

**SPECIAL SESSION, WORKSESSION AND EXECUTIVE SESSION
OF THE CITY COUNCIL**

Monday, April 1, 1996

OFFICIALS PRESENT:

Mayor Sharp

Councilmember Chavez

Councilmember Elrich

Councilmember Porter

Councilmember Rubin

Councilmember Williams

Deputy City Administrator Grimmer

Asst. City Administrator Hobbs

Deputy City Clerk Espinosa

Economic Development Coor. Sickel

Asst. Corporation Counsel Perlman

OFFICIAL ABSENT:

Councilmember Davenport

The Council convened at 7:36 p.m. in the upstairs meeting room of the Municipal Building, 7500 Maple Avenue, Takoma Park, Maryland.

SPECIAL SESSION

#1 Resolution re: Representatives to Fire Service Work Group. Moved by Rubin; Seconded by Williams. Mr. Rubin related the county-wide discussions regarding the Silver Spring and Takoma Park fire stations and the additional considerations associated with unification (i.e. coverage for all Takoma Park residents according to Montgomery County standards).

Benjamin Onyeneke, Maple Avenue, said that he would like to see all citizens, especially landlords, have a positive fire safety approach. He commented on the number of fires in Maple Avenue residents, and suggested that the Fire Chief brief the residents on how to protect their homes from fire.

The resolution was adopted unanimously (ABSENT: Davenport, Porter).

**RESOLUTION #1996-22
(Attached)**

WORKSESSION

The Council moved into Executive Session at 7:44 p.m., and later convened in Executive Session at 9:40 p.m.

EXECUTIVE SESSION

Executive Session 4/1/96 - Moved by Chavez; seconded by Porter. Council convened in Executive Session by unanimous vote at 9:40 p.m., in the Conference Room. OFFICIALS PRESENT: Sharp, Chavez, Elrich, Porter, Rubin, Williams. OFFICIALS ABSENT: Davenport. STAFF PRESENT: Habada, Grimmer, Hobbs, Espinosa, Perlman. Council discussed (1) possible land acquisition, and (2) received legal advice on potential litigation. No action was taken on either item (Authority: Annotated Code of Maryland, State Government Article, Section 10-508(a)(3) and (7)).

Introduced By: Councilmember Rubin

RESOLUTION #1996 - 22
APPOINTING CITY REPRESENTATIVES TO MONTGOMERY COUNTY FIRE AND
RESCUE COMMISSION WORK GROUP

WHEREAS, the City of Takoma Park is party to a tripartite fire services agreement with Montgomery and Prince George's Counties; AND

WHEREAS, Montgomery County operates a fire station ("Station 2") at Philadelphia and Carroll Avenues, within the corporate limits of the City of Takoma Park, pursuant to said tripartite agreement; AND

WHEREAS, the Montgomery County Fire and Rescue Commission ("FRC") and the City of Takoma Park have identified a number of issues that need to be resolved, relating to the unification of the City into Montgomery County as well as the physical deterioration of Station 2; AND

WHEREAS, the FRC has requested that the City designate City representatives to participate in a work group to address these issues; AND

WHEREAS, Council and City Staff have considered candidates to represent the City on the work group.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND, THAT:

1. Larry Rubin, Councilmember, Ward One, be and is hereby appointed to represent the City Council on the work group; AND
2. Daryl Braithwaite, Public Works Team Leader, be and is hereby appointed to represent City Staff on the work group; AND

BE IT FURTHER RESOLVED, THAT Mr. Rubin and Ms. Braithwaite periodically report to Council on the activities of the work group; AND

BE IT FURTHER RESOLVED, THAT the Acting City Clerk transmit a copy of this Resolution to the Montgomery County Fire and Rescue Commission.

ADOPTED this 25th day of March, 1996.

**PUBLIC HEARING, REGULAR MEETING, WORKSESSION
AND EXECUTIVE SESSION OF THE CITY COUNCIL**

Monday, April 8, 1996

Executive Session 4/1/96 - Moved by Chavez, seconded by Porter. Council convened in Executive Session by unanimous vote at 9:40 p.m., in the Conference Room. OFFICIALS PRESENT: Sharp, Chavez, Elrich, Porter, Rubin, Williams. OFFICIALS ABSENT: Davenport. STAFF PRESENT: Habada, Grimmer, Hobbs, Espinosa, Perlman. Council discussed (1) possible land acquisition, and (2) received legal advice on potential litigation. No action was taken on either item (Authority: Annotated Code of Maryland, State Government Article, Section 10-508(a)(3) and (7)).

OFFICIALS PRESENT:

Mayor Sharp

Councilmember Chavez

Councilmember Davenport

Councilmember Porter

Councilmember Rubin

Councilmember Williams

Asst. City Administrator Hobbs

Deputy City Clerk Espinosa

Engineer Monk

Planning Center Coordinator Ludlow

Community Development Coor. Sickle

Community Planner George

OFFICIAL ABSENT:

Councilmember Elrich

The City Council convened at 7:35 p.m. on Monday, April 8, 1996, in the Council Chambers of the Municipal Building, 7500 Maple Avenue, Takoma Park, Maryland.

Following the Pledge of Allegiance, these remarks were made:

MAYOR AND COUNCIL COMMENTS

A moment of silence was observed in reverence for the victims in the Bosnian plane crash.

PROCLAMATION

#1 Personnel Professionals' Day. Mr. Sharp read the proclamation for the record, recognizing May 7, 1996, as Personnel Professionals' Day.

CITIZEN COMMENTS

Bob Kaplar, 6616 Westmoreland Avenue, noted the surge of violent attacks on city residents near the Takoma Park Metro station. He questioned whether the city's Police Department is coordinating patrol efforts with the D.C./Metro police agencies, and whether a patrol car can be placed on regular patrol at Westmoreland and Walnut Avenues. He emphasized the need for an action plan.

(Unintelligible) Kaplar commented on the fear that has spread through the neighborhood.

Mr. Sharp asked about any recent meetings of public safety officials, commenting on the importance of coordinating efforts with the D.C. Police.

Mr. Williams noted that Officer Coursey has raised the issue about the importance of cross-jurisdiction coordination.

Mr. Sharp requested that Police Chief Phillips report on this matter.

Phil Rider stated that he is concerned about a tree that was removed to make space for a sign installation at 1021 University Boulevard.

Mr. Sharp requested that staff follow-up on this matter.

Benjamin Onyeneke, Maple Avenue, urged residents to be of positive mind and spirit. He commented on the problems of crime in the areas adjacent to the Metro station, and questioned whether the station could be put under the jurisdiction of the Takoma Park Police.

PUBLIC HEARING

#2 Affordable Housing Plan. Mr. Sharp introduced the public hearing, and called it to order at 7:50 p.m.

Carl Elefante, 6607 Westmoreland Avenue, remarked about three points that he feels are critical to affordable housing. (1) The most effective and quickest way to increase housing stock is by changing accessory apartment laws. A change of this kind could yield approximately 2000 units, with the least impact on infrastructure. (2) He commented on the relationship between accessibility of transportation and affordable housing, as the answer to "what makes housing affordable?". (3) Takoma Park has an old housing stock. He said that with the energy efficient technology available today, a significant savings could be realized by home owners. He commented that there have been cases where communities have paid for energy upgrades through a utility bill.

Benjamin Onyeneke, Maple Avenue, said that staff should work on reducing the price of housing stock, and urged landlords to not raise rents to the maximum limit.

Mr. Sharp noted that Charlotte Sobel submitted remarks in writing (attached For The Record).

The public hearing was closed at 8:05 p.m.

REGULAR MEETING

#3 Resolution re: Arbor Day. Mr. Sharp explained the resolution designating April 13, 1996, as Arbor Day in the city. Moved by Rubin; seconded by Chavez.

The resolution was adopted unanimously.

RESOLUTION #1996-23 (Attached)

#4 Resolution re: 117 Ritchie Avenue. Mr. Sharp explained the resolution authorizing him to sign an agreement for assignment of Tax Sale Certificate No. 924 (for property at 117 Ritchie Avenue) and foreclosure rights from Montgomery County to the City. Moved by Davenport; seconded by Porter.

Ms. Porter noted that 117 Ritchie Avenue is a blighted property that the city wants to clean-up.

The resolution was adopted unanimously.

RESOLUTION #1996-24 (Attached)

#5 2nd Reading Ordinance re: Conveyance of 1007 University Boulevard. Moved by Chavez; seconded by Porter. Mr. Sharp explained the ordinance.

Ms. Porter explained the proposal for the writedown of the Rehabilitation Deferred Payment Loan. The writedown over the thirty-year period will be at an annual rate of \$6,000 for the first fifteen years and at an annual rate of \$1,000 for the second fifteen years. She noted that the city is interested in maintaining this site as affordable housing for as long as possible.

Mr. Chavez said he believes this is a reasonable proposal.

The ordinance was adopted unanimously at second reading (ABSENT: Elrich).

ORDINANCE #1995-46 (Attached)

#6 2nd Reading Ordinance re: Fiscal Year 1996 Budget Amendment #2. Moved by Williams; seconded by Porter. Mr. Sharp explained the amendments affected by the ordinance.

The ordinance was adopted unanimously at second reading (ABSENT: Elrich).

**ORDINANCE #1996-7
(Attached)**

#7 1st Reading Ordinance re: Total Quality Management (TQM) Consultant. Moved by Rubin; seconded by Davenport. Mr. Rubin clarified that the ordinance is to authorize additional funds that were not originally authorized but which have already been paid to the consultant. He noted that the City Administrator is authorized to spend up to \$5,000 on professional services contracts and \$10,000 on other contracts without Council's approval. He remarked that in the future, the City Administrator should notify the Council either verbally or in writing of contract expenditures. Mr. Rubin stated that the \$39,000 referred to in the ordinance is included in the total \$151,000 paid to Strategies for Success, Inc. for staff development and training in Total Quality Management.

Jack Mitton, 501 Philadelphia Avenue, expressed his concern about the City Administrator spending money without proper authorization. He said that the city has not been adequately informed of the goals, measurements, and costs of TQM. He questioned how many staff hours have been devoted to training, and whether there were any indications along the way that extensions of the contract would be necessary. Mr. Mitton commented that there are many questions surrounding this issue, and urged the Council to postpone action on the ordinance.

Mr. Rubin stated that Mr. Mitton is not the first among Ward 1 constituents to raise these points.

Mr. Chavez said that the upcoming budget discussions will include further consideration of any requests for additional funding for training and staff development.

The ordinance was accepted at first reading (ABSENT: Elrich).

**ORDINANCE #1996-9
(Attached)**

WORKSESSION

The Council moved into Worksession. Following the Worksession, the Council convened in Executive Session at 9:40 p.m. to consult with legal counsel. The Council later adjourned for the evening.

EXECUTIVE SESSION

Executive Session 4/8/96 - Moved by Rubin; seconded by Porter. Council convened in Executive Session by unanimous vote at 9:40 p.m., in the Conference Room. OFFICIALS PRESENT: Sharp, Chavez, Davenport, Porter, Rubin, Williams. OFFICIALS ABSENT: Elrich. STAFF PRESENT: Habada, Hobbs, Espinosa, Perlman. Council consulted with legal counsel regarding (1) possible litigation, and (2) possible ordinance having implications for new labor contract. Council directed staff to pursue continued efforts to avoid litigation, and took no action taken on the second item (Authority: Annotated Code of Maryland, State Government Article, Section 10-508(a)(3) and (7)).

To: Suzanne Ludlow
Jean Sickle

From: Charlotte Sobel

Date: April 8, 1996

Subj: Public Hearing on the Affordable Housing Plan

First of all, let me state that I appreciate the hard work and effort you have expended on behalf of affordable housing within the City of Takoma Park. I am concerned, however, that the materials were never received via mailing by me and only through Jean's good graces, was I able to obtain copies last week. Not enough time, unfortunately, to revisit an extremely complex topic. I would hope that in the future, that City staff and officials would allow City residents a little more time to revisit issues, especially those of us who vested so much in the initial effort.

As a single-parent, I will not be able to be at tonight's hearing so would like the following comments entered into the official record:

1. The City needs to have a citizens and staff committee appointed to deal with housing as part of a larger vision for the future growth of Takoma Park.
2. You cannot develop, expand or support affordable housing, the improvement of existing housing stock, etc. without the commitment of funds to support such actions. If the City is unwilling, unable to do so, then the phrase "talk is cheap" leaps to mind. This is not to say that the City shouldn't support affordable housing goals but if that is the only action we can take, perhaps we need to focus less on this issue and more on others where the City can make a positive, constructive contribution. Many of the strategy implementation goals would be enhanced if the City had a definitive strategy - we would no longer see verbiage such as "based on availability of funds", "ongoing and when needed", or "The City will work in cooperation with area nonprofits".
3. The City should conduct a financial analysis of rent control - i.e., how much does it cost the City to enforce and what do we get for this expenditure; what incentives does it give owners/tenants to maintain and/or upgrade properties; can the City serve as a magnet for the expansion or improvement of affordable housing under existing law (look at Essex House as an example, here is affordable housing, funded in large part by State and federal direct and indirect

resources, that had a rent-roll turnover of over 45% and yet complied with the City's rent control ordinance - what was the City's stand on the loss of these families, etc.), and other similar issues. I recall long discussions, etc. of the Affordable Housing Committee devoted to this issue and because rent control was deemed "sacred" to some City Council members, its broad implications were not questioned or researched. This seems to me to be a grave oversight that needs to be addressed.

I regret I will be unable to be there this evening but I know you know my personal situation. I would be more than willing to discuss this further with you - I can always stop by City Hall on my way into work.

Thanks.

MAYORAL PROCLAMATION

IN RECOGNITION OF PERSONNEL PROFESSIONALS' DAY

- WHEREAS, the City of Takoma Park, Maryland, recognizes that human resource staff are of vital importance to the organization's success; AND
- WHEREAS, each of the City's employees, applicants, and volunteers require different levels of service from the City's human resource staff; AND
- WHEREAS, the City of Takoma Park recognizes the human resource professionals who perform our personnel functions with professionalism and distinction; AND
- WHEREAS, the City of Takoma Park is a member of the Local Government Personnel Association (LGPA) which represents forty-nine jurisdictions of the Washington-Baltimore Metropolitan Area; and
- WHEREAS, LGPA serves as a forum for the exchange and sharing of information between the personnel offices and staffs of member jurisdictions; and
- WHEREAS, LGPA has established the "Personnel Professionals' Day" to promote and encourage professionalism among the personnel staffs of our respective member jurisdictions.

NOW, THEREFORE, I, EDWARD F. SHARP, MAYOR OF THE CITY OF TAKOMA PARK, MARYLAND, do hereby proclaim May 7, 1996, as "Personnel Professionals' Day" in Takoma Park, and encourage all residents and City employees to recognize our human resource professionals for their commitment and dedication to the City.

Edward F. Sharp
Mayor

ATTEST:

Thomas H. Espinosa
Acting City Clerk

RESOLUTION IN SUPPORT OF THE ARBOR DAY CELEBRATION IN TAKOMA PARK

WHEREAS, the environment is important to the residents of Takoma Park; AND

WHEREAS, the Committee on the Environment, a City Council appointed body of City residents who advise the City on developing programs and administrative practices that are environmentally responsible, have organized several special events to celebrate Arbor Day; AND

WHEREAS, these events encourage the local community to participate; AND

WHEREAS, Arbor day will be celebrated on Saturday, April 13th at the Takoma Park Library from 10 AM to 3 PM, and will include the distributing of free tree seedlings and information on planting and care of trees in the community; AND

WHEREAS, The City of Takoma Park has once again been named a Tree City USA by the National Arbor Day Foundation, and will also receive a Silver PLANT Community Award from the Maryland Community Forest Council and the Maryland Department of Natural Resources for its greening efforts.

NOW, THEREFORE, BE IT RESOLVED THAT the City Council of Takoma Park supports the local environmental celebration of Arbor Day on Saturday, April 13th, presented by the Committee on the Environment, and encourages all residents to participate.

Adopted this 8th day of April, 1996

ATTEST:

A handwritten signature in blue ink, appearing to read "Catherine E. Sotopk", is written over a horizontal line.

FN: RSLTN

Introduced By: Councilmember Davenport
(Drafted By; T. Espinosa)

RESOLUTION #1996 - 24

AUTHORIZING MAYOR TO SIGN AGREEMENT FOR ASSIGNMENT OF FORECLOSURE RIGHTS FROM MONTGOMERY COUNTY TO THE CITY

WHEREAS, Montgomery County, Maryland, purchased Tax Sale Certificate No. 924 for Tax Account 1081160 at the June 11, 1979, tax sale for the bid price of \$8,171.80; AND

WHEREAS, the property for which said tax account was established is described as Lot 16, Block 61, B.F. Gilbert Subdivision, Takoma Park, assessed to David L. Wood, et al.; AND

WHEREAS, on June 10, 1981, the County filed a Bill of Complaint to Foreclose Right of Redemption of the subject property in the Circuit Court for Montgomery County, Maryland, Equity 75708; AND

WHEREAS, the City of Takoma Park, Maryland, wishes to acquire Tax Certificate No. 924 from Montgomery County, substitute itself for the County as Plaintiff in Equity 75708, complete the foreclosure, and take deed to the subject property from the Director of Finance of Montgomery County; AND

WHEREAS, duly-authorized representatives of Montgomery County and the City of Takoma Park have reached an agreement for assignment of Tax Sale Certificate No. 924 from the County to the City.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND, THAT the Mayor of the City of Takoma Park be and he hereby is authorized to execute the Agreement for Assignment of Tax Sale Certificate No. 924 from Montgomery County, Maryland, to the City of Takoma Park, Maryland, on behalf of the City.

ADOPTED this 8th day of April, 1996.



Introduced By:
Councilmember Williams

First Reading: 12/4/95
Second Reading: 4/08/96
Effective Date: 4/08/96

ORDINANCE NO. 1995-46

(Sale of 1007 University Boulevard, Takoma Park, Maryland)

An ordinance authorizing the disposition of the property located at 1007 University Boulevard to the Silver Spring Interfaith Housing Coalition for the purpose of a transitional housing facility.

WHEREAS, the City of Takoma Park purchased the property located at 1007 University Boulevard to eliminate a neighborhood blight and to develop a resource for a transitional housing facility; and

WHEREAS, the City implemented a solicitation process inviting area nonprofit service organizations to submit qualifications to undertake a transitional housing project; and

WHEREAS, the City reviewed the submissions and identified three qualified nonprofit organizations which were asked to submit full proposals; and

WHEREAS, after thorough examination of the three proposals and interviews with representatives of two of three nonprofits, the Review Committee has recommended that the Silver Spring Interfaith Housing Coalition (SSIHC) is the most qualified; and

WHEREAS, SSIHC has offered \$20,000.00 as the acquisition price and has submitted a proposal to the Maryland Department of Housing and Community Development to obtain funds to write down a portion of the cost for the rehabilitation of the property.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND, that:

SECTION 1.

~~a. The property currently owned by the City of Takoma Park and located at 1007 University Boulevard be transferred to the Silver Spring Interfaith Housing Coalition with the following conditions:~~

~~(1) The property will be placed on the City's schedule for annual licensing inspection.~~

~~(2) The residency limit will be two years.~~

~~(3) Facility will be drug free.~~

~~(4) Priority will be given to households which can demonstrate a residential link to Takoma Park within the last 24 months.~~

~~(5) The acquisition price for the property is \$20,000.00.~~

~~(6) In the event that SSIHC obtains funds from the State as requested, it will allocate a minimum of \$50,000.00 for a paydown of the funds committed by the City to rehabilitation of the property.~~

b. ~~In the event that SSIHC obtains funds from the State as requested, the City will accept the up front payment of \$8,000.00 in lieu of annual property tax payments to the City for the next thirty (30) years. Thereafter the rate will be at 50% of amount due. In the event that funds are not obtained from the state, the following schedule will apply:~~

~~Years 1-10 forgive 75% of the property tax due.~~

~~Years 11-30 forgive 60% of property tax due.~~

~~Years 31+ forgive 50% of property tax due.~~

a. ~~The property currently owned by the City of Takoma Park and located at 1007 University Boulevard, Takoma Park, MD 20912, will be conveyed to the Silver Spring Interfaith Housing Coalition ("SSIHC") for use as a transitional housing facility for low-income families upon the following conditions:~~

~~(1) The property will be subject to annual or biannual housing code inspections (exterior and interior) by the City.~~

~~(2) The residency limit for the transitional housing facility will be two years, which limit may be waived by SSIHC for good cause.~~

~~(3) The transitional housing facility will be drug-free.~~

~~(4) Priority for residency in the transitional housing facility will be a given to households which can demonstrate a residential link to the City of Takoma Park within the last 24 months.~~

~~(5) The acquisition price for the property is \$20,000.00, plus the purchase-money financing set forth in this Ordinance.~~

~~(6) The City will provide financing of \$100,000.00-- representing the Home Investment Partnership funds provided to the City by Prince George's County and used by the City to acquire the property. (HOME loan) and SSIHC will execute a First Deed of Trust to the City, secured by the property, to~~

repay the HOME loan. The City will forgive the HOME loan after 15 years provided that SSIHC is still operating a transitional housing facility at the property.

(7) In the event that SSIHC obtains funds from the State as requested, it will make a payment of \$50,000.00 to the City at the time of settlement towards the funds expended by the City for the rehabilitation of the property. The balance of the City's property rehabilitation costs will be secured by a Second Deed of Trust from SSIHC on the property ("deferred payment loan" or "DPL"). The City will forgive \$6,000.00 per year of the DPL balance for the first 15 years; \$1,000.00 per year of the DPL balance for the second 15 years; and will forgive any remaining DPL balance at the end of 30 years provided that SSIHC is still operating a transitional housing facility at the property.

b. The City authorizes a payment in lieu of taxes ("PILOT") agreement with SSIHC for the property under Tax-Property, Section 7-503 (housing for low-income families) of the Annotated Code of Maryland. The PILOT payment from SSIHC to the City for the property will be \$100.00 per year.

SECTION 2. The City Administrator or her designee is authorized to complete negotiations ~~related to the disposition documents~~ for the conveyance of 1007 University Boulevard, Takoma Park, MD, to the Silver Spring Interfaith Housing Coalition for the purpose of a transitional housing facility, to enter into a contract with SSIHC, to execute documents, and to take all actions deemed necessary to accomplish the sale of the property within the conditions as set forth above.

SECTION 3. This Ordinance shall become effective upon adoption.

Adopted this 8th day of April, 1996, by roll-call vote as follows:

Aye: Sharp, Chavez, Davenport, Porter, Rubin, Williams

Nay: None

Absent: Elrich

Abstain: None

EXPLANATORY NOTE:

~~Strikeouts~~ indicate deletions from the version of the Ordinance at First Reading on 12/4/95.

Shading indicates additions to the version of the Ordinance at First Reading on 12/4/95.

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Introduced By: Councilmember Williams

First Reading: March 25, 1996

Second Reading: April 8, 1996

**ORDINANCE NO. 1996-7
FY96 BUDGET AMENDMENT NO. 2**

**BE IT ORDAINED AND ENACTED BY THE CITY COUNCIL OF TAKOMA PARK,
MARYLAND THAT**

SECTION 1. The Fiscal Year 1996 Budget be amended as follows:

General Fund - Revenues

- a. Appropriate \$1,000 into account 3600.3650 for additional vendor fees related to the initiation of a midweek Farmers Market.
- b. Appropriate \$2,200 into account 0001.3312 for State grant funds for the north Takoma area citizens patrol.
- c. Appropriate \$315,000 into account 0001.3605 for loan funds for the acquisition of the Takoma Junction site.
- ~~d. Appropriate \$9,945 into account 3500.3540 for additional drug forfeiture monies.~~

General Fund - Expenditures

- a. Appropriate \$1,000 into account 5000.7205 for additional management costs related to the initiation of a mid-week Farmers Market.
- b. Appropriate \$2,200 into account 2100.8802 for expenditures relating to the north Takoma area citizens patrol.
- c. Appropriate \$315,000 into account 9100.8001 for the purchase and related legal costs to acquire the Takoma Junction site.
- ~~d. Appropriate \$3,975 into account 2500.4010 for 2 months salary for a police clerk position.~~
- ~~e. Appropriate \$1,685 into account 2500.4020 for 2 months salary for a police clerk position.~~

Special Revenue Fund - Revenues

- a. Appropriate \$32,715 into account 0010.3728 for Ritchie Avenue

sidewalks.

- b. Appropriate \$15,000 into account 0010.3905 for State funds for the Takoma Junction study.
- c. Appropriate \$39,071 into account 0010.3726 for New Hampshire Avenue/East West Highway traffic improvements.
- d. Appropriate \$54,000 into account 0010.3833 for Jequie Park.
- e. Appropriate \$10,625 from Capital Budget account 9100.8000 into account 0010.3385 for Jequie Park.
- f. Appropriate an additional \$43,010 into account 0010.3820 for Program Open Space acquisition; Glengary Place and Lake Street, Phase II

Special Revenue Fund - Expenditures

- a. Appropriate \$32,715 into account 0010.6836 for expenditures relating to Ritchie Avenue sidewalks.
- b. Appropriate \$15,000 into account 0010.7242 for expenditures relating to the Takoma Junction study.
- c. Appropriate \$39,071 into account 0010.6837 for expenditures relating to New Hampshire Avenue/East West Highway traffic improvements.
- d. Appropriate \$72,000 into account 0010.7191 for expenditures relating to Jequie Park.
- e. Appropriate an additional \$43,010 into account 0010.7180 for expenditures relating to New Hampshire Avenue/East West Highway traffic improvements.

General Fund - Transfers to Expenditure Accounts

- a. Transfer \$20,000 from Unappropriated Reserves into account 2100.8000 in order to resolve police radio deadspot in the annexation area.
- b. Transfer \$8,784 from Unappropriated Reserves into account 1120.6405 for annexation election expenses.
- c. Transfer \$6,134 from Unappropriated Reserves into account 1140.6121 for annexation legal work.

- d. Transfer \$4,011 from Unappropriated Reserves into account 6000.7030 for Newsletter expenses to the annexation area.
- e. Transfer \$11,486 from Unappropriated Reserves into account 3500.7100 for refuse disposal fees for the annexation area.

SECTION 2. THAT this Ordinance shall become effective upon adoption.

Adopted this 8th day of April 1996, by Roll Call vote as follows:

AYE: Sharp, Chavez, Davenport, Porter, Rubin, Williams

NAY: None

ABSTAIN: None

ABSENT: Elrich

~~Strikeout~~ denotes deletions.

O-96ba2.



Introduced by: Councilmember Rubin

First Reading: 4/08/96

Second Reading:

Effective Date:

ORDINANCE NO. 1996-9

Authorization for Extension of Contract with Strategies for Success, Inc. for Staff Development and Training in Total Quality Management.

WHEREAS, by Ordinance No. 1994-33 adopted on October 24, 1994, the Council authorized the City Administrator to enter into a contract in the amount of \$39,000.00 with Strategies for Success, Inc. to provide training and development of the City's workforce; and

WHEREAS, that contract had an expiration date of February 28, 1995; and

WHEREAS, in order to continue the total quality management (TQM) and the reengineering consulting services, on March 1, 1995, the City Administrator extended the contract with Strategies for Success, Inc. until January 1, 1996; and

WHEREAS, Section 9A-15 of the *Takoma Park Code* permits the City Administrator to extend a contract, without competition, when the City Administrator finds that circumstances warrant the extension of an existing contract at the same unit price, provided the extension occurs within one year of the date of the execution of the original contract and does not exceed 25% of the total original price; and

WHEREAS, the contract extension has exceeded the original contract price and Ordinance No. 1994-33 was specific in the amount which was authorized to be spent under the contract with Strategies for Success, Inc.; and

WHEREAS, the contract extension provided for the consultant to be paid on an hourly basis for services rendered, with invoices to be submitted no more frequently than on a monthly basis; and

WHEREAS, the funds spent under the contract extension with Strategies for Success, Inc. on the staff training and TQM have not exceeded the City's fiscal year 1995 and 1996 budget appropriations for training.

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

SECTION 1. The Council authorizes and ratifies the extension of the contract, made March 1, 1995, with Strategies for Success,

Inc. for TQM and reengineering consulting services for the City's workforce.

SECTION 2. This Ordinance shall be effective immediately.

Adopted this _____ day of _____, 1996, by roll-call vote as follows:

Aye:

Nay:

Absent:

Abstain:

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CITY OF TAKOMA PARK, MARYLAND

(FINAL 7/3/96)

**PUBLIC HEARING AND WORKSESSION
OF THE CITY COUNCIL**

Monday, April 15, 1996

Executive Session 4/8/96 - Moved by Rubin; seconded by Porter. Council convened in Executive Session by unanimous vote at 9:40 p.m., in the Conference Room. OFFICIALS PRESENT: Sharp, Chavez, Davenport, Porter, Rubin, Williams. OFFICIALS ABSENT: Elrich. STAFF PRESENT: Habada, Hobbs, Espinosa, Perlman. Council consulted with legal counsel regarding (1) possible litigation, and (2) possible ordinance having implications for new labor contract. Council directed staff to pursue continued efforts to avoid litigation, and took no action taken on the second item (Authority: Annotated Code of Maryland, State Government Article, Section 10-508(a)(3) and (7)).

The City Council convened at 7:44 p.m. on Monday, April 15, 1996, in the upstairs meeting room of the Municipal Building, 7500 Maple Avenue, Takoma Park, Maryland.

PUBLIC HEARING

#1 Charter Amendment -- Stormwater Fee System. Mr. Sharp explained the proposal to establish a stormwater management fee system that would be in lieu of the current stormwater tax. He noted that currently, non-profit organizations that have property in the city do not pay for stormwater management because these organizations do not pay taxes. This change would spread the cost of stormwater management to all properties in the city.

Ms. Porter noted that the preliminary proposal indicates that the fee would be based on a parcel's impervious surface area.

The public hearing was called to order at 7:48 p.m.

Paul Roat, 6505 Kansas Lane (representing Pine Crest Community Association), commented that there is a problem with flooding on 4th Avenue, and urged the Council to address this matter.

Mr. Elrich noted that the stormwater tax varies from year-to-year and therefore, it would be difficult to predict what the average stormwater fee will be. He stated, however, that the aim is to arrive at a lower cost to residents, and noted that the city tax rate will go down by a few cents when the stormwater tax is deleted.

**PROCLAMATION, PUBLIC HEARING, REGULAR MEETING, WORKSESSION
AND EXECUTIVE SESSION OF THE CITY COUNCIL**

Monday, April 22, 1996

OFFICIALS PRESENT:

Mayor Sharp
Councilmember Chavez
Councilmember Davenport
Councilmember Elrich
Councilmember Porter
Councilmember Williams

City Administrator Habada
Deputy City Administrator Grimmer
Asst. City Administrator Hobbs
City Clerk Sartoph
Asst. Corporation Counsel Perlman
Community Development Coor. Sickle
Planning Center Coordinator Ludlow
Volunteer Coordinator Sanchez

OFFICIAL ABSENT:

Councilmember Rubin

The City Council convened at 7:35 p.m. on Monday, April 22, 1996, in the Council Chambers of the Municipal Building, 7500 Maple Avenue, Takoma Park, Maryland.

Following the Pledge of Allegiance, these remarks were made:

MAYOR AND COUNCIL COMMENTS

Mr. Sharp announced that Councilmember Rubin is ill this evening and will not be in attendance.

Mr. Chavez commented on the opening ceremony for the Takoma-Langley Police Substation held last Thursday. He thanked the city, Police Department and the Takoma-Langley CDA for their roles in making the substation a reality.

ADDITIONAL AGENDA ITEMS

Proclamation re: Buddy Poppy Month. Mr. Sharp remarked that this item has been removed from the evening's agenda and rescheduled for May 13th. He explained that Claudia Rohrback, President of the Ladies Auxiliary to the Veterans of Foreign Wars is unable to attend tonight's meeting.

CITIZEN COMMENTS

Milton Werner, Westmoreland Avenue, commented regarding the tax billing for residents in the annexation areas. He provided a brief history of the efforts of different resident groups to address the issue with Prince George's County and the Office of the State's Attorney. He said that the residents have no way of compelling the county to rebate the taxes, and that as a result, residents in the annexation area are suffering from double taxation (i.e. county and city). Mr. Werner stated that the combined taxes will increase a property tax rate by approximately 50%. He appealed to the city to provide some type of relief, and suggested that the issue be addressed at a public meeting where the city and residents can come to some fair resolution of the matter. He provided the Council with copies of his personal tax bill, and made reference to it as he discussed the breakdown of the Solid Waste Service Charge as it relates to the city's tax for solid waste management. Mr. Werner concluded that there is a minority of residents in the annexation areas who are opposed to paying taxes to the city, but that the greater majority believe that they should pay a tax for the substantial services that they now receive as residents of the city. He emphasized, however, that he does not want to be doubly taxed.

Mr. Sharp noted that this is an issue that the Council has struggled with a lot. Since there was some question regarding whether it might be a legal issue, the Council has been discussing this issue in Executive Session. He commented that the city has spoken with Prince George's County about the matter, but that we were only able to get agreement from the county on some rebates. He explained that there have been some arguments for not taxing the residents of the annexation area at all, but that the converse argument is that this would not be fair to the other residents in the city who pay city taxes for city services. He emphasized that this matter has been considered at great length.

At Mr. Sharp's request, Ms. Habada explained the breakdown of the county's Solid Waste Service Charge.

Matthew Rahm, Westmoreland Avenue, asked the Council to hold a separate Worksession on the matter of the double taxation.

Mr. Sharp suggested that one of these residents call the City Administrator and coordinate a time that staff could set up a briefing for interested citizens.

Benjamin Onyeneke, Maple Avenue (Generation X), commented in regards to racial discrimination and urged residents to actively fight crime in the neighborhood.

Jack Mitton, 501 Philadelphia Avenue, remarked that he and his wife witnessed a shooting last year. He related that when he arrived home today, he found his wife in a state of panic; she had heard gun fire being exchanged around 6:00 p.m. He stated that he once felt safe in the city, but that this is no longer the case. Mr. Mitton commented that it does no good to do improvements to Piney Branch Road, when the residents along the corridor do not feel safe living there.

PRESENTATION

#1 Proclamation re: City Volunteers. Mr. Sharp read a Proclamation recognizing the contributions of city volunteers, and announced the names of ten volunteers who have donated more than 100 hours of service to the city. He presented plaques to six of these volunteers who were present.

Ms. Porter expressed her appreciation for the work of volunteers, noting that the city is fortunate to have many very talented volunteers who provide their professional services without compensation.

PUBLIC HEARING

#2 Annexation--Flower Avenue. Mr. Sharp noted that the Montgomery County Planning Board met last week in regards to this matter and were essentially supportive.

Mr. Elrich explained the proposed annexation. He noted that the section of Flower Avenue being considered for annexation is a portion of State highway that the city's police currently patrol as a matter of serving our residents along Flower Avenue. However, city police cannot enforce traffic laws on the street because it is under the jurisdiction of the County. He said that this annexation would enable the Takoma Park Police to enforce traffic laws on the street and add a better level of safety to this major boundary for the city.

The public hearing was called to order at 8:03 p.m.

Laura Meisner, Flower Avenue, commented on the number of vehicles that speed along this section of Flower Avenue. She said it would be nice to see the city's police able to enforce a speed limit on the road, and concluded by expressing her support for the annexation.

Janet Pepin, Flower Avenue, expressed her support. She said that recently, the Montgomery County Police had a cruiser at the far end of Flower Avenue (outside the city) shooting radar, and that when she asked the officer why police they were not checking for speeding vehicles on the other end of Flower Avenue (adjacent to the City boundary), she was told that they do not have jurisdiction. She remarked that the question of jurisdiction already exists.

Benjamin Onyeneke, Maple Avenue, urged the Council to support the annexation.

The public hearing was closed at 8:06 p.m.

Mr. Sharp noted that the second reading of the Annexation Resolution is scheduled for May 6th.

REGULAR MEETING

Ms. Porter requested that Agenda Item #7 be removed from this evening's agenda and scheduled for consideration at some future date.

#3 Presentation of FY97 Budget. Ms. Grimmer presented some of the highlights from the proposed FY97 Budget (see Executive Summary). She stated that staff will be working on a schedule this week to help guide discussions of the budget, and that the schedule will be provided to Council by the end of the week. She noted that the first Budget Public Hearing is scheduled for May 6th.

Mr. Sharp asked for clarification on the FY97 yield of 1¢ on the tax rate, based upon the assessed valuation. He questioned is the \$33,000 as carried in the transmitted memo correct, or is it the \$32,000 per the assessed value spreadsheet.

Ms. Grimmer said that she could check on this matter.

Ms. Porter remarked that while a tax decrease is being proposed, in the interest of full disclosure she feels it important to note that there are other matters on the table (i.e. a new stormwater management fee for FY97 and police grant monies that will expire next year, requiring a General Fund tax increase if we decide to continue these police positions) that will affect present and future costs to citizens.

#4 Resolution re: Affordable Housing Plan. Moved by Davenport; seconded by Chavez. Ms. Porter confirmed that the two additional implementation measures that were previously discussed have been included in the plan that is before the Council for adoption.

Mr. Elrich expressed his desire to hold further discussions regarding programs to foster ownership by the residents of buildings. He said that while the plan does a lot, it is lacking in this area, and that the city needs to further address filling this gap.

Benjamin Onyeneke, Maple Avenue, supported the resolution.

The resolution was adopted unanimously (ABSENT: Rubin).

RESOLUTION #1996-25 (Attached)

Mr. Sharp requested that staff propose a date for a Council mini-retreat in the month of June, to educate the Council on options regarding tenant ownership programs.

#5 1st Reading Ordinance re: Parking Ticket Collection. Council discussed whether the ordinance should be a Single Reading Ordinance (described on agenda) or a two-reading Ordinance (drafted by Corporation Counsel). Council reached a consensus to treat as a two-reading ordinance, giving staff time to respond to questions raised at first reading and prior worksessions. Moved by Davenport; seconded by Chavez.

Mr. Elrich stated that due to the lack of numbers (i.e. analysis of current collection rates--60 days, longer, etc.), he will not vote in favor of the ordinance. He asked how many tickets do we write, and how much do we collect. He said that the proposal has been presented to the Council without a discussion of alternatives. He cautioned that we may be giving away more money than we are making to accomplish this goal.

Ms. Porter agreed that the city has not effectively managed parking tickets. She added that unfortunately, the alternative to contracting out the collection is to bring the function in-house, requiring another staff person. She supported the ordinance, and suggested to the City Administrator that if this contract is approved, the city should keep a record of when tickets are turned over to the agency for collection and how long it is taking them to collect.

Mr. Williams expressed his support, and recalled the last discussion of this matter when it was explained that to bring this function in-house, a great investment in technology (i.e. software & system) would be necessary to be compatible with the state system.

Mr. Elrich stated that he is not convinced that it will be cheaper to out source this function. The City still has to pay for technology in fees to the agency handling the collection. He asked for an analysis of "collection data", and said that while he has heard the argument that the city only accepts cash/check payments, he does not understand why the city could not begin accepting credit as another method of payment if it would increase collections.

Mr. Sharp remarked that another argument for out-sourcing the ticket collections is that other things frequently come up in the area of public safety, taking priority over ticket collection. He noted that the contract is for one year with the option to renew--providing an opportunity for evaluation.

Mr. Elrich said he supports using the service for out-of-state tickets and the past-due tickets, but that he is not convinced about the management of in-state tickets.

Mr. Sharp requested that staff provide a mini-analysis of ticket collections prior to second reading or the ordinance.

Ms. Porter asked staff to explore whether the company would buy back the equipment at the end of a year if the city decides to terminate the contract--essentially, lease versus up-front purchase of equipment.

Mr. Davenport suggested that the city require a 6-month status report from the company. The Councilmembers agreed.

Mr. Williams paralleled the arguments for handling in/out-of-state tickets the same and unification--it being better to do things "one way" when possible.

Benjamin Onyeneke, Maple Avenue, cautioned the acceptance of personal checks, and suggested that the city research how other cities and states cooperate in the collection of fines.

Mr. Sharp asked about the process for setting adjudication of tickets.

The ordinance was accepted at first reading (ABSENT: Rubin).

**ORDINANCE #1996-10
(Attached)**

#6 Single Reading Ordinance re: Lobbyist Contract. Mr. Sharp noted Ms. Porter's request that this item be postponed, and directed Councilmembers, who have concerns or questions about this contract, to contact the City Administrator.

#7 Resolution re: Community Development Block Grant (CDBG) Cooperative Agreement. Moved by Williams; seconded by Davenport.

Mr. Williams commented in favor of the resolution, stating that he would like the city to continue handling things as in previous years.

Ms. Porter explained the resolution.

The resolution was adopted unanimously (ABSENT: Rubin).

**RESOLUTION #1996-26
(Attached)**

#8 2nd Reading Ordinance re: TQM Consultant. Moved by Chavez; seconded by Davenport. Mr. Davenport said that while he will support this ordinance, he wants staff to get as much out of this extension as possible so as to not return to the Council for another extension.

Mr. Sharp explained that the purpose of the ordinance is to ratify commitments that have already been expended--funds that were above the amount authorized by the Council. This ordinance would authorize payment of the consultant.

Jack Mitton 501 Philadelphia Avenue, stated that the ordinance should have been advertised as “authorization for unapproved expenditure of \$150,000 by the city administrators.” He described the unauthorized expenditure as a criminal act, and compared it to a “smoking gun”. He commented that if the Council approves the ordinance one or more of the following will occur: (1) persons responsible will see that they can continue in this manner of administration; (2) employees who might not agree with what has happened will be further intimidated and not speak-up regarding matters which may arise in the future; and (3) the Council will set a precedent for itself--condoning illegal activities. Mr. Mitton suggested that the ordinance state exactly how much was originally authorized and how much was overspent, and make reference to the direct violation of the city Code that has occurred. He remarked that if the ordinance is not amended, one can only conclude that the Council condones this illegal activity.

Ms. Porter disagreed with Mr. Mitton’s remarks about the Council, and asserted that the Council is not trying to hide anything. She explained the intent of the ordinance.

Mr. Sharp stated that there were funds spent without appropriate authorization, and that this statement has been made in public sessions. He commented that it is not fair to say that the Council is engaging in illegal acts. In fact, it was the City Administrator who brought this matter to the attention of the Council, and the Council has not tried to hide the truth of the matter. He said that the Council is not pleased with what has occurred, but is now considering approving the funds that have already been spent. Mr. Sharp noted that the City Administrator has been asked to report regularly on all matters related to authorized contracts, in the future, so that the Council can better monitor the goings on. He stated that a discussion of TQM will come up again during the budget discussions, and that going into these discussions, it should be known that a lot of skepticism about TQM currently exists among Councilmembers.

Mr. Williams reiterated that the Council has not attempted to hide this issue from the public.

Mr. Mitton responded that if the Council is not hiding anything, then why not include the exact amount of the over expenditure in the ordinance. He noted that it is not correct to say that this ordinance authorizes disbursement of the over expenditure because the funds have already been disbursed.

Mr. Elrich moved to table the ordinance until it can be amended to include the exact numbers regarding the over expenditure (Seconded by Ms. Porter).

The Council voted unanimously to table the ordinance (ABSENT: Rubin) until it is revised to reflect those numbers.

WORKSESSION

The Council moved into Worksession, and later convened in Executive Session at 9:08.

Following the Executive Session, the Council adjourned for the evening.

EXECUTIVE SESSION

Executive Session 4/22/96 - Moved by Elrich; seconded by Davenport. Council convened in Executive Session by unanimous vote at 9:08 p.m., in the Conference Room. OFFICIALS PRESENT: Sharp, Chavez, Davenport, Elrich, Porter, Williams. OFFICIAL ABSENT: Rubin. STAFF PRESENT: Grimmer, Hobbs, Sartoph. Council received a briefing on Union negotiations, and direction was given to staff about further negotiations (Authority: Annotated Code of Maryland, State Government Article, Section 10-508(a)(9)).

MAYORAL PROCLAMATION
IN APPRECIATION OF
THE CITY OF TAKOMA PARK VOLUNTEERS

WHEREAS, National Volunteer Week is April 22, 1996 through April 28, 1996 and volunteers across the nation are recognized for their efforts; AND

WHEREAS, the City of Takoma Park volunteers and members of citizen advisory committees have given their time to the City and fellow residents; AND

WHEREAS, they have worked to help the children of Takoma Park by providing educational and recreational opportunities, to provide assistance to victims of crime, to maintain city parks, AND

WHEREAS, they have assisted in researching, planning, and implemented policies that affect individuals with disabilities, the environment, affordable housing, community development and more; AND

WHEREAS, they have contributed over 4,000 hours of service through the year to the City.

NOW THEREFORE, I EDWARD F. Sharp, MAYOR OF THE CITY OF TAKOMA PARK, MARYLAND, on behalf of the Citizens, Council, and Staff of the City of Takoma Park, commend these volunteers on their exemplary contributions and service to the citizens of Takoma Park, Maryland.

DATED this 22nd day of April, 1996.

Edward F. Sharp
Mayor

ATTEST:

Catherine E. W. Sartoph, CMC, City Clerk

Introduced By: Councilmember Davenport

Resolution No. 1996-25

**Resolution Adopting Final Draft
City of Takoma Park Affordable Housing Plan**

WHEREAS, the City of Takoma Park values the diversity of its community and recognizes that the availability of affordable housing helps the community maintain its diversity; AND

WHEREAS, the City has been long committed to affordable housing and home and unit ownership, as evidenced by the creation of the Rent Stabilization Program in 1981 and the Tenant Awareness Program in 1985; AND

WHEREAS, in January 1993, the City Council appointed a citizen Affordable Housing Committee to provide recommendations on the direction and implementation of a comprehensive multi-year affordable housing strategy for the City; AND

WHEREAS, the Committee met intensively for a six-month period and prepared the document entitled Takoma Park Comprehensive Affordable Housing Strategy; AND

WHEREAS, a staff Affordable Housing Team was formed to review the recommendations and obtain direction from Council; AND

WHEREAS, in 1995, the Council developed overall affordable housing goals and policies to help guide deliberations; AND

WHEREAS, the Affordable Housing Team has used these goals and policies and the recommendations of the Affordable Housing Committee to develop an Affordable Housing Plan to assist in making affordable housing available for the citizens of Takoma Park;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF TAKOMA PARK, MARYLAND, THAT, the City Council hereby adopts the City of Takoma Park Affordable Housing Plan.

BE IT FURTHER RESOLVED THAT the Council commends the members of the Affordable Housing Committee for their work in substantially advancing affordable housing for the citizens of Takoma Park.

ADOPTED THIS 22nd DAY OF APRIL, 1996.

Introduced by: Councilmember Williams

RESOLUTION 96 - 26

A resolution authorizing the City Administrator to execute a Cooperation Agreement with Montgomery County for Participation in the Community Development Block Grant Program and the HOME Investment Partnership Program for Fiscal Years 1997, 1998 and 1999.

WHEREAS, Title I of the Housing Community Development Act of 1974, as amended, provides for a program of Community Development Block Grant funds; and

WHEREAS, the "Block Grant Program" is a mechanism by which federal assistance to local governments is made available to undertake essential community development activities and housing assistance programs pursuant to the community development program and Montgomery County's Consolidated Plan; and

WHEREAS, the magnitude of the County's population among other factors is a determinant of the amount of resources which may be made available to the County to undertake these essential activities; and

WHEREAS, it is in the interest of the City of Takoma Park to participate in the Community Development Block Grant program by entering into a Cooperation Agreement with Montgomery County commencing July 1, 1996 and terminating June 30, 1999 or when such projects are completed.

NOW, THEREFORE, BE IT RESOLVED by the City of Takoma Park in a public meeting that the City Administrator be and hereby is authorized to execute a Cooperation Agreement with Montgomery County.

Adopted this 22nd day of April, 1996.

Introduced by: Councilmember Davenport

First Reading: 4/22/96

Drafted by: Linda Perlman
Asst. Corporation Counsel
Draft Date: April 19, 1996

Second Reading:
Effective Date:

ORDINANCE NO. 1996- 10

**(Award of Contract for Parking Ticket Collection Services,
Equipment Purchase, and Citation Processing)**

WHEREAS, the City of Takoma Park has a large backlog of old unpaid parking citations (both for citations issued to out-of-state and to in-state vehicles); and

WHEREAS, the City wishes to collect the fines for these old unpaid parking citations; and

WHEREAS, in order to conserve staff time and resources, the City desires assistance in processing its parking citations, collecting fines, and court appearance programming; and

WHEREAS, the City issued a Request for Proposals for parking citation collection and citation processing services; and

WHEREAS, a proposal was received from Data Ticket to handle backlog-outdated citation collection; to provide the City with automated citation issuance handheld units, software, and associated charger/communication module; to print bilingual citations, window envelopes, etc. to use with the handheld citation-writers; and to handle daily processing of all parking citations, including fine collection and court appearance programming and record-keeping services; and

WHEREAS, the Data Ticket proposal provides for the City to purchase the initial equipment for the citation processing system for a total cost of \$9,950.00; for the City to pay a per citation charge for daily processing of citations; and for Data Ticket to receive a sliding scale percentage of fines collected on citations, depending upon the length of time between issuance of the citation and payment of the fine; and

WHEREAS, representatives of the City's parking enforcement and police department have met with the Data Ticket representatives to discuss the proposal and have determined that Data Ticket is a responsible offeror and that the Data Ticket proposal is advantageous to the City.

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

SECTION 1. The City Administrator or her designee is authorized to enter into a contract with Data Ticket for parking ticket

collection services, equipment purchase, and parking citation processing, as set forth in the attached "Agreement" proposal.

SECTION 2. This Ordinance shall be effective immediately.

Adopted this _____ day of _____, 1996, by roll call vote as follows:

Aye:

Nay:

Absent:

Abstain:

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**SPECIAL SESSION, WORKSESSION AND EXECUTIVE SESSION
OF THE CITY COUNCIL**

Monday, April 29, 1996

Executive Session 4/22/96 - Moved by Elrich; seconded by Davenport. Council convened in Executive Session by unanimous vote at 9:08 p.m., in the Conference Room. OFFICIALS PRESENT: Sharp, Chavez, Davenport, Elrich, Porter, Williams. OFFICIAL ABSENT: Rubin. STAFF PRESENT: Grimmer, Hobbs, Sartoph. Council received a briefing on Union negotiations, and direction was given to staff about further negotiations (Authority: Annotated Code of Maryland, State Government Article, Section 10-508(a)(9)).

The City Council convened at 7:38 p.m. on Monday, April 29, 1996, in the upstairs meeting room of the Municipal Building, 7500 Maple Avenue, Takoma Park, Maryland.

MAYOR AND COUNCIL COMMENTS

Mr. Sharp announced that Councilmember Davenport will be arriving at 8:00 p.m.

SPECIAL SESSION

#1 2nd Reading Charter Amendment Resolution re: Implementation of Stormwater Fee System. Mr. Sharp explained the proposed amendment, stating that the Council is contemplating changing the stormwater tax from a property tax base to a fee based system. This would spread the cost-sharing to include properties which are otherwise tax exempt establishments in the city, but do benefit from the stormwater system. He noted that this Charter amendment gives the Stormwater Management Board (City Council) the authority to set up a utility fee system, but that there will be a separate ordinance establishing the actual fee system.

The Charter Amendment Resolution was adopted unanimously at second reading (ABSENT: Davenport, Elrich).

**RESOLUTION #1996-21
(Attached)**

#2 2nd Reading Ordinance re: Parking Ticket Collection. Moved by Williams; seconded by Chavez. Ms. Porter noted the new information regarding issued citations and collected fines, and

recalled the questions raised by Mr. Elrich.

Councilmembers discussed how they might derive a percentage of tickets collected.

Ms. Sartoph explained that it was necessary to manually count filed carbons of unpaid and paid tickets to provide the data reported in the new information. Unfortunately, there is no automated system from which staff can generate the data (i.e. percentages) and reports that the Council is asking for.

Ms. Habada remarked about the Data Ticket collection process and billing structure. All tickets would be turned over to Data Ticket. There would be a charge for collections of all old tickets; there would be a charge of \$2.40 for new tickets only if collection occurred after 30 days. It would be a 75/25 split if the fine were collected 31-60 days after issuance, and so on, the split narrowing for collections that take longer.

Mr. Sharp questioned what assurance the city has that Data Ticket will attempt to collect within the first 30 days, since they receive no proceeds from those collections.

Mr. Williams said that even supposing Data Ticket did not do anything to collect within the first 30 days, it might still be worthwhile to out source ticket collections. He stated that most people who are going to pay a fine pay within the first 30 days anyway.

Mr. Sharp noted that the ordinance will approve the contract for a year, during which time staff and Council can monitor what happens. Ms. Porter agreed and suggested that staff explore lease versus purchase of the initial equipment.

The ordinance was tabled with the intent to continue the discussion of the ordinance upon the arrival of Mr. Elrich.

#3 Single Reading Ordinance re: Lobbyist Contract. The Council reached a consensus to move discussion of this item to the end of the Special Session agenda.

#4 2nd Reading Ordinance re: TQM Consultant. Moved by Chavez; seconded by Williams.

Ms. Porter noted that the changes to the text of the ordinance were made to specify the exact amounts that were spent. She read the 7th Whereas clause for the record. Ms. Porter called attention to the cover memorandum which gives a breakdown of the total amounts spent on TQM and related events.

Mr. Williams stated that the monies spent came out of the operating budgets and the City Administrator's Contingency Fund.

Mr. Rubin clarified that the ordinance does not include any monies for additional services, and

that it only deals with monies that have already been spent.

Ms. Habada explained how it came to happen that she spent beyond the \$39,000 funding limit that was originally authorized by the Council. She cited the City Code as it applies to exceeding an original contract.

Mr. Elrich questioned whether the funds were extended on a “contract” or “professional services.”

Ms. Habada stated that the city does not typically extend the limit on a contract for professional services, and that this may have contributed to the oversight that occurred--not realizing that Council’s authorization was necessary for monies spent in excess of the \$39,000. She said that staff generally finds itself in the position of extending contract limits via change orders in the case of construction contracts.

Ms. Porter commented on the use of change orders in extending construction contracts, and said that she does not believe the same applies in the case of professional services.

Mr. Elrich remarked that he does not feel the ordinance applies to what is being done. It refers to professional consulting fees, yet the language regarding a “contract” does not make it clear what is being dealt with.

Mr. Rubin suggested that the ordinance include some explanation of “why” this ordinance is necessary.

Mr. Elrich stated that he believes a mistake was made, that it should be stated what the mistake was and why it was made, and that it needs to be cleaned up. He said that we need to choose language that says we acknowledge the mistake and we are taking steps to be sure it will not happen again.

The Council reached a consensus to TABLE the ordinance until the language can be rewritten.

#2 2nd Reading Ordinance re: Parking Ticket Collection. (Continued Discussion)

Ms. Porter noted that the ordinance does refer to a per citation charge for the daily processing of citations, which suggests that the city would be paying for tickets within the 0-30 day collection range. She said that if there is a large percentage of tickets being collected within the first 30 days, this raises a question about paying \$2.40/citation collected under 30 days.

Mr. Williams expressed his support for a one-year trial with Data Ticket.

Ms. Habada reminded the Council of the amounts of uncollected Maryland (\$278,000) and out-of-state fines (\$110,000).

Mr. Elrich stated his concerns: (1) do not know what it would cost city to correctly process citations; (2) do not know what city is losing over course of each year; (3) does not see evidence of an analysis of other vendors who offer this service; (4) sees no explanation regarding why only one vendor bid on the project. He said that if the switch to Data Ticket is being posed to the Council as a better way of doing what we are currently doing, then this is probably a smart choice. He suggested, however, that it might be cheaper to update the in-house process and not go with Data Ticket, noting that there will be a hardware cost either way. Mr. Elrich said that he would like to know about other alternatives (i.e. Is there some type of ticket writer that can be downloaded each day into a computer here at the city building?).

Ms. Porter said that the biggest expense of in-house processing would be in re-engineering the staff position.

Mr. Williams asked if there have been discussions with other municipalities about Data Ticket.

Ms. Habada responded that staff has consulted with College Park and Hyattsville, and that everyone has been very happy with the performance of Data Ticket. She remarked that she does not have details about how many other vendors these municipalities may have investigated.

Mr. Davenport noted the time spent gathering the data presented to the Council, and asked whether this is typical of the time spent handling and researching tickets. He requested that a status report be provided at 6 months.

Ms. Habada briefly explained the collections process.

Ms. Porter proposed an amendment to the 6th whereas clause "...Whereas, the [Data Ticket proposal provides for the City to purchase the initial equipment for the citation processing system for a total cost of \$9,950.00] City has received a proposal from Data Ticket for the initial equipment for the citation processing system; for the City to pay a per citation charge for daily processing of citations..." She stated that the City Administrator should negotiate with Data Ticket regarding a lease option for the equipment, and that if purchase of the equipment is the only alternative, the matter would have to be brought back to the Council for further consideration and authorization. (Amendment accepted)

Mr. Elrich suggested that staff collect information about other alternatives during the one-year trial contract, and that the Police Department investigate booting out-of-state vehicles.)

Ms. Porter proposed another amendment to add a whereas clause "...Whereas, the City will collect the information needed to evaluate the effectiveness of this system of fine collection, and decide whether or not to extend or renegotiate the contract after one year." (Amendment accepted)

The ordinance, as amended, was adopted unanimously at second reading (NAY: Elrich).

ORDINANCE #1996-10
(Attached)

#3 Single Reading Ordinance re: Lobbyist Contract. After referring to the memo, Mr. Sharp concluded that the lobbyist services will be no more than \$6,085.42. Ms. Habada confirmed.

Mr. Williams said that a contractee needs to understand up-front that if they exceed the contract, they must come before the Council for approval.

Mr. Sharp agreed that this is a separate issue--contractees knowing that they will not be paid in excess of the authorized amount unless the matter is brought before the Council and approved. He proposed several amendments to the ordinance: change \$3000 to \$1000 in the 4th Whereas clause and Section 1; change April 18th to 24th in the 4th Whereas clause; and delete "just" from the first line of the 3rd Whereas clause. (Amendments accepted)

Mr. Sharp noted the great benefits that Mr. Levitan's services have brought to the city, and said that he would like to see us use his services again in the future.

The Single Reading Ordinance, as amended, was adopted unanimously.

ORDINANCE #1996-11
(Attached)

WORKSESSION

The Council moved into Worksession at 8:46 p.m. Following the Worksession, the Council convened in Executive Session at 9:45 p.m., and later adjourned for the evening.

EXECUTIVE SESSION

Executive Session 4/29/96 - Moved by Elrich; seconded by Rubin. Council convened in Executive Session by unanimous vote at 9:45 p.m., in the Conference Room. **OFFICIALS PRESENT:** Sharp, Chavez, Davenport, Elrich, Porter, Rubin, Williams. Council discussed the City Administrator's Evaluation (Authority: Annotated Code of Maryland, State Government Article, Section 10-508(a)(1)(I)).

Introduced By:
Councilmember Davenport

1st Reading: 3/25/96
2nd Reading: 4/29/96
Posted: 4/30/96
*Effective Date: 6/18/96

*Unless a petition for a referendum meeting the requirements of Sec. 602 of the Municipal Charter and Md. Ann. Code Art. 23A, Sec. 13 is received by June 10, 1996 (within 40 days following final passage of the Charter Amendment Resolution).

CHARTER AMENDMENT RESOLUTION NO. 1996 - 21

AMENDING THE MUNICIPAL CHARTER, ARTICLE XII, TO CHANGE THE TITLE OF THE ARTICLE FROM "WATER AND SEWERS" TO "STORMWATER MANAGEMENT" AND TO MAKE MINOR CHANGES TO SECTIONS 1201, 1203, 1204, 1205, 1206, 1207, 1209, 1210, 1212, 1213, 1214, AND 1216 FOR THE PURPOSE OF MORE ACCURATELY REFLECTING THE CITY'S POWERS OVER STORMWATER MANAGEMENT.

WHEREAS, the Council wishes to change the title of Article XII of the Municipal Charter from "Water and Sewers" to "Stormwater Management" and to make minor changes to various sections of Article XII to more accurately reflect the powers and purposes of the Stormwater Management Board for Takoma Park.

SECTION 1. NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND THAT, pursuant to Article VI, Amendment Procedures, of the Municipal Charter and Article 23A of the Annotated Code of Maryland that the title of Article XII and Section 1205 of the Municipal Charter of the City of Takoma Park are hereby amended as follows:

ARTICLE XII

~~WATER AND SEWERS~~ STORMWATER MANAGEMENT

Section 1201 The Council Designated Stormwater Management Board Power to Construct Facilities, etc.

The Council of Takoma Park shall by ordinance, be designated the Stormwater Management Board for Takoma Park, and may establish such rules and procedures as it may deem necessary for its operation. The Board is authorized and empowered to construct a storm water drainage system and storm water sewers; to construct, maintain, reconstruct, enlarge, alter, repair, improve, or dispose of all parts, installations, and structures of the above plans and systems; to have surveys, plans, specification, and estimates made for any of the above plans and systems or parts thereof or the extension thereof; and to do all things it deems necessary for the efficient operations and maintenance of the above plants and systems. It is thereby vested with all the rights and powers necessary for the

introduction of water into and the distribution thereof throughout said City and for the collection and disposal of storm waters. In addition, the Board shall have the power to implement stormwater management programs, including the following:

- (a) Reviewing stormwater management plans;
- (b) Inspection and enforcement activities;
- (c) Watershed planning;
- (d) Planning, design, land acquisition, and construction of stormwater management systems and structures;
- (e) Retrofitting developed areas for pollution control;
- (f) Water quality monitoring and water quality programs;
- (g) Operation and maintenance of facilities; and
- (h) Program development of these activities.

Section 1203 Title to Property: Purchase and Condemnation of Property

The title to said plants and systems, and all lands, estates, waterways, conduit pipes, buildings, structures, machinery and all other parts thereof whatever, and all property belonging and pertaining thereto shall, when completed or acquired, vest in the Board City. The Board City is hereby authorized and empowered to acquire by purchase, gift, bequest, devise, lease, or condemnation, in accordance with the procedure provided in the Charter and in the Annotated Code of Maryland, any land, or property situated wholly or partly in the City of Takoma Park or Montgomery County or Prince George's County, or any interest, franchise, easement, rights or privileges therein which may be required for the purpose of constructing, establishing and maintaining said plants and systems or extensions thereof.

Section 1204 Water and Sewer Stormwater Management Bonds

* * * *

Section 1205 Annual Levy for Maintenance; Service Charges

The Board is hereby empowered to provide by ordinance for raising sufficient annual revenue to provide for the construction, maintenance, operations, and repair of its said water, sewerage and storm water ~~drainage plants management facilities, structures, and systems, and for stormwater management programs.~~ In addition to its power to levy an ad valorem tax on the assessable property within the corporate limits of said City, it shall have the power to charge and collect such service rates, ~~stormwater utility fees, user charges,~~ water rents, ready to service charges, or other charges as it deems necessary for water supplied and for the removal of sewage ~~and also for stormwater management programs and the maintenance, repair, and improvement of the stormwater system.~~

~~If after being billed, such charges are unpaid within thirty (30) days, the service may be discontinued. All such charges shall be a lien on the property served by said systems, for which the tax, fee, or charge is imposed, collectible in the same manner as annual municipal taxes or by suit at law.~~

Section 1206 Adjustment: Removal of Private Facilities; Enforcement; Penalties

All individuals and corporations ~~lawfully~~ having buildings, structures, works, conduits, mains, pipes, tracks, or other physical obstructions in, over or under the streets, alleys, highways or any public way in the City, which shall block or impede the progress of water, sewerage, and storm and surface water ~~management system, facilities or drainage systems, when in progress or constructions and establishment,~~ shall, upon reasonable notice from the ~~Water and Sewer Board,~~ properly so shift, adjust, accommodate, or remove the same at their own cost and expense, as to meet fully the exigencies occasioning such notice; and if any such individual or corporation shall refuse, neglect, or fail, after such reasonable notice, to discharge any duty imposed by this section, said individuals or corporation shall, in addition but not in substitution for any other remedy or remedies that the ~~Stormwater Management Water and Sewer Board~~ may have in the premises, be subject to a fine set by ordinance; said fines to be collected as other fines in the City of Takoma Park are collected.

Section 1207 Placing Public Service Structures

Any public service corporation, company, or individual, before beginning any construction of, or placing of, or changing the location of any main, conduit, pipe, or other structure in the public ways of the City, shall submit plans to the ~~Stormwater Management Water and Sewer Board~~ and obtain written approval upon such conditions and subject to such limitations as may be imposed by the Board or officers acting on its authority. Any public service corporation, company or individual violating the provisions of this section shall be guilty of a misdemeanor. If any unauthorized main, conduit, pipe, or other structure interferes with the operation of the water, sewerage, or storm water systems, the Board may order it removed.

Section 1209 Charges

The Board may make a reasonable charge for each connection made to the City's water, storm water ~~sewers system, drainage control facilities,~~ or sewer mains. ~~This charge shall be based on a uniform schedule of dates to be applied throughout the City, and may be changed from year to year.~~ Arrangements for the payment of this charge shall be made before the connection is made.

Section 1210 Changes in Plumbing, etc., to Prevent Waste or Improper Use

In order to prevent any degradation of water quality, pollution, flooding, erosion, leakage or waste of water or other improper use of the City's stormwater system, water system or sewage disposal system, the Board may require such changes in plumbing, fixtures, or connections, or facilities as it deems necessary to prevent such pollution, flooding, erosion, waste or improper use.

Section 1212 Extensions Beyond Boundaries

The Board of ~~Takoma Park~~ shall have the power to extend its stormwater system or water or sewerage systems beyond the City limits.

Section 1213 Right of Entry

Any employee or agent of the Board while in the necessary pursuit of official duties with regard to the stormwater systems and facilities or water or sewerage disposal systems operated by the said Board, shall have the right of entry, for access to all stormwater management systems, structures, and facilities or water and sewer installations, at all reasonable hours, and, after reasonable advance notice to the owner, tenant, or person in possession, upon any premises and into any building in the City or in the County served by the City's water or sewerage disposal stormwater system. Any restraint or hindrance offered to such entry by any owner, tenant, or person in possession, or the agent of any of them, may, by ordinance, be made a municipal infraction or a misdemeanor.

Section 1214 Pollution of Water Supply

No person shall do anything which will discolor, pollute, or attempt to pollute any water used or to be used in the City stormwater or water supply system. Any violation of the provisions of this section shall be a misdemeanor.

Section 1216 Special Assessments

The Board shall have the power to levy and collect taxes in the form of special assessments upon property in a limited and determinable area for special benefits conferred upon such property by the installation or construction of stormwater systems, storm and surface water management facilities, water mains, sanitary sewer mains, storm water sewers, curbs, and gutters, and to provide for the payment of all or any part of the above projects out of the proceeds of such special assessment. The authority to levy and collect such assessments shall be carried out in accordance with the procedures established for the

making of similar assessments for other public improvements by the Council of Takoma Park and shall include the authority to provide for the financing of said projects in the same manner and subject to the same restrictions.

SECTION 2. AND BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND, THAT the date of adoption of this Resolution is April 29, 1996 and the amendment of the title of Article XII and the amendments to Sections 1201, 1203, 1204, 1205, 1206, 1207, 1209, 1210, 1212, 1213, 1214, and 1216 of the Municipal Charter of the City of Takoma Park hereby enacted shall become effective on June 18, 1996 unless a proper petition for referendum hereon shall be filed as permitted by the Annotated Code of Maryland, Article 23A, Section 13, provided that a complete and exact copy of this Charter Amendment Resolution shall be continuously posted on the bulletin board of the Municipal Building until June 10, 1996 (a period of at least 40 days following its adoption) and provided further that a fair summary of this Charter Amendment Resolution shall be published in a newspaper of general circulation in the City of Takoma Park once a week for four weeks.

SECTION 3. AND BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND, THAT the City Clerk is hereby specifically directed to carry out the provisions of Section 2 hereof, and, as evidence of such compliance, the City Clerk shall cause to be maintained appropriate certificates of publication of the newspaper in which the fair summary of the Charter Amendment Resolution shall have been published. If a favorable referendum is held on the proposed amendment, the Council shall proclaim the proposed Charter Amendment hereby enacted to have been approved by the voters and the Charter Amendment shall become effective on the date provided by law.

SECTION 4. AND BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND, THAT, as soon as the Charter Amendment hereby enacted shall become effective, either as provided herein or following a referendum, the City Clerk shall send by registered mail, to the Department of Legislative Reference of Maryland, a complete certified copy of this Charter Amendment Resolution showing the number of votes, whether in the Council or in a referendum, for and against the Charter Amendment hereby enacted, and the effective date of the Charter Amendment.

SECTION 5. The above Charter Amendment was enacted by the foregoing Resolution which was passed at a meeting of the Council of the City of Takoma Park, Maryland, on April, 29, 1996, Five (5) members of the Council voting in the affirmative, no members of the Council voting in the negative, no members of the Council abstaining, and two (2) members of the Council absent, and the said Charter Amendment Resolution becomes effective in accordance with the law on the 18th day of June, 1996.

ADOPTED THIS 29th DAY OF April, 1996, BY ROLL CALL VOTE AS FOLLOWS:

Aye: Sharp, Chavez, Porter, Rubin, Williams

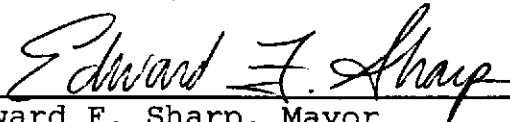
Nay: None

Abstained: None

Absent: Davenport, Elrich

EXPLANATORY NOTE: In this Resolution, ~~strikethrough~~ denotes language to be deleted and ~~shading~~ denotes language to be added to the current Municipal Charter. * * * * denotes language from the current Municipal Charter which is not being changed and is not set forth herein.


COUNCILMEMBERS OF THE CITY OF
TAKOMA PARK, MARYLAND



Edward F. Sharp, Mayor



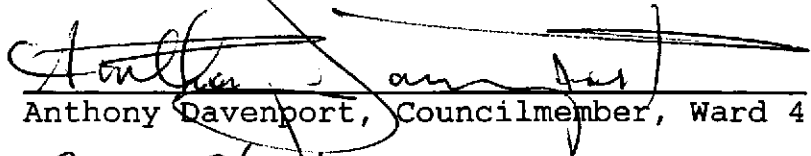
Larry Rubin, Councilmember, Ward 1



Kathy Porter, Councilmember, Ward 2



Bruce Williams, Councilmember, Ward 3



Anthony Davenport, Councilmember, Ward 4



Marc Elrich, Councilmember, Ward 5



Reggie Chavez, Councilmember, Ward 6

ATTEST:


Catherine E. Sestop
City Clerk

6/18/96
Date

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Introduced by:
Councilmember Davenport

First Reading: 4/22/96
Second Reading: 4/29/96
Effective Date: 4/29/96

ORDINANCE NO. 1996-10

**(Award of Contract for Parking Ticket Collection Services,
Equipment Purchase, and Citation Processing)**

WHEREAS, the City of Takoma Park has a large backlog of old unpaid parking citations (both for citations issued to out-of-state and to in-state vehicles); and

WHEREAS, the City wishes to collect the fines for these old unpaid parking citations; and

WHEREAS, in order to conserve staff time and resources, the City desires assistance in processing its parking citations, collecting fines, and court appearance programming; and

WHEREAS, the City issued a Request for Proposals for parking citation collection and citation processing services; and

WHEREAS, a proposal was received from Data Ticket to handle backlog-outdated citation collection; to provide the City with automated citation issuance handheld units, software, and associated charger/communication module; to print bilingual citations, window envelopes, etc. to use with the handheld citation-writers; and to handle daily processing of all parking citations, including fine collection and court appearance programming and record-keeping services; and

WHEREAS, the City has received a proposal from Data Ticket for the initial equipment for the citation processing system; for the City to pay a per citation charge for daily processing of citations; and for Data Ticket to receive a sliding scale percentage of fines collected on citations, depending upon the length of time between issuance of the citation and payment of the fine; and

WHEREAS, representatives of the City's parking enforcement and police department have met with the Data Ticket representatives to discuss the proposal and have determined that Data Ticket is a responsible offeror and that the Data Ticket proposal is advantageous to the City; and

WHEREAS, the City will collect the information needed to evaluate the effectiveness of this system of fine collection, and decide whether or not to extend or renegotiate the contract after one year.

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

SECTION 1. The City Administrator or her designee is authorized to enter into a contract with Data Ticket for parking ticket collection services, equipment purchase, and parking citation processing, as set forth in the attached "Agreement" proposal.

SECTION 2. This Ordinance shall be effective immediately.

Adopted this 29 day of April 1996, by roll-call vote as follows:

Aye: Sharp, Chavez, Davenport, Porter, Rubin, Williams
Nay: Elrich
Absent: None
Abstain: None

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Introduced by: Councilmember Williams

Adopted: 4/29/96
(Single Reading)

ORDINANCE 1996-11

Authorization for Payment of Lobbyist Expenses

WHEREAS, the City retained the services of Laurence Levitan Rifkin, Livingston, Levitan & Silver to act as lobbyist on behalf of the City of Takoma Park during the 1997 General Assembly session; AND

WHEREAS, as an result of his lobbyist activity, in FY97 the City will receive a \$500,000 grant from the State of Maryland for Takoma Junction development acitivities; AND

WHEREAS, the City Administrator has spent \$5,085 for professional services above the \$5,000 limit established by City Code above which Council approved is required; AND

WHEREAS, estimated billing for lobbyist services through April 24, 1996, should not exceed \$1,000.

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

SECTION 1. THAT the additional amount paid for lobbyist services shall not exceed \$1,000; AND

SECTION 2. THAT the funds to cover this expenditure shall be charged to Account 1120-6140, Government Administration, Contract.

Adopted this 29th day of April, 1996.

AYE: Sharp, Chavez, Davenport, Elrich, Porter, Rubin, Williams

NAY: None

ABSENT: None

ABSTAIN: None