing subsections (c) through (j) in draft 7A with the proposed subsections (c) through (j); he commented the committee did a good job in cleaning up the language, clarifying intent. The motion was duly seconded by Councilmember D'Ovidio, carried with the roll call vote recorded as follows: AYE: Councilmembers Aldrighetti, Dalmat, D'Ovidio, Haney and Iddings; NAY: None; EXCUSED: Councilmembers Bradley and Williams.

Mr. Wilson noted that two options are offered under Sec. 2-75., Annual Leave, subsection (e) - the original 7A draft language which imposes a 30-day cap on accumulation, and employees' alternate language, which would impose the 30-day cap on new employees, but allow current employees to reduce their cap over a 3-year period to a 45-day cap. Betty Amt noted that subsection (f) is already in the City Code, the underlined additional wording provides language and formalizes what has been accepted practice. She pointed out that the employees' basic proposal is contained in the second ordinance, however, both arrive at a 45-day cap for current employees who were hired when a 60-day cap was in effect. Councilmember D'Ovidio raised the question of the intent of annual leave in terms of its use; in the ensuing conversation, Ms. Amt stated she felt 60 days was a generous amount, could understand Council wishing to trim that figure, however, felt 45 days was a fair amount for people who have up until now had a 60-day cap. She stated that forced use of leave would be injurious and disruptive to departments as well as employees, cited problems envisioned in having the two sets of leave (frozen and current) and problems created for employees in the performance of their jobs. She read a lengthy statement opposing the 30-day cap and supporting the 45-day cap for current employees, and setting forth the employees' committee's rationale. Asst. City Administrator Habada, in response to query, stated that there are currently 56 employees having in excess of 240 hours of annual leave accumulated. In response to Mr. D'Ovidio's reiteration of the intent of annual leave and his perception that it was not being used as intended, Ms. Amt stated that taking leave is a problem for some employees; she said if a look were taken at those people having 60 days accumulated, it might give a different perception, e.g., a number of Public Works employees. Councilmember Bradley stated she felt there is an inherent problem in not using annual leave, in that people need a break from their work routine to reduce stress potential. Ms. Amt pointed out that a leave cap is the controlling factor there, that people tend to take excess leave at the end of the year, if possible, rather than lose it. In discussion, Sgt. Czerski pointed out that in the police department, while some people may have small annual leave balances and large accumulations of holiday and comp leave, others have the reverse situation. He suggested that in the former case, holiday and comp might be converted to annual (up to the cap amount), in order to avoid having to pay off/buy back more than necessary. Councilmember Aldrighetti questioned whether a cost differential had been worked out for the two plans; Councilmember Iddings remarked that if all current employees were permitted to accrue to a 45 rather than a 30-day limit, the City would be liable for an additional \$122,500., on top of the \$245,000., assuming that everyone who could would earn to that cap. A very lengthy discussion ensued concerning the various caps and approaches proposed and the longterm implications and results. Betty Amt reite-

rated that employees view the drastic cut in the leave cap as a punitive measure, the employees' proposals put forth are an attempt to ameliorate that perception. Mr. Wilson noted that the buyback process over an extended period proposed in the second ordinance was designed and intended to alter employees' perception; he pointed out that, starting with a zero balance, it would take employees a long time to reach the 30-day cap. He stated that the rationale for splitting the two ordinances was to accomplish two purposes, i.e., establish basic policy from this point forward, and, to hold harmless and find a rational and equitable way for dealing with the currently unfunded liability. In response to query, he stated the total buyback cost would amount to approximately \$413,000; budgeting an average of \$50,000 a year would ensure a more than adequate amount to buy back 50% of the liability, with 10% of the accumulated leave per year being used up by employees over the proposed 5-year period. He referred to various methods of buyback being examined, such as deferred compensation, IRS 401(k)'s, and IRA's, which would offer growth potential as well as being beneficial tax-wise. Councilmember Bradley expressed support for that particular approach; she reiterated that the City should only pay leave in excess of whatever cap is set, with anything under the cap being funded out of salaries. In the following discussion, she pointed out that many employers, when an employee terminates or retires, do not fill the vacant position until an amount of time equal to the leave paid in dollars to the employee has elapsed; she said she had worked in four local governments and they all followed that practice. Mr. Wilson noted that that practice is part of what created the current liability, in that when a gap is left, other personnel are required to work extra to fill in, particularly in the police department and other labor intensive areas such as Public Works. If the work load was reduced so that others did not have to work extra to fill in, then the proposition would work, otherwise double liability would occur. Councilmember D'Ovidio moved adoption of Sec. 2-75.(e), administration's proposal, imposing a 30-day cap on annual leave accumulation. The motion was duly seconded by Councilmember Haney. Betty Amt commented that vacant positions are rarely filled in less than two months, thus allowing funding for the majority of accumulated leave at time of separation; fringe benefits not paid for the interim period also amounts to money saved in the budget; new employees are usually hired at a lesser rate than the person earned who vacated the position; she felt that all these factors would assist in covering separation costs if a 30-day cap was not imposed. Councilmember Aldrighetti pointed out that the City Administrator had noted the gap in filling vacancies as a major factor in the creation of the accumulated leave liability. Ms. Amt stated that annual leave is not the major problem in the unfunded liability, compensatory and holiday leave appear to be the surprise packages in the issue; she commented that the 60-day cap is a control but at a higher level than the proposed 30-day cap.

Councilmember Bradley stated she did not wish to vote on the entire ordinance until review of the second ordinance was complete. Sgt. Czarski commented that some of the high annual leave balances are not an indication that employees did not want to use the leave or believe it should be taken, but could not take it due to personnel shortages and other factors. In response to a question he posed concerning whether employees would lose annual leave if it were scheduled to be taken the last few weeks of the year and had to be cancelled, Mr. Wilson stated it should be the responsibility of the department to arrange to have the leave carried over for rescheduling at the first possible opportunity if, through no fault of the employee or the department, the leave is either denied or cancelled. To aid in addressing such situations, Councilmember Bradley suggested inclusion in the ordinance of a clause stating that the City Administrator may, under extraordinary circumstances, make exceptions; Mr. Wilson agreed such a statement would be helpful. Councilmember Iddings, in view of the late hour, suggested that staff be directed to come up with language addressing that point either for a separate ordinance or an administrative procedure; Mr. Wilson concurred that it could be worked out as either a resolution or a further amendment to the ordinance. The question was called on the earlier motion to adopt Sec. 2-75.(e); the roll call vote was recorded as follows: AYE: Councilmembers Aldrighetti, Dalmat, D'Ovidio, Haney and Iddings; NAY: None; AB-

STAINED: Councilmember Bradley (based on lack of the amendment permitting the City Administrator to make exemptions); EXCUSED: Councilmember Williams.

Resolution re aid to "Contras." Mr. Weiss returned with the revised version of the resolution, which he read. Passage was moved by Councilmember Haney, duly seconded by Councilmember Aldrighetti, carried unanimously.

RESOLUTION #1985-12
(attached)

Councilmember Iddings moved adoption of the first ordinance amending Chapter 2, Article 5 (Personnel) of the City Code, as amended in the foregoing discussion. The motion was duly seconded, the ordinance adopted by roll call vote as follows: AYE: Councilmembers Aldrighetti, Bradley, Dalmat, D'Ovidio, Haney and Iddings; NAY: None; EXCUSED: Councilmember Williams.

ORDINANCE #1985-33
(attached)

For the record, Councilmember Bradley stated that she assumed that an additional amendment would be forthcoming almost immediately addressing the power to deal with extraordinary circumstances and situations concerning leave; Mr. Wilson assured that would be done.

Councilmember D'Ovidio moved adoption of the second ordinance amending Chapter 2 (Administration), Article 5 (Personnel) of the City Code, addressing Secs. 2-74, Holiday Leave, 2-75, Annual Leave, and adding a new Section 2-76.1, Compensatory Leave, duly seconded by Councilmember Iddings.

A break was taken from 11:25 P.M.-11:45 P.M.

It was noted that in Sec. 2-74, the basic difference(s) between Administration and employees' proposals concerned the rate at which accrued leave would be paid, as well as inclusion in the ordinance (under the employees' proposals) of a statement that employees would use half of their unfunded accumulation and the City would buy back half, over a stated period of time. Councilmember Iddings inquired whether subsection iii., Sec. 3., was a point the committees jointly agreed upon; response was affirmative. Councilmember Iddings moved adoption of Sec. 2-74.(1) through (n), Administration proposal, with the addition under subsection 3. of subsection iii.; duly seconded by Councilmember D'Ovidio. Following explanation of the intent of the three subsections under 3. by Mr. Wilson, Councilmember Iddings moved amending iii. by the addition in the first sentence of "at the time of compensation" following "...at the current salary rate the employee has attained."

Mr. Wilson pointed out that one of the major benefits to employees of a deferred compensation plan, which he would recommend offering all employees an opportunity to participate in, was that taxes would not have to be paid on money invested in it until such time as it is drawn from, in addition to the fact that it will accrue interest. In response to query, Ms. Habada stated that provision of such a plan is not a necessity under the ordinance, but an option; she recommended going with an IRS approved plan already in existence, such as ICMA's, which is being examined. Councilmember Iddings commented that it appears, in part, to legitimize a deferred compensation plan out of bastardized management practices in the past. He stated he did not oppose the concept, but wondered why it should be included in the ordinance. Discussion followed concerning possible administrative costs related to such a plan. Mr. Wilson commented that the provision that 50% of the City's liability might be dealt with as stated was an effort to allay perceptions that an attempt was being made to take anything away from anyone. He noted that ICMA's plan allows an individual to put in up to 25% of their salary or \$7,500, whichever is the higher amount, per year, and tax is not paid on whatever is deposited until time of withdrawal. Lengthy dialogue took place related to the three subsections under 3. concerning utilizing accrued leave, the intent, incentives and implications of those subsections. Betty Amt

read a statement from employees urging that the ordinances mandate payment for leave, whether in terms of buyback or at time of termination, be made at the current salary rate of the employee at the time of such payment. Concerning holiday and compensatory leave, it stated that those were incurred in lieu of paid overtime at the overtime rate, so it would probably be illegal and certainly unethical, for the City to offer discount pay rates, i.e., those in effect at time of enactment of the ordinance. Mr. Wilson noted in discussion that both the accrual and eventual payment of holiday and compensatory leave on a straight-time basis had been agreed to by both employees and previous administrations, as evidenced by prior practice up until the present. Councilmember Aldrighetti questioned whether any legal opinion had been sought on freezing time (which equals money), not paying it for a deferred period of time and not paying interest on it; he wondered whether that situation would be any sort of legal violation and asked that that point be pursued. The question was called on the earlier motion to adopt Sec. 2-74, (l) through (n), including subsection iii, but excluding Employee Alternate ii. The roll call vote was recorded as follows: AYE: Councilmembers Aldrighetti, Dalmat, D'Ovidio and Iddings; NAY: Councilmember Bradley; EXCUSED: Councilmembers Haney and Williams.

Councilmember Iddings moved adoption of Sec. 2-75., Annual Leave, Secs. (i), (j) and (k) including subsection iii., as amended previously, but excluding Employee Alternate ii; duly seconded by Councilmember D'Ovidio. Councilmember Bradley reiterated earlier statements concerning the fact that leave should only be paid down to the cap imposed, not to zero balance, which mandates the City paying out more than is necessary. Mr. Wilson reiterated that leave would be paid to zero, with a new clock starting from zero at time of adoption of the ordinance, thus separating the old from the new in the system. Ms. Habada stated that the savings to the City is effected in stopping the compounding on the accumulated leave; the difference between buying back 60 days and 30 days amounts to \$99,024.57; the total buyback, as stated earlier, would cost \$413,000. Following discussion concerning savings effected by buying back only to the 30-day cap versus buying back to zero, and the implications of both approaches, the question was called on the motion to adopt the section, as amended. The roll call vote was recorded as follows: AYE: Councilmembers Aldrighetti, Dalmat, D'Ovidio and Iddings; NAY: Councilmember Bradley; EXCUSED: Councilmembers Haney and Williams.

Councilmember Bradley moved tabling the remainder of the ordinance, Sec. 2-76.1, until the next Council Meeting; no second offered. Councilmember Iddings moved adoption of the entire section, excluding Employee Alternate ii; duly seconded by Councilmember D'Ovidio. Mr. Iddings moved to amend subsection iii by adding "at the time of compensation" in the first sentence directly following "...at the current salary rate the employee has attained." The amendment was duly seconded by Councilmember D'Ovidio; carried unanimously. Ms. Habada pointed out that compensatory leave, as defined in the ordinance, is in lieu of overtime. She stated that because of the Fair Labor Standards Act and the possibility of retroactivity, it is quite possible, depending upon the Department of Labor's decision, that time and a half will have to be paid on comp time. Mr. Wilson noted that the effect of retroactivity would be back to February 19 under the current interpretation, should it occur; however, that could be challenged and possibly go back even further. The question was called on adoption of the section, as amended; vote was recorded as follows: AYE: Councilmembers Aldrighetti, Dalmat, D'Ovidio and Iddings; NAY: Councilmember Bradley; EXCUSED: Councilmembers Haney and Williams. Adoption of the ordinance, as amended, was moved by Mayor Abbott, duly seconded by Councilmember D'Ovidio. Councilmember Bradley commented she would be abstaining because, while she supports and endorses major portions of the ordinance, she had remaining questions on the buyback rate at time of termination, did not think all questions had been fully answered in terms of fairness. The ordinance was adopted by roll call vote as follows: AYE: Councilmembers Aldrighetti, Dalmat, D'Ovidio and Iddings; NAY: None; ABSTAINED: Councilmember Bradley; EXCUSED: Councilmembers Haney and Williams.

ORDINANCE #1985-34
(attached)

(6) Consideration of application for alcoholic beverage license (Class B, Beer & Wine, On-Sale Only) at Bawmbay Palace Restaurant, 6846 New Hampshire Avenue.

The Mayor noted that this item had been discussed in worksession. Councilmember D'Ovidio moved that Council support the application, duly seconded; carried unanimously. Mr. D'Ovidio asked that it be ascertained whether the application is for beer and wine, or beer only as previously stated by the owner.

(7) Ordinance awarding Contract No. 85-01, Street Improvements Project, to D & F Construction Company.

The Mayor noted that the contractor had explained the contract in pre-Council session; Councilmember D'Ovidio moved adoption, duly seconded by Councilmember Iddings. Ms. Habada noted that this being a Block Grant Project, the ordinance required one reading only. The ordinance was adopted by roll call vote as follows: AYE: Councilmembers Aldrighetti, Bradley, Dalmat, D'Ovidio and Iddings; NAY: None; EXCUSED: Councilmembers Haney and Williams.

ORDINANCE #1985-35
(attached)

(8) Second reading of an ordinance condemning 7114 Sycamore Avenue.

Councilmember Dalmat presented substitute language, provided by Corporation Counsel, for the ordinance. He felt it would be more legally defensible if taken to court. Following discussion, consensus was to postpone the item until the next worksession.

(9) Second reading of an ordinance amending FY 1984-85 Pay Plan re Police Department promotions.

and (10) Revisions to Police Department promotions resolution.

Mr. Wilson explained that the resolution revisions were found to be necessary due to the fact that several people passed through two grades/ranks, a 5% increase per grade would mean a 10% increase for those individuals which was not originally considered; were that not done, some lower rank persons would be making a higher salary than those holding higher rank. Following discussion concerning steps and grades of the pay plan, rationale for revisions to the pay increases, Councilmember Bradley moved tabling the items, duly seconded by Councilmember Aldrighetti; carried unanimously.

ORDINANCE #1985- & RESOLUTION #1985-
(attached)

Regarding the two City investment resolutions mentioned earlier in the meeting as additional agenda items, Ms. Habada stated they should not be dealt with as necessary letters have not been received.

(11) Ordinance authorizing award of contract for Takoma Junction Design Engineering services.

Councilmember Iddings moved adoption of the ordinance, duly seconded by Councilmember D'Ovidio; adoption was by roll call vote as follows: AYE: Councilmembers Aldrighetti, Bradley, Dalmat, D'Ovidio and Iddings; NAY: None; EXCUSED: Councilmembers Haney and Williams.

ORDINANCE #1985-36
(attached)

(12) Newsletter Review Committee Report.

Councilmember Bradley moved that Council accept the report and endorse Mayor Abbott's continuance as editor, duly seconded by Councilmember Aldrighetti. Councilmember D'Ovidio moved tabling the item due to lack of time for discussion, duly seconded by Councilmember Iddings; carried with Councilmember Bradley voting Nay, balance of Council voting Aye.

Upon motion, duly seconded, the meeting adjourned at 1:30 A.M., to reconvene in regular session on May 13, 1985 at 8:00 P.M.

RESOLUTION #1985-11

WHEREAS, The Days of Remembrance are upon us, bidding us to recall Hitler's malevolence, AND

WHEREAS, our memories are the only graves for millions of Holocaust victims, AND

WHEREAS, the U. S. government's failure to speak, and failure to take military action to destroy the Nazi Death Camps was partially to blame for the deaths of millions, AND

WHEREAS, it is through the conscious act of remembering that we take the first step in saying "Never Again!"

NOW, THEREFORE, BE IT RESOLVED, that tonight we commemorate the fortieth anniversary of the end of the Holocaust, and remember the Holocaust's shadow upon the peoples of the earth.

AND BE IT RESOLVED THAT WE SHALL NEVER AGAIN STAND BY IN SILENCE.

APRIL 22, 1985

Introduced by: Jonathan Weiss

Enacted 4/22/85

RESOLUTION #1985-12

WHEREAS, the citizens of the City of Takoma Park are strongly opposed to terrorism and brutality in Nicaragua and to the Reagan Administration's support to the Contras; AND

WHEREAS, the Administration's most recent peace proposal and request for "humanitarian" aid is unacceptable and is intended to deceive the Congress and the People of the United States into supporting further military aid to the Contras; AND

WHEREAS, Representative Michael Barnes has introduced a proposal to provide \$10 million in genuine humanitarian aid and \$4 million to promote the Contadora peace process, which provides a realistic alternative to more military assistance;

THEREFORE, IT IS NOW HEREBY RESOLVED by the Mayor and Council that the City of Takoma Park strongly oppose the President's request for \$14 million in additional aid to the Contras, endorses Representative Barnes' alternative aid proposal and demands that our government enter into serious and meaningful negotiations directly with the government of Nicaragua to bring an end to the conflict between our countries.

IT IS HEREBY FURTHER RESOLVED that the Mayor shall immediately communicate this resolution to the members of the United States Congress who represent the citizens of Takoma Park, Senators Charles Mathias and Paul Sarbanes and Representatives Steny Hoyer and Michael Barnes.

APRIL 22, 1985

INTRODUCED BY: Councilmember Iddings

1st Reading: 3/11/85
2nd Reading: 4/22/85

ORDINANCE NO. 1985-33

AN ORDINANCE TO AMEND CHAPTER 2 (ADMINISTRATION), ARTICLE 5 (PERSONNEL) OF THE CODE OF THE CITY OF TAKOMA PARK, MARYLAND.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND THAT THE FOLLOWING SECTIONS OF THE CITY CODE ARE HEREBY REPEALED AND SIMULTANEOUSLY RE-ENACTED, SECTION 2-70, OVERTIME, SECTION 2-74, HOLIDAY LEAVE, AND SECTION 2-75, ANNUAL LEAVE, , AND SECTIONS 2-50.1, EMPLOYEES' PERSONNEL COMMITTEE, ARE CREATED, AS FOLLOWS:

Section 2-50.1. Employee's Personnel Committee.

In furtherance of Sec. 2-50, above, there shall be established an employees' personnel committee. The committee shall be comprised of one employee representative from each department and division, to be elected by their representative departments and divisions. The Committee shall meet monthly with representatives of City administration to review any proposals that would impact employees. The monthly meetings may be deferred upon mutual agreement of committee members and administration representatives. The full committee may be broken down into smaller subcommittees to accomodate meetings on specific issues.

Specific guidelines for the functioning of the full committee and its subcommittees shall be set forth for consideration and approval by the Mayor and Council.

The Mayor and Council shall consider the recommendations of the committee when making decisions that would impact employees.

Section 2-70. Overtime.

(a) It shall be City policy to make every effort to eliminate overtime work. However, recognizing that emergencies do occur which require overtime payment to be made, the City shall compensate employees in accordance with the Fair Labor Standards Act and Amendments of 1974 (P.L. 93-259).

(b) All full-time employees shall be paid time and one-half for any hours worked over their normal work or regular duty hours, except that this section shall not apply to the incumbents of the positions enumerated below:

- (1) City Administrator;
- (2) Department Heads, and Assistant Directors of Departments;
- (3) Assistant City Administrator(s);
- (4) City Clerk;
- (5) Economic and Community Development Coordinator;
- (6) Police Captain, Police Lieutenant(s).

Section 2-74. Holiday Leave.

(a) The following days shall be recognized as legal holidays for which compensation shall be made:

- (1) New Year's Day;
- ~~(2) Presidential Inauguration Day (every fourth year)~~
- (2) Martin Luther King, Jr.'s Birthday (January 15, 1986 and every year thereafter;
- (3) Washington's Birthday, third Monday in February;
- (4) Memorial Day, last Monday in May;
- (5) Independence Day, July 4;
- (6) Labor Day, first Monday in September;
- (7) Columbus Day;
- (8) Veteran's Day, ~~fourth Monday in October~~ November 11
- (9) Thanksgiving Day, fourth Thursday in November;
- (10) Christmas Eve (1/2 day);
- (11) Christmas Day,
- ~~(12) 1/2 day December 31.~~

(b) Compensation for a holiday shall be made only if the employee worked on his or her last regularly scheduled working day prior to the holiday and on his or her first regularly scheduled working day following the holiday; or be on approved leave. Should an employee be in a full pay status on these two (2) days, for whatever reason, compensation for the holiday shall be paid.

(c) Employees who perform work for the City on a holiday shall be paid at one and one half (1-1/2) times their regular rate for hours worked on such day in addition to the amount to which they are entitled for holiday compensation. Full-time employees are granted holiday leave for the total number of hours constituting their regularly scheduled workday or shift.

(d) Should one (1) of the above mentioned holidays fall on a Saturday, all eligible employees shall take the next regularly scheduled working day as the holiday. Part-time employees are granted holiday leave only if they work at least forty (40) hours per pay period. When this eligibility requirement is met, part-time employees earn holiday leave in proportion to the number of hours reported in a pay status.

(e) Should one (1) of the above mentioned holidays fall on a Sunday, all eligible employees shall take the next regularly scheduled working day as the holiday. The City Administrator determines the City services to be maintained on a holiday. As a result, an employee may be required to work on designated holidays. It is the City Administrator's responsibility, or his or her designee (e.g. department heads) to designate and inform those employees required to work on holidays.

(f) Police Department personnel working on a rotating shift basis shall be credited with holiday leave when they are working or when they are on a regular day off. Employees who perform work for the City on a holiday shall be paid during the next regular pay period at two (2) times their regular rate for hours worked on such day. Holiday leave may not be accumulated on or after the effective date of this ordinance.

(g) When a holiday falls on a full-time shift-work employee's regularly scheduled day off, the employee shall be paid for their regular shift hours that falls on the holiday, at their regular rate.

(h) An employee who works additional time beyond his/her regularly scheduled workday/shift on a holiday shall be paid at the regular overtime rate of 1-1/2 times his/her regular rate.

(i) An employee who is scheduled to be off on a holiday and who is called in to work shall be compensated at two (2) times their regular rate for hours worked up to the amount of hours in that employee's regular shift or work day.

(j) Should one (1) of the above-mentioned holidays fall on Saturday, all eligible employees shall take the regularly scheduled working day prior to Saturday as the holiday.

(k) Should one (1) of the above-mentioned holidays fall on a Sunday, all eligible employees shall take the next regularly scheduled working day as the holiday.

Section 2-75. Annual Leave.

[No change to subsections (a), (b), (c), (d).]

(e) Beginning with the effective date of this ordinance, employees are permitted to accumulate unused annual leave in an amount not exceeding ~~sixty (60)~~ thirty (30) days (240 hours).

(-----) indicates deletions.

(Underscoring) indicates new language.

ADOPTED BY THE CITY COUNCIL AND ENACTED APRIL 22, 1985.

Introduced by: Mayor Abbott

1st Reading: 3/11/85

2nd Reading: 4/22/85

ORDINANCE NO. 1985-34

AN ORDINANCE TO AMEND CHAPTER 2 (ADMINISTRATION), ARTICLE 5 (PERSONNEL) OF THE CODE OF THE CITY OF TAKOMA PARK.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND THAT THE FOLLOWING SECTIONS OF THE CITY CODE, Section 2-74. HOLIDAY LEAVE, Section 2-75. ANNUAL LEAVE, WITH A NEW SECTION, Section 2-76.1. COMPENSATORY LEAVE, ADDED AS FOLLOWS:

Section 2-74. Holiday Leave

(1) An employee who, on or prior to the effective date of this ordinance has accumulated holiday leave shall:

(1) Have all accrued holiday leave balances frozen at the salary rate that is in effect at the time of enactment of this ordinance.

(2) Use all such leave by December 31, 1990 except as provided herein:

(A) Employees shall make application for time off on or before January 1, 1990. Requests for time off shall not be unreasonably denied. If an employee has asked for time off and it cannot be scheduled because of the City's workload, accumulated holiday leave accrued prior to the effective date of this ordinance may be carried over upon approval by the City Administrator, until such time as the department head can schedule time off for the employee.

(3) Utilize accrued holiday leave by the following methods:

(A) Use such leave at the rate of at least ten per cent (10%) per year for five (5) years, on an hour-for-hour basis at the salary rate the employee has attained at the time leave is taken, up to December 31, 1990.

(B) Upon termination from the City, receive payment on an hour-for-hour basis at the salary rate the employee has attained on the effective date of this ordinance.

(C) Receive monetary compensation for at least ten per cent (10%) per year for five (5) years at the current salary rate the employee has attained at the time of compensation. Such payments may be made in the form of deferred compensation with growth potential, such as IRS 401(k)'s or IRA's.

(m) Notwithstanding the provisions of subsection (1) above, the Mayor and Council may at any time authorize payment in full, to employees who have accrued holiday leave, at the salary rate in effect at the time of enactment of this ordinance.

(n) Department Heads are to develop annual plans for the scheduling of holiday leave accumulated prior to the effective date of this ordinance. Quarterly reports are to be submitted to the City Administrator by the Department Heads on progress made toward the elimination of leave accrued on or prior to the effective date of this ordinance. Quarterly reports are to be made to the Mayor and Council on progress made toward elimination of leave accrued on

or prior to the effective date of this ordinance.

Section 2-75. Annual Leave.

[No change to subsections (f), (g), and (h)]

(i) An employee who, on the effective date of this ordinance or the end of the current accrual period, has accumulated annual leave shall:

(1) Have all accrued annual leave balances frozen at the salary rate that is in effect at the time of enactment of this ordinance.

(2) Use all such leave by December 31, 1990, except as provided herein:

(A) Employees shall make application for time off on or before January 1, 1990. Requests for time off shall not be unreasonably denied. If an employee has asked for time off and it cannot be scheduled because of the City's workload, accumulated annual leave accrued prior to the effective date of this ordinance may be carried over upon approval by the City Administrator, until such time as the department head can schedule time off for the employee.

(3) Utilize accrued annual leave by the following methods:

(A) Use such leave at the rate of at least ten per cent (10%) per year for five (5) years, on an hour-for-hour basis at the salary rate the employee has attained at the time leave is taken, up to December 31, 1990.

(B) Upon termination from the City, receive payment on an hour-for-hour basis at the salary rate the employee has attained on the effective date of this ordinance.

(C) Receive monetary compensation for at least ten per cent (10%) per year for five (5) years at the current salary rate the employee has attained at the time of compensation. Such payments may be made in the form of deferred compensation with growth potential, such as IRS 401(k)'s or IRA's.

(j) Notwithstanding the provisions of subsection (i) above, the Mayor and Council may at any time authorize payment in full, to employees who have accrued annual leave, at the salary rate in effect at the time of enactment of this ordinance.

(k) Department Heads are to develop annual plans for the scheduling of annual leave accumulated prior to the effective date of this ordinance. Quarterly reports are to be submitted to the City Administrator by the Department Heads on progress made toward the elimination of annual leave accrued on or prior to the effective date of this ordinance. Quarterly reports are to be made to the Mayor and Council on progress made toward elimination of annual leave accrued on or prior to the effective date of this ordinance.

Section 2-76.1. Compensatory Leave.

(a) Compensatory leave is defined as time off as approved by the appropriate authorizing administrator in lieu of paid overtime; to be granted to salaried, non-department head employees only, or those so designated by the

City Administrator.

(b) An employee who, on or prior to the effective date of this ordinance has accumulated compensatory leave shall:

(1) Have all accrued compensatory leave balances frozen at the salary rate that is in effect at the time of enactment of this ordinance.

(2) Use all such compensatory leave by December 31, 1990, except as provided herein:

(A) Employees shall make application for time off on or before January 1, 1990. Requests for time off shall not be unreasonably denied. If an employee has asked for time off and it cannot be scheduled because of the City's workload, accumulated compensatory leave accrued on or prior to the effective date of this ordinance may be carried over upon approval by the City Administrator, until such time as the department head can schedule time off for the employee.

(3) Utilize accrued compensatory leave by the following methods:

(A) Use such leave at the rate of at least ten per cent (10%) per year for five (5) years, on an hour-for-hour basis at the salary rate the employee has attained at the time leave is taken, up to December 31, 1990.

(B) Upon termination from the City, receive payment on an hour-for-hour basis at the salary rate the employee has attained on the effective date of this ordinance.

(C) Receive monetary compensation for at least ten per cent (10%) per year for five (5) years at the current salary rate the employee has attained at the time of compensation. Such payments may be made in the form of deferred compensation with growth potential, such as IRS 401(k)'s or IRA's.

(c) Notwithstanding the provisions of subsection (b) above, the Mayor and Council may at any time authorize payment in full, to employees who have accrued compensatory leave, at the salary rate in effect at the time of enactment of this ordinance.

(d) Department Heads are to develop annual plans for the scheduling of compensatory leave accumulated on or prior to the effective date of this ordinance. Quarterly reports are to be submitted to the City Administrator by the Department Heads on progress made toward the elimination of leave accrued on or prior to the effective date of this ordinance. Quarterly reports are to be made to the Mayor and Council on progress made toward elimination of leave accrued on or prior to the effective date of this ordinance.

(e) Any compensatory leave accrued on or prior to the effective date of this ordinance and unused on or before December 31, 1990, may be converted to sick leave at the option of the employee.

(-----) denotes deletions.

(underscoring) denotes additions.

ADOPTED BY THE CITY COUNCIL AND ENACTED APRIL 22, 1985.

INTRODUCED: Councilmember D'Ovidio

ENACTED: 4/22/85

ORDINANCE 1985-35

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND

SECTION 1. THAT the Year 10 Community Development Block Grant program set aside funds for the execution of certain public works projects;
AND

SECTION 2. THAT bids were solicited from qualified contractors and by advertising in the Washington Post, the Blue Report and the Dodge Report, with bids having been publicly opened at 2:00 PM on April 10, 1985 for the following projects:

Installation of curb, gutter, sidewalk, driveway aprons and resurfacing of Westmoreland Avenue between Second Avenue and Walnut Avenue;

Installation of curb, gutter, sidewalk and driveway aprons on Maple Avenue between Tulip Avenue and the District of Columbia line;

Installation of sidewalk in the 7500 block of Piney Branch Road;

Installation of curb on Alfred Drive between Ray Road and the City line;

Installation of curb, gutter, driveway aprons and resurfacing of Hodges Lane between Holly Avenue and Chestnut Avenue;

Installation of curb and gutter on Chestnut Avenue between Hodges Lane and Grant Avenue; AND

SECTION 3. THAT 4 bids were received, with D & F Construction Company of Arlington, Virginia having submitted the low bid of ONE HUNDRED FORTY THREE THOUSAND, THREE HUNDRED AND FOUR DOLLARS (\$143,304).

SECTION 4. THEREFORE THAT the bid of D & F Construction Company for the work described above is hereby accepted and the City Administrator is authorized to execute the appropriate contract documents.

ADOPTED BY THE CITY COUNCIL April 22, 1985.

ORDINANCE NO. 1985-

An ordinance to amend Ordinance No. 2723, adopted June 11, 1984.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND

SECTION 1. THAT Section 8 of Ordinance No. 1400, subsequent amendments thereto, and Ordinance No. 2723, known as the Pay Scale Plan for the City of Takoma Park, is hereby amended as follows:

GRADE STRUCTURE - POLICE DEPARTMENT:

POSITION	GRADE
Lieutenant	23
<u>Lieutenant</u>	<u>21</u>
<u>Captain</u>	<u>23</u>

SECTION 2 THAT this ordinance shall become effective upon adoption.

NOTE:

(-----) denotes deletions.

() underscoring denotes additions.

Introduced by:

RESOLUTION 1985-

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND THAT the following salary increases pertaining to promotions within the Police Department are hereby approved.

RANK	CURRENT SALARY (GRADES)	PROMOTIONS SALARY (GRADES)	% INCREASE	DOLLAR INCREASE
Captain	\$32,444 (20 L-1)	\$35,720 (23 J)	10.9	\$ 3,276
Sergeant	22,344 (17 E)	24,832 (20 D)	11.1	2,488
Corporal	19,839 (16 C)	21,764 (18 C)	9.7	1,925
AMENDED ANNUAL TOTAL				\$16,123

APRIL 22, 1985

ORDINANCE NO. 1985- 36

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND

- SECTION 1. THAT the Year 10 Community Development Block Grant program set aside funds for the execution of certain design and engineering services for the Takoma Junction Streetscape Project under Contract #241-85; AND
- SECTION 2. THAT proposals were solicited from qualified consultants and by advertisement in The Washington Post, The Washington Afro-American, The Suburban Record and The Prince George's Post-Sentinel, with proposals having been received by 4:00 PM on March 1, 1985, and subsequently reviewed by a committee of professionals in accordance with criteria delineated in the Request for Proposals, for the Design, Engineering and Related Coordination Services for Construction of Public Streetscape Improvements and Facade Renovations in Takoma Junction, which services are more completely described in the official Request for Proposals; AND
- SECTION 3. THAT eight (8) proposals were received, with Constructive Alternatives, Inc., of Takoma Park, Maryland, having been duly selected as being the most qualified and best suited for provision of the professional services solicited, and having submitted a proposal to perform the specified services for FIFTY FOUR THOUSAND NINE HUNDRED EIGHTY TWO DOLLARS (\$54,982.00).
- SECTION 4. THEREFORE, THAT the proposal of Constructive Alternatives, Inc., for the work specified in a draft contract negotiated pursuant to the terms of the Request for Proposals and the proposal submitted by Constructive Alternatives, Inc., in response to the Request for Proposals is hereby accepted and the City Administrator is authorized to execute the appropriate contract documents.

ADOPTED BY THE CITY COUNCIL APRIL 22, 1985.