

**REGULAR MEETING, WORKSESSION AND CLOSED SESSION
OF THE CITY COUNCIL**

Monday, January 11, 1999

Closed Session 12/07/98 - Moved by Williams; seconded by Rubin. Council voted unanimously to convene in Closed Session at 10:15 p.m. in the Conference Room. **OFFICIALS PRESENT:** Porter, Chavez, Elrich, Hawkins, Rubin, Stewart, Williams. **(1) STAFF/OTHERS PRESENT:** Sartoph, Ellis Koch, Sickle. The Council discussed possible land license regarding city-owned lot in Takoma Junction, and gave direction to attorney to proceed with negotiations. **(2) NOTE:** Staff and others left the room. The Council discussed the City Administrator hiring process, and received an update (Authority: Annotated Code of Maryland, State Government Article, Section 10-508(a)(7) and (1)(i)).

Closed Session 1/04/99 - Moved by Chavez; seconded by Hawkins. Council voted unanimously to convene in Closed Session at 9:15 p.m. in the Conference Room. **OFFICIALS PRESENT:** Porter, Chavez, Elrich, Hawkins, Williams. **OFFICIALS ABSENT:** Rubin, Stewart. **(1) STAFF/OTHERS PRESENT:** Habada, Sartoph, Ellis Koch, Sickle. The Council discussed possible land license for Pita Plus, and received advice on implications of license. Staff was directed to proceed with negotiations. **(2) STAFF/OTHERS PRESENT:** Habada, Sartoph, Sickle, Perlman. The Council discussed State and county decisions on financing for 7611 Maple Avenue Cooperative and legal implications for the City. A decision was made to acquire additional information from the state and county. (Authority: Annotated Code of Maryland, State Government Article, Section 10-508(a)(7) and (8)).

OFFICIALS PRESENT:

Mayor Porter

Councilmember Chavez

Councilmember Elrich

Councilmember Hawkins

Councilmember Rubin

Councilmember Stewart

Councilmember Williams

City Administrator Finn

Assistant City Administrator Hobbs

City Clerk Sartoph

Police Chief Anderson

Library Director Arnold-Robbins

Telecommunications Manager Moffett

Planning Center Coordinator Ludlow

The City Council convened at 7:40 p.m. in the Council Chambers of the Municipal Building, 7500 Maple Avenue, Takoma Park, Maryland.

COUNCIL COMMENTS

Councilmember Stewart noted that the Citizens Y2K Advisory Committee is having a public meeting tomorrow night at 7:00 p.m. in the Council Chambers. She encouraged people to attend this first public meeting. Ms. Stewart said that it will be interesting to see what direction the committee is going to take. She expressed her disappointment that the meeting could not be televised on Cable, and said that she would like to see us work on this issue, so that in the future a meeting with information as important as this can be televised. She again noted that this will be an informational meeting.

CITIZENS' COMMENTS

Linda Rabben (Citizens Y2K Advisory Committee), thanked Councilmember Stewart for announcing the public meeting tomorrow evening, and invited the Council to attend. She asked for help in resolving a problem--cable not televising the meeting--explaining that she was told that there is no money in the budget for this activity. She was also told that although this effort would make "great tv", it could not be covered. Ms. Rabben said that she felt somewhat dismissed. It would be wonderful if the City would demonstrate support for this local initiative by ensuring that future meetings are televised on the cable channel. She recognized that this would cost money, but asked that funds be identified if no money is currently allocated. The committee would like to televise 3-4 meetings in 1999. She remarked that she hopes this discussion will find its way onto a future Council meeting agenda.

Mayor Porter thanked Ms. Rabben for her comments. The City does not usually televise all meetings of any committee; however, if there is a special meeting, they have been televised on occasion. She said that she would like to further discuss the kinds of events that are planned.

Benjamin Onyeneke, Maple Avenue (Generation X), welcomed Richard Finn, the New City Administrator. He urged Councilmember Rubin to put forth a resolution supporting recognition of native Americans. He encouraged keeping the name of the Takoma Middle School, noting that Takoma is the name of an Indian tribe. Mr. Onyeneke urged Mr. Finn to support the Police Department in expanding Community Oriented Policing efforts, and commented on the staff pay plan--pay should not be compared to larger jurisdictions.

Jim DiLuigi, Avenue, commented on the proposed new bus shelters, and said that most people who he has talked to think the shelters are attractive and very nice. He suggested setting up a citizens advisory committee of some type so that advertisements that are proposed for display are reviewed and accepted by the community before being put in place.

Buddy Daniels, Sherman Avenue, said that Mr. Al Murray, Aquatics Director of Montgomery College, died last week. Mr. Wagner of the college wanted the Council to know of Mr. Murray's

passing. There is a proposal to name the pool after Mr. Murray. He remarked about Mr. Murray's contributions to the community. Mr. Murray wore many hats--swim coach of community-based teams and mentor/teacher to all who came in contact with him. At his funeral last Thursday, there were over 1000 people in attendance. The community has lost someone very special.

Ms. Porter stated that she would be happy to write a letter in support of naming the pool in memory of Mr. Murray.

Mr. Daniels thanked the Mayor.

Councilmember Rubin confirmed that the naming would come under the authority of the college. He said that his community has a monthly meeting with the college, and that he sees no reason why the Town Gown Committee would not support naming of the pool after Mr. Murray.

INTRODUCTIONS

1. Introductions of New City Administrator and City Staff.

Ms. Porter introduced and welcomed the new City Administrator Richard Finn.

Police Chief Anderson introduced Carol Bannerman (Executive Assistant for Administration and Public Affairs), Tina Smith (Police Officer), Tyrone Collington (Police Officer), and Ezel Breedlove (Police Officer). He said that he is proud to welcome these employees to the Police Department staff.

Library Director Arnold-Robbins introduced Tina Hudak (1/2 time Librarian).

Telecommunications Manager Moffett introduced Cable Interns (from Columbia Union College (CUC))--Juan Rivera and Raven White. She said that she hopes that the City will continue with the internship program through CUC.

REGULAR MEETING

2. Resolution of Appreciation--Beverly Habada.

Ms. Porter read the resolution for the record. Moved by Porter; seconded by Elrich.

Ms. Stewart remarked that Bev has a unique combination of heart as well as being very smart and savvy. She said that we will miss that in our own personal lives as well as in the City. These qualities will serve Bev well, where ever she goes. She will be missed.

Mr. Rubin commented that it is hard to imagine life without Bev here. He recalled that last night during the community farewell event, this room was filled with people coming to say goodbye and praise Bev Habada. There were representatives from every level of government--she was presented with plaques, resolutions and awards. This showing was testimony to her ability to work with people. There were leaders of neighborhood associations who also made presentations and who came to testify to Bev's effectiveness in seeing a vision for the City and carrying out that vision. Most importantly, the majority of the people here were individual residents. They also gave testimony to Bev's ability to resolve problems. It was a testimony to the community that so many people were here, that they cared so much to come, but is also a testimony to Bev. During her tenure, she built a sense of community and participation among our residents. This will be her legacy.

Councilmember Williams commented that Councilmember Rubin summed it up very nicely, but that he would like to emphasize one aspect--Bev's sharing of her political sense with staff (in terms of growing their ability to think politically and to get results both internally and externally). The results of hard work in this area show very strongly. The other thing is Bev's responsiveness to people who would come to her needing almost "anything." She took the approach of knowing that there was a problem that had to be solved, often requiring some thinking outside of the box. The two sides of that coin are her strength and that she has made it the Council's strength.

Councilmember Chavez recalled that when he first met Bev, he had the immediate impression that she was a great and strong leader. She has continued to work to the benefit of the community, and is sensitive to the different ethnic needs of the community. Beverly will be missed. He wished her good luck and success in future endeavors.

Councilmember Hawkins said that she will not say "goodbye", and that she will work very hard to see that Bev's vision continues to grow.

Councilmember Elrich commented that Bev has been here as long as he can remember being active in the City. He said that he was impressed by his early impression of her as an activist. Bev has always understood the needs of the people who are the "least" in the neighborhood (least likely to come for assistance, vote, or know how to approach government). She has understood that the role of government is to take care of everyone. Her willingness to stick by her commitments is admirable. He remarked that he cannot imagine her being any different in any place that she goes on to. Bev is leaving this place in better shape than when she arrived. Mr. Elrich recalled talking to her as Assistant City Administrator and always thinking that she was interested in solutions. This is a rare quality among administrators. She will remain fairly unique among political figures. He said that Bev's principals have served her well and served the City well. He wished her continued success.

Councilmember Porter noted that Bev's tenure as City Administrator almost coincides with her own tenure on the Council. Ms. Porter said that she has always been glad about the decision she took part in, in terms of appointing Bev as City Administrator. She commented on Bev's

dedication to training of staff. Her legacy is the staff's responsiveness and sensitivity to residents and others. Bev has really been a part in many things that the Council has done--e.g., inspiration, help with implementation, giving Council ideas about different options, etc. Ms. Porter said that the one thing she will remember most is the "can do" attitude, and that she hopes Bev will carry this quality along. I has always been very important. Ms. Porter remarked that she has personally enjoyed working together with Bev over the last six years.

Roland, Maple Avenue, thanked Bev for her work, and described her as the best woman administrator and administrator of all times. It has been fun to watch her progress in her tenure. Bev was able to take time in the evenings, away from her private schedule, to devote to the City. It is time for a well deserved rest.

Benjamin Onyeneke, Maple Avenue, remarked that he has been a resident of the City for 7 ½ years. Bev worked very hard for the Unification of the City. He said that he will always remember her, and wished her good luck on behalf of Generation X. Mr. Onyeneke commented that he hopes she will one day work for the recognition that we are all of one flesh--a more universal unification. He thanked her for a job well done.

Jim DiLuigi (on behalf of the Citizens Advisory Committee for the Sligo Creek Project), noted that last year the Hiker/Biker trail was opened. The committee spent many years on this project, but it could not have been accomplished without Bev's assistance. Whenever the group reached a sticking point or a problem, she was there to help work it out.

Buddy Daniels (Co-Chair S.S. Carroll Citizens Association), thanked Bev for her help and advice during the year of Unification and for her help this Fall with the Hurricane Mitch Relief Concert and relocation of the November Election polling place (Parker Memorial Baptist Church to the Municipal Building).

Dan Robinson, 120 Grant Avenue, commented that he has worn various hats in working with City staff over the years, and has benefitted from Bev's vision.

Resolution #1999-1 was adopted unanimously, expressing appreciation to departing City Administrator Beverly Habada (VOTING FOR: Porter, Chavez, Elrich, Hawkins, Rubin, Stewart, Williams).

**RESOLUTION #1999-1
(Attached)**

Beverly Habada thanked the Council for the resolution, expressing that it means a lot to her in terms of the time she has worked for the City and the time she has spent with this Council and previous Councils. She said that she appreciates the Council's comments and those of others who have spoken this evening.

3. Resolution re: Community Mediation Program.

Ms. Porter described the resolution and read excerpts from the resolution. The program is now open for business and can handle disputes between neighbors, businesses, etc. There are business cards in the lobby.

Moved by Porter; seconded by Williams.

Alene Beal, Member of the Mediation Committee, thanked the Council for their support and the recognition that it has given to the program. It has come to the point of actual and real mediation. There was a training session in November (27 ½ hours). The program was fortunate to have some very good people take part in the training. We are looking for referrals, especially from Police and the Council. She noted the cards in the lobby, and the enthusiasm of program volunteers who are ready to try their mediation skills. She urged citizens to take advantage of the mediation program, and asked the Council for some suggestions regarding locations to conduct mediation and funding sources. She invited people to call the program's contact number and leave a message with their ideas. She again thanked the Council for its support and recognition.

Theresa Imordino, Mediation Committee Member, asked whether the City would be open to the committee using the Council Chambers for fund raising activities--e.g., occasional movie nights.

Ms. Porter referred the question to Recreation Director Bluford.

Mr. Rubin stated that he and Councilmember Stewart were talking earlier about there being many very "live" issues that the committee could work on. This is a perfect example of neighbors helping neighbors. He thanked the members for their hard work, and said that he looks forward to working with them.

Mr. Elrich said that he was going to comment along the same lines, but in particular, was going to give credit for the idea of showing movies here. At one time in the past, this was thought of as a normal way of raising funds. He commented that he is glad to think the idea has been resurrected. Mr. Elrich referred to a case that has gone through the COLTA process, and suggested that it might be a case which could well be addressed with mediation.

Ms. Porter announced for anyone who is interested, the Mediation Program contact number is (301) 270-1700, ext. 826. She noted that she participated in the training that the mediators went through, and described it as being excellent training. Many of the committee members who participated already had some experience in mediation. It is a very well qualified group of people.

Resolution #1999-2 was adopted unanimously, recognizing the Takoma Park Mediation Committee and the opening of the Takoma Park Mediation Program (VOTING FOR: Porter, Chavez, Elrich, Hawkins, Rubin, Stewart, Williams).

**RESOLUTION #1999-2
(Attached)**

4. Single Reading Ordinance re: HCD Vehicle.

Ms. Habada noted that Public Works Team Leader Donna McKenzie could not make it here this evening. She described the item, and stated that we do not have an option for CNG on this vehicle.

Mr. Elrich observed that it is a fairly light duty truck. He asked if there is a reason why we are not going with one of the other manufacturers.

Code Enforcement Supervisor Sanford responded that Ford was the only option under the Cooperative Purchase.

Ms. Habada added that Fords are the only trucks of this kind that we can buy except for the imports, and the City's mechanics are not equipped to maintain the imports. The fleet is predominantly Ford at this point.

Mr. Elrich acknowledged the point, but said that he thought it was sort of irrelevant that the truck be a Ford. It seems like a lot of money for a truck.

Ms. Habada said that the Council could have a mechanic come to a Worksession to discuss truck parts versus car parts.

Mr. Williams noted that all of our other trucks are Fords.

Mr. Elrich repeated that it strikes him as a lot of money for a small truck, but that he will not hold up the item if everyone else is comfortable.

Mr. Chavez asked if it is a 6 cylinder truck.

Ms. Habada stated that she does not know.

Mr. Rubin commented that he has been reading that a lot of manufacturers are coming out with mixed-engine vehicles (not 100% combustion engines).

Ms. Habada noted that our experience has been that converted vehicles do not perform well. We have had problems in the past.

Mr. Rubin clarified that he is not saying to hold this item up for further research on this point.

Ms. Porter recalled that the Council has discussed this vehicle before, and asked the staff to research a factory-built CNG vehicle. The CNG vehicle option was more expensive. It appears that CNG is not a good option in this case; however, we want to continue to evaluate CNG options with future purchases.

Mr. Williams suggested a technical amendment to the ordinance to change "compact" to "Ford" (1st and last Whereas clauses).

Moved by Hawkins (as amended); seconded by Chavez.

Ordinance #1999-1 was adopted unanimously, authorizing the purchase of a replacement vehicle for HCD--Code Enforcement (VOTING FOR: Porter, Chavez, Elrich, Hawkins, Rubin, Stewart, Williams).

**ORDINANCE #1999-1
(Attached)**

5. Single Reading Ordinance re: Public Works Vehicle.

Ms. Habada explained that this vehicle was in the capital budget and not on the hold list. It is a replacement vehicle. She noted that there will be a savings in the Equipment Replacement Reserve (ERR).

Ms. Porter noted that we received bi-fuel bids from Chevy and GMC, but that we cannot purchase from these entities because of the NFZ Ordinance. We also received bids on larger vehicles, but we do not need larger vehicle.

Ms. Habada commented on the number of CNG vehicles in the fleet.

Mr. Williams asked about the trade-off, in terms of dollars, of recommending the smaller vehicle versus a larger CNG vehicle.

Ms. Porter asked what was the cost of the larger vehicle.

Ms. Habada responded that she does not know, and suggested that the Council could defer this discussion to Worksession if it wants additional information.

Mr. Elrich commented that if staff is happy with the smaller truck, then he is happy to let them buy the smaller truck.

Mr. Williams commented that he would like to get information about what the F150 with the

CNG would cost.

Ms. Porter noted that there is the issue of replacing a CNG vehicle with a non-CNG vehicle. She asked for the Council's sense on this point.

Ms. Stewart suggested that the Council approve this purchase, but look at this issue for future purchases.

Ms. Hawkins agreed.

Moved by Rubin; seconded by Chavez.

Ordinance #1999-2 was adopted unanimously, authorizing the purchase of a Public Works replacement vehicle for Streets Division (VOTING FOR: Porter, Chavez, Elrich, Hawkins, Rubin, Stewart, Williams).

**ORDINANCE #1999-2
(Attached)**

6. Single Reading Ordinance re: Ticket Collections Vendor.

Ms. Porter described the item.

Ms. Habada noted that an ordinance has been provided for Council's consideration. Staff has not made a recommendation one way or another. The Council needs to discuss which direction to take. She noted the result of further negotiations with Complus. The City could push on with the County, but would probably have to go to the top to make things work out in the short term. Otherwise, it would probably take some time. The Council needs to consider whether to continue sending tickets to Data Ticket in the interim and then switch to county, or to contract with Complus. She said that Complus appears to be a good company. The concern is if the Council decides not to go with Complus and delay in collections, to wait and go with Montgomery County, we will have no means to collect on tickets in the interim. Tickets will continue to pile up.

Mr. Williams asked whether the threshold of \$100,000 is per contract or per year.

Ms. Habada responded that this is a point that needs to be negotiated. It was last discussed as being on an annual basis.

Mr. Williams questioned how long it would take to reach \$100,000 in collections, based on history.

Ms. Habada explained that Complus would be providing monthly reports on collections. To determine how long it would take to reach the \$100,000 mark, staff would have to go through and manually calculate from tickets. Complus would be managing a database of information on tickets. It is hard to say what annual collection would be. It has been \$75,000-\$90,000 in the past couple of years. A combination of things are responsible for lower collections--officers have been pulled into the Dispatch Office for coverage and officers have been busy doing other tasks. We do not have statistics that provide the answer to Mr. Williams' question.

Mr. Elrich remarked that since it is unlikely that we are going to get to the \$100,000 threshold, we should pursue this as a one-year contract with Complus. He suggested doing a one-year contract with Complus and then moving to Montgomery County.

Ms. Habada explained that Complus does not want a one-year contract. They have fixed costs to set things up.

Mr. Williams noted that the sense of what we got back from the county is that if we would muddle through until we could get hooked up with them, there is still no assurance about whether we would be satisfied with their service.

Ms. Habada commented that the fee split with Montgomery County would be the same as with Complus (information from Friendship Heights). The other municipalities would not tell us what type of arrangement they have with the county.

Ms. Stewart remarked that we do not know whether the county would be any better than Complus.

Ms. Habada stated that the county is more accessible, but reiterated that we would probably have to go through the County Executive to get action with the county.

Ms. Hawkins asked whether the split proposed by Complus would be comparable to what we are currently paying.

Ms. Habada responded that basically, it would be the same 75/25 split.

Ms. Porter explained the history of contracting with Data Ticket for collections, and commented on some of the problems we have experienced (e.g., dunning people who have already paid, lack of responsiveness, etc.). We are at the point of having to make a decision about how to address ticket collections.

Ms. Stewart asked whether the Council has a good sense about Complus.

Ms. Porter responded in the affirmative.

Mr. Rubin questioned whether Complus has other clients in the area.

Ms. Habada noted that among others, Gaithersburg uses Complus.

Ms. Stewart asked what do we have to lose.

Ms. Habada said that a loss might be realized if we could negotiate a better deal with Montgomery County.

Mr. Elrich said that he would be content to go ahead with the contract as proposed.

Mr. Williams remarked that if we do not go ahead with this, even if we are successful with Montgomery County in a fairly short period of time, we would still lose the opportunity of collecting tickets in the interim.

Ms. Porter confirmed that Complus would take the tickets that have been held.

Moved by Chavez; seconded by Williams.

Ordinance #1999-3 was adopted unanimously, awarding a contract for parking ticket collections services to Complus (VOTING FOR: Porter, Chavez, Elrich, Hawkins, Rubin, Stewart, Williams).

**ORDINANCE #1999-3
(Attached)**

7. 1st Reading Ordinance re: FY99 Budget Amendment No.2.

Ms. Habada explained the budget amendment--second of the year and puts into ordinance form the decision made by Council in December when there was a discussion of the capital items which had been put on hold. She noted that it was prepared from notes from the December meeting, and commented that she could not get PEPCO to agree to reduce the price on street lights.

Ms. Porter recalled that the Council left off with its last discussion allocating enough money for all of the lighting upgrades (including the four lights in dispute), but not for the poles in the intersections.

Mr. Rubin noted that the Byrne Grant does not cover the poles (no contention over these poles in the community). Does the \$18,250 include the \$5,639?

Ms. Habada responded in the negative.

Ms. Porter confirmed that we are not having to move monies, in terms of the Byrne Grant funds.

Mr. Rubin asked Ms. Habada what she would propose as the source of the \$5,639.

Ms. Habada suggested the Unappropriated Reserve, "underages" in the CIP, or from the ERR (although street lights are not currently in the ERR).

Ms. Porter questioned whether there is money in the capital budget that has been allocated, but has not been spent.

Ms. Habada said that there are items (e.g., public works renovation) where she is not sure if the full allocation will be used. However, that was a bond funded project and any excess funds might not be accessible for this use.

Ms. Porter observed that if the Council takes the \$5,639 from the Unappropriated Reserve, it would leave approximately \$66,000.

Ms. Habada suggested that the Council could go forward with 1st Reading of the Ordinance, and that staff could check the capital figures before 2nd Reading.

Ms. Porter noted where the Council last left this discussion, and restated that PEPCO is not willing to offer a reduction.

Ms. Habada noted that we might try one other person at PEPCO about getting a reduction in price.

Mr. Rubin said that he will contact Ed Ryan of PEPCO.

Ms. Porter remarked that Council should consider the ordinance at first reading, and send the message back to staff to look at other options for funding the new poles. It appears that using them as leverage against PEPCO, since unfunded, did not work.

Mr. Elrich commented that he will propose at second reading that the \$5,639 should be taken from the Unappropriated Reserves or unexpended Capital Funds, especially, since the Siegler-Gardens project was funded.

Ms. Habada noted that she instructed the City Engineer not to spend \$30,000 of the streets budget, in hopes of helping to match the \$50,000 for Old Town. Council has the option of deciding whether to designate this "reserved money" at second reading.

Mr. Rubin confirmed that the \$50,000 is the source which was being discussed in terms of the parking lot.

Ms. Habada explained that we have until June 2000 to match the \$50,000. It is in the legislative form, so we have a chance of extending the opportunity to match the money. Mr. Monk would

love to have the money to spend on streets, but Council has the opportunity to discuss the \$30,000.

Mr. Williams said that he had a discussion with some people about other ways to approach PEPCO regarding street lights upgrades. We might want to discuss other approaches for future upgrade projects.

Mr. Rubin clarified that Council is going forward at first reading without the \$5,639.

Ms. Porter agreed, adding that this is being done with the understanding that Council is going to explore options for the money at second reading.

Moved by Rubin; seconded by Elrich.

Ordinance #1999-4 was accepted unanimously, authorizing FY99 Budget Amendment No.2 (VOTING FOR: Porter, Chavez, Elrich, Hawkins, Rubin, Stewart, Williams).

**ORDINANCE #1999-4
(Attached)**

8. Resolution re: Public Safety Citizens Advisory Committee (PSCAC).

Ms. Porter explained the resolution.

Moved by Hawkins; seconded by Elrich.

Resolution #1999-3 was adopted unanimously, effecting a reappointment to the Public Safety Citizens Advisory Committee (VOTING FOR: Porter, Chavez, Elrich, Hawkins, Rubin, Stewart, Williams).

**RESOLUTION #1999-3
(Attached)**

Ms. Porter noted the remaining vacancy on the committee.

Mr. Rubin asked if the committee membership is representative of all wards.

Ms. Porter commented that there is not equal representation, and that the Council has attempted to address this issue and recruit members from all wards.

WORKSESSION / ADJOURNMENT / CLOSED SESSION

The City Council moved into Worksession at 9:08 p.m. and later convened in Closed Session at 9:45 p.m. Following the Closed Session, the Council adjourned for the evening.

Closed Session 1/11/99 - Moved by Stewart; seconded by Hawkins. Council voted unanimously to convene in Closed Session at 9:50 p.m. in the Conference Room. OFFICIALS PRESENT: Porter, Chavez, Elrich, Hawkins, Rubin, Stewart, Williams. STAFF/OTHERS PRESENT: Finn, Hobbs, Habada, Sartoph, Silber, Sickle, Lee-Bryant, Elizabeth Davidson, Joe Kolole, George Eaton. The Council discussed refinancing of the 7611 Maple Avenue Cooperative. There was a briefing by the state and county representatives, and the Council requested further information (Authority: Annotated Code of Maryland, State Government Article, Section 10-508(a)(8)).

RESOLUTION #1999-1

Expressing Appreciation to departing City Administrator Beverly Habada

- WHEREAS,** the City Council is pleased to recognize the 14 years of professional service that Beverly K. Habada has dedicated to the management of the City of Takoma Park as Assistant City Administrator from 1984 to 1992, and as City Administrator from 1992 to 1999; **AND**
- WHEREAS,** Beverly has demonstrated her professional skill, political expertise and devotion to the community through a number of accomplishments ranging from her role in the unification of Takoma Park to her continued emphasis on service to citizens in her management of City staff; **AND**
- WHEREAS,** Beverly's efforts were an essential part of the 1995 Unification effort which resulted in the entire City becoming unified into Montgomery County in 1997, eliminating the bi-county status of Takoma Park; **AND**
- WHEREAS,** over the years, Beverly has developed countless personal relationships with members of City staff, residents, agencies, and other elected and appointed officials at all levels of government; **AND**
- WHEREAS,** her political savvy and numerous political contacts have repeatedly proven to be invaluable resources in the City's many efforts to forward legislative agendas, secure outside funding, better meet goals and objectives, and obtain desired results; **AND**
- WHEREAS,** as City Administrator, she has focused on staff development and championed organizational and management changes which have effectively increased staff responsiveness to residents; **AND**
- WHEREAS,** through her motivation, support and encouragement, staff teams have begun to look toward innovative approaches to providing City services and generating new revenues for the City; **AND**
- WHEREAS,** Beverly is a well respected leader who will long be remembered for her many contributions and missed by all who have had the opportunity to serve with her.

NOW, THEREFORE, BE IT RESOLVED THAT the City Council of Takoma Park, Maryland, on behalf of residents and staff, hereby recognizes the tremendous accomplishments of Beverly Habada, extends to her our sincere gratitude for all she has done for this community and wishes her every success in her future endeavors.

ADOPTED this 11th day of January, 1999.


Kathryn H. Porter
Mayor

RESOLUTION #1999 - 2

**Recognizing the Takoma Park Mediation Committee
and the opening of the
Takoma Park Mediation Program**

WHEREAS, on February 5, 1996, City staff Danita Lee-Bryant and Linda Walker, proposed to the City Council that a mediation program be created within the City to provide alternative dispute resolution services to the community; and

WHEREAS, on November 25, 1997, the Takoma Park Mediation Committee, consisting of Danita Lee-Bryant, Linda Walker and residents Alene Beall, M. Frances Eargle, and Mary Kay LeFevour, formed to work closely with the community to design a program tailored to the needs of our unique community; and

WHEREAS, the Mediation Committee, surveyed the community, held a public forum, and worked with local businesses, religious organizations, community associations, City officials and City staff to establish the program's goals of:

- providing an ongoing, self-sustaining program of trained volunteers to serve as neutral third parties to facilitate workable solutions to disputes;
- empowering disputing parties to take responsibility for problems and solutions;
- providing tools and mechanisms that transform disputes to open communication that fosters "win-win" approaches and the reconciliation of differences; and
- promoting a safe and peaceful community that encourages collaborative, empathetic and supportive problem solving that upholds dignity and respect; and

WHEREAS, the Mediation Committee secured grant funding from the Takoma Foundation to train its volunteer mediators, and received donations and services from community businesses, the Takoma Presbyterian Church, and the City to ensure to the opening of the program; and


WHEREAS, Jean Kerr, a City staff member, worked tirelessly and above and beyond the call of her regular duties, to support the Mediation Committee's work; and

WHEREAS, the City Council recognizes a need for mediation services within the Takoma Park community.

NOW, THEREFORE, BE IT RESOLVED THAT the City Council of Takoma Park, Maryland, hereby recognizes and congratulates the Takoma Park Mediation Committee on their efforts and celebrates the opening of the Takoma Park Mediation Program.

Adopted this 11th day of January 1999.


Kathryn H. Porter, Mayor

Attest:

Catherine Sartoph, City Clerk



Introduced by: Councilmember Hawkins

RESOLUTION #1999-3

**EFFECTING A REAPPOINTMENT TO THE
PUBLIC SAFETY CITIZENS ADVISORY COMMITTEE**

- WHEREAS,** in 1996, the City Council established a permanent Public Safety Citizens Advisory Committee (PSCAC) (Resolution #1996-66) to provide input and advice to the Council and the City's public safety agencies about how the City can better meet the ongoing needs and concerns of residents in the area of police services and public safety; **AND**
- WHEREAS,** desiring to better enable the committee to address the broad charter outlined in Resolution #1996-66, the Council adopted Resolution #1997-15 on March 24, 1997, expanding the membership of the committee to a membership which shall not exceed twelve members, appointed by Council; **AND**
- WHEREAS,** Council later adopted Ordinance #1998-12 amending the Code to add the PSCAC as a statutory Council-appointed committee, with member terms beginning on October 1 and expiring on September 30; **AND**
- WHEREAS,** currently, there is one member with an expired term who is seeking reappointment, and one additional vacancy on the committee; **AND**
- WHEREAS,** the Council has interviewed the member who is seeking reappointment.

NOW, THEREFORE, BE IT RESOLVED THAT the following person is hereby appointed to serve on the Public Safety Citizens Advisory Committee:

NAME	ADDRESS	TERM EXPIRATION
Richard Smith	809 Hayward Avenue	9/30/00

BE IT FURTHER RESOLVED THAT the appointment shall be effective immediately.

ADOPTED this 11th day of January, 1999.

ATTEST:


Catherine E. W. Sartoph, CMC/AAE
City Clerk

Introduced by: Councilmember Hawkins

Single Reading: 1/11/99

Ordinance No. 1999-1
Authority to Purchase Replacement Vehicle for HCD

WHEREAS, the FY99 Capital Budget identifies \$11,000 for the purchase of a Ford Ranger as a replacement vehicle for the Housing & Community Development Department (Code Enforcement); AND

WHEREAS, the Council previously approved the purchase of a Small Truck for HCD, provided the purchase price was not cost prohibitive; AND

WHEREAS, this procurement request was included in Prince William County Service Authority's IFB#SA0499 ; AND

WHEREAS, bids were received and publicly opened by Prince William Authority at 2:00 p.m., on December 17, 1998 with (6) bids being received; AND

WHEREAS, Sheehy Ford of Marlow Heights, Maryland has submitted the lowest bid in the amount of THIRTEEN THOUSAND EIGHT HUNDRED TWENTY FIVE DOLLARS (\$13,825) for 1999 Ford Ranger; AND

WHEREAS, the low bidder is considered to be both responsive and responsible; AND

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

SECTION 1: THAT the low bid being received from Sheehy Ford of Marlow Heights, Maryland in the amount of THIRTEEN THOUSAND EIGHT HUNDRED TWENTY FIVE DOLLARS (\$13,825) for 1999 Compact Ranger be accepted; AND

SECTION 2: THAT funds to cover this purchase in the amount of THIRTEEN THOUSAND EIGHT HUNDRED TWENTY FIVE DOLLARS (\$13,825) will be charged to Capital Budget Account # 9100-8003.

Adopted this 11th day of January, 1999.

AYE:	Porter, Chavez, Elrich, Hawkins, Rubin, Stewart, Williams
NAY:	None
ABSTAINED:	None
ABSENT:	None

Ordinance No. 1999-2
Authority to Purchase Public Works Replacement Vehicle
for Streets Division

WHEREAS, the FY99 Capital Budget identifies \$25,000 for the purchase of a 4-WD Compact Ranger as a replacement vehicle for Streets Division in the Public Works Department; AND

WHEREAS, this procurement request was included in Prince William County Service Authority's IFB#SA0499 ; AND

WHEREAS, bids were received and publicly opened by Prince William Authority at 2:00 p.m., on December 17, 1998 with (6) bids being received; AND

WHEREAS, Sheehy Ford of Gaithersburg, Maryland has submitted the lowest bid in the amount of SIXTEEN THOUSAND EIGHT HUNDRED AND SEVENTY ONE DOLLARS (\$16,871) for 1999 4X4, Compact Ranger; AND

WHEREAS, the low bidder is considered to be both responsive and responsible; AND

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

SECTION 1: THAT the low bid being received from Sheehy Ford of Gaithersburg, Maryland in the amount of SIXTEEN THOUSAND EIGHT HUNDRED AND SEVENTY ONE DOLLARS (\$16,871) for 1999 Compact Ranger be accepted; AND

SECTION 2: THAT funds to cover this purchase in the amount of SIXTEEN THOUSAND EIGHT HUNDRED AND SEVENTY ONE DOLLARS (\$16,871) be charged to Capital Budget Account #9100-8003.

ADOPTED this 11th day of January, 1999.

AYE:	Porter, Chavez, Elrich, Hawkins, Rubin, Stewart, Williams
NAY:	None
ABSTAINED:	None
ABSENT:	None

ORDINANCE #1999-3

(Award of Contract for Parking Ticket Collection Services)

WHEREAS, the City of Takoma Park has had a contract with Data Ticket since April 1996 for parking ticket collections services; **AND**

WHEREAS, after an evaluation of the services provided by Data Ticket, a decision was made to explore other options for ticket collections; **AND**

WHEREAS, the City went out to bid in December 1998, having advertised in the Washington Post classified section, and has received a proposal from Complus ; **AND**

WHEREAS, the City has also evaluated whether to pursue inclusion in Montgomery County's ticket collection system; **AND**

WHEREAS, Montgomery County will not likely be ready to include the City in its collection system for eight months while it changes over to a new computer system.

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

SECTION 1. The City Administrator or designee is authorized to terminate the City's contract with Data Ticket by appropriate notice per our contract and is further authorized to enter into a contract with Complus for parking ticket collection services with the following conditions:

- A. The contract will be limited to 2 years duration.
- B. The collection fee to Complus shall be no greater than 25%, with a lower collection of 20% to apply once total collections reach \$100,000.

SECTION 2. This ordinance shall be effective immediately.

Adopted this 11th day of January, 1999, by roll-call vote as follows:

AYE: Porter, Chavez, Elrich, Hawkins, Rubin, Stewart, Williams

NAY: None

ABSENT: None

ABSTAIN: None

Introduced by: Councilmember Rubin

First Reading: 1/11/99
Second Reading:

**ORDINANCE NO. 1999-4
FY 99 BUDGET AMENDMENT NO. 2**

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

SECTION 1. The Fiscal Year 1999 Budget be amended as follows:

General Fund - Transfers

- a. Transfer \$164,541 from Budget Account # 9000-8200 (Unappropriated Reserve) to the following accounts:
1. \$6,000 to Special Revenue Fund Transfer, Account 9200-8100, to match Open Space funds to be received for renovation work at the Thomas Siegler Carriage House and gardens.
 2. \$23,761 to Account 9100-8000 to be used for Y2K compliance (previously allocated for Website & Server in the Capital Budget).
 3. \$66,000 to Account 9100-8000 for police vehicle replacement
 4. \$11,000 to Account 9100-8000 for replacement of Police records and CAD servers
 5. \$18,250 to Account 9100-8001, infrastructure improvements, for street light upgrades.
 6. \$10,000 to Account 9100-8000, for full funding for HVAC control changes.
 7. \$2,000 to Account 3200-5305, for relocation and painting of the tool library.
 8. \$2,000 to Account 1120-5206, Computer Supplies for new City Administrator's computer.
 9. \$6,700 to Account 1120-4010, Salaries, for City Administrator salary expense
 10. \$4,000 to Account 1120-4020, Fringe Benefits for City Administrator fringe benefits.
 11. \$13,430 to Account 1110-7015, Mayor and Council expense, for executive search firm expenses (\$13,130) and for position advertising expenses (\$300).
 12. \$1,400 to Account 1110-7005, Mayor and Council Miscellaneous, for candidate travel expenses.

Special Revenue Fund - Revenues

- a. \$6,000 is appropriated to General Fund Transfer, Account 0010-3385, for Siegler Property renovation project

- b. \$2,000 is appropriated to Account 0010-3430, Donations, for Siegler Property renovation project.
- c. \$24,000 is appropriated to Account 0010-3836, POS Development, for Siegler Property renovations project.

Special Revenue Fund - Expenditures

- a. \$32,000 is appropriated to Account 0010-7188, Siegler Garden/Property renovation project.

SECTION 2. THAT this Ordinance shall become effective upon adoption

Adopted this day of January, by Roll Call vote as follows:

**AYE:
NAY:
ABSTAIN:
ABSENT:**

o-99ba2

**REGULAR MEETING, WORKSESSION & CLOSED SESSION
OF THE CITY COUNCIL**

Monday, January 25, 1999

Closed Session 1/11/99 - Moved by Stewart; seconded by Hawkins. Council voted unanimously to convene in Closed Session at 9:50 p.m. in the Conference Room. **OFFICIALS PRESENT:** Porter, Chavez, Elrich, Hawkins, Rubin, Stewart, Williams. **STAFF/OTHERS PRESENT:** Finn, Hobbs, Habada, Sartoph, Silber, Sickle, Lee-Bryant, Elizabeth Davidson, Joe Kolole, George Eaton. The Council discussed refinancing of the 7611 Maple Avenue Cooperative. There was a briefing by the state and county representatives, and the Council requested further information (Authority: Annotated Code of Maryland, State Government Article, Section 10-508(a)(8)).

Closed Session 1/19/99 - Moved by Rubin; seconded by Williams. Council voted unanimously to convene in Closed Session at 8:50 p.m. in the Conference Room. (1) **OFFICIALS PRESENT:** Porter, Rubin, Stewart, Williams. **STAFF/OTHERS PRESENT:** Finn, Hobbs, Sartoph, Silber, Sickle, Ellis Koch. The Council discussed possible land acquisition, and directed counsel to proceed with discussions. (2) **OFFICIALS PRESENT:** Porter, Elrich, Rubin, Stewart, Williams. **STAFF/OTHERS PRESENT:** Finn, Hobbs, Sartoph, Silber, Sickle, Stephanie Killian (M.C.), George Eaton (State) and Gary Hildebrand (State). The Council received a briefing on the state and county financing of 7611 Maple Avenue Cooperative (Authority: Annotated Code of Maryland, State Government Article, Section 10-508(a)(3) and (8)).

OFFICIALS PRESENT:

Mayor Porter

Councilmember Chavez

Councilmember Elrich

Councilmember Hawkins

Councilmember Rubin

Councilmember Stewart

Councilmember Williams

City Administrator Finn

Assistant City Administrator Hobbs

City Clerk Sartoph

Corporation Counsel Silber

Community Development Coordinator Sickle

Called to order at 7:45 p.m. in the Council Chambers of the Municipal Building, 7500 Maple Avenue, Takoma Park, Maryland.

COUNCIL COMMENTS

Councilmember Rubin recognized that his comments are not normally the type of thing discussed during this period, but that he would like to provide an update to the Council regarding the issue of street lights upgrades on Holly Avenue. He noted the handout that was given to neighbors on Holly Avenue ("Briefing to Neighbors")--distributed to Councilmembers. He restated his last report to the Council (January 19) regarding the compromise approach to the lighting issue on Holly. The letter has not been sent out; however, news of the reported letter has circulated in the neighborhood. This handout describes the nature of the last meeting (positions "for" and "against" lighting). Mr. Rubin explained his understanding that the eventual letter will be brought to the PEN Association meeting tomorrow, along with other members of the community who will discuss it at that time. If the matter is not resolved at the PEN meeting tomorrow evening, this issue may need to come forward as a public hearing. He said that he is not sure that the neighborhood has worked out this issue. Mr. Rubin concluded that this is a heads-up that the issue is not as resolved as he had thought.

Mayor Porter recalled the Council's discussion some weeks ago and the two prong approach which was agreed upon at that time: (1) send the issue back to the community for them to work out the conflict and if that does not work, (2) it would be the topic of a public hearing. She confirmed Mr. Rubin's recollection of the possible need to hold a public hearing.

Councilmember Hawkins remarked that there have been discussions in the community about how to appropriately honor Lee Jordan, and pointed out that there had been some discussion (although somewhat divisive) about renaming the middle school after Lee Jordan. She said that she would like to oversee an informal group of citizens to discuss this issue. Ms. Hawkins commented that she will be working with Terry Seamens, and invited anyone interested in joining the committee to contact Mr. Seamens at (301) 565-0190 or to contact her directly.

ADDITIONAL AGENDA ITEMS

Ms. Porter added an item to the proposed Closed Session--to discuss an item having to do with potential litigation.

ADOPTION OF MINUTES -- 11/09, 11/23, 12/07 AND 1/11

Moved by Williams; seconded by Hawkins.

The Council Meeting Minutes from 11/09, 11/23, 12/07 and 1/11 were adopted unanimously (VOTING FOR: Porter, Chavez, Elrich, Hawkins, Rubin, Stewart, Williams).

Ms. Hawkins extended birthday wishes to City Clerk Sartoph.

CITIZENS COMMENTS

Councilmember Rubin distributed a copy of the proposed "compromise" letter regarding lighting on Holly Avenue. The authors of the letter (Debbie Chenile, Ruth Abbott, and Jim Reicher) were present for comment.

Debbie Chenile thanked Mr. Rubin for his efforts, and remarked that she thinks one person of the six-member team is now changing his position from the time of the meeting. There will probably not be resolution of this matter at the PEN meeting tomorrow. People are concerned that the lighting project is being delayed, and are worried that the funding will be lost. There are neighbors frightened by the lack of lighting on the street. She commented on how this conflict came to happen. Adequate street lighting is a public safety issue. Council needs to address the process for considering lighting projects, in this and future projects. There have been side meetings, rumors have been flying and it has become a frustrating situation. She noted the petition back in October on which 85%+ of residents on Holly voted for the lights. Why wasn't the survey taken from the beginning as a go-ahead to the City to proceed with the lighting upgrades? She requested a response from the Council.

Mr. Rubin stated that in his opinion, the issue is where it is now because there is no neighborhood association to deal with it. He used the example of North Takoma, where almost the identical question came up around street lights. It took several years for the neighbors to resolve their issues, different opinions, how to go through a process among themselves, etc. Finally, the neighborhood came to a conclusion among itself. The Council and Public Works never had to get involved in that case as we have had to in the matter of Holly Avenue. He said that all sides have been putting pressure on him and Public Works to get their position forwarded. There is no arena for the issue to be resolved at the community level. Mr. Rubin remarked that he is not aware of any side meetings having taken place.

Ms. Chenile responded that she understands that there were meetings between City staff, Councilmember Rubin and residents. The results of which were not published. She commented that she was surprised to learn of the few people who were opposed to the lighting upgrades.

Mr. Rubin said that he was contacted by several individuals who asked him to take some action and then got involved. He explained his efforts to bring a compromise out of the situation, adding that he has tried to convey the importance of a neighborhood consensus--effectiveness of a neighborhood association. Mr. Rubin remarked that he has tried to fill the void, because of a lack of any process in place, and provide a forum for the issue to be discussed. If the compromise is not workable, he said he would encourage everyone to get together and talk about the issue. People from both sides of the issue have not been eager to talk directly to each other. It has been hard to get people to discuss the issue.

Ms. Chenile commented on the structure of the PEN Association. If neighborhood associations

are going to act as the bodies that take formal positions forward to the Council, then attention should be given to the fact that there is no formal way of appointing members to associations or recognizing associations in the City.

Mr. Rubin said that the Council does look to neighborhood associations for their positions, and clarified that he thinks every other association in the City (aside from PEN Association) has elected representatives.

Ms. Porter recognized that this has been a very useful dialogue, but that if the purpose in bringing this before the Council is to express concerns, the intent has been met. She suggested that the continued discussion take place out of this forum.

Ms. Chenile questioned whether the money going to be held for this project until the community reaches a decision.

Ms. Porter noted that until this evening, with the adoption of the budget amendment, the money would not have been in the budget.

Mr. Rubin remarked that actually, the money for the lighting upgrades is covered under the Byrne Grant, and noted that staff has gotten confirmation that we can extend the grant in terms of when the money is spent.

Ms. Porter added that the Council has given staff the go-ahead on the lights that are not in contention, but recognized that it takes PEPCO some time to do the work.

Ms. Chenile asked whether the Council has discussed a process for handling future problems of this type.

Councilmember Elrich responded that the Council has discussed this and now realizes that there needs to be a process to deal with this in the future. He suggested that it might be a process similar to the speed hump process.

Mr. Rubin added that he is also a very strong advocate for creating a process. However, in terms of the lights on Holly Avenue, we do not have a process in place to deal with this issue.

Ms. Chenile thanked Mr. Rubin for trying to resolve this issue, and said that she will be in contact with him about tomorrow evening's meeting.

Benjamin Onyeneke, Maple Avenue (Generation X), described the mission of Generation X. He expressed support for the concerns regarding lighting and public safety. This is an indication that the PSCAC is not working effectively. He commented on the Montgomery County bill regarding smoking prohibitions in public restaurants, adding that the focus should also be on public areas outside--e.g., bus shelters, parks, public places, etc. Smoking is a public safety issue. Mr.

Onyeneke remarked about the dangers of hand guns. Legislators should pursue the manufacturers of guns, just as society pursues the tobacco industry. He commented on the discrimination against gay/lesbians in the armed forces. There should not be discrimination unless there is sexual harassment. He commented that many gay/lesbians suffered abuse as children and have come to recognize their sexuality as adults. It is their constitutional right to choose sexual preference. Mr. Onyeneke offered remarks on democratic rights. He said that the Y2K issue should be addressed by computer technicians, and that he does not want to see any experts hired by the City to address this issue, since he already has the answers.

Terry Seamens (Ritchie Citizens Association), thanked Councilmember Hawkins for putting together the Lee Jordan committee, noting that he is happy to move forward on this initiative. The PSCAC will be holding a forum on February 2 at 7:30 p.m. in the Municipal Building (to hear concerns from the rental community in Ward 4). He invited residents to attend.

Stacey Guerian-Sherman, 527 Albany Avenue, welcomed Rick Finn to the City, and thanked Carol Stewart for her recent presentation at the school. She noted that Alisia Moffert is here with her this evening. Ms. Guerian-Sherman remarked about HB-6 and HB-7 (related to After School Program funding). She said that she would be happy to get copies of this legislation to the Council, and would hope that the Council would adopt a resolution in support of the legislation. We could certainly use the money in this community for more after school programs. She said that she is working with the coalition of Baltimore that is working to put it together.

Ms. Guerian-Sherman remarked about Montgomery County's decision to not delay the opening of schools on Thursday morning (the beginning of the 2-day ice storm). She described an accident that she had on that morning, when she slid into another car on Baltimore Avenue. There were other residents who had accidents on the same street. This raises issues about when the county decides not to close schools, yet we clearly recognize that it is dangerous in our community. Is there any way that we can call the county and say that the City is advising residents to not get out on the streets? She remarked that her accident could have been much more serious. The City needs to consider what happens when another entity in the county makes a decision that is not in our best interest. We need to look at a plan to address times when salting of roads is not effective (possibly, placement of barriers on streets that are not responding to clearing efforts).

Ms. Guerian-Sherman explained that the other reason she is here tonight is in response to a call she received from Mrs. Moffert last week. Mrs. Moffert was panicked that a pipe was broken in her unit at the 7611 Maple Avenue Cooperative. She described the water coming out of the ceiling, the yellow tarp on the carpet catching the water, the fire department being on site, and conversations with other members of the Coop who were obviously upset because of similar problems in their own units. People living in the building are very concerned. It would behoove the City to find a solution to the long-term maintenance problems and explore ways to better empower the residents to make calls and follow-up on concerns. Ms. Guerian-Sherman said that she has taken steps to help the Moffert family keep records of problems. She noted that Alisia is

one of four young people who live in this unit. Ms. Guerian-Sherman reported that when she went back to the unit yesterday, she found that the carpet is still damp, there is an odor, and Mrs. Moffert is frustrated about what next steps to take. She offered her assistance to the City in helping to address some of the needs of Coop members. Ms. Guerian-Sherman emphasized that it is very important to return phone calls to residents--both calls made to Councilmembers and staff.

Ms. Hawkins expressed her concern that she did not receive a phone call, noting that the Council had a conversation about two weeks ago which addressed some of the points raised. It is important to empower residents and train them. She said that she would like to further discuss this particular household and other issues of concern.

Ms. Guerian-Sherman stated that she left about 5 messages on extension 693.

Ms. Hawkins responded that she will go back and check, because she did not receive the calls.

Ms. Porter noted that the Council did vote to assist the Coop with a PILOT and loan forgiveness. However, it is up to the State to make a final decision on the Coop's proposal. If this goes forward, she said she would be supportive of providing training to residents and members of the Board.

Ms. Guerian-Sherman agreed that this would be an excellent way of empowering residents.

Ms. Porter requested that the City Administrator refer the issue of how to deal with streets that are not safe to the appropriate staff person to follow-up.

Mr. Elrich commented on a new method being tried by the State (called "goo"). The substance is applied to the road prior to the onset of inclement weather and it later reacts by melting the ice.

Mr. Rubin said that he heard from other residents about the conditions on Baltimore Avenue, and noted that his wife broke her arm as a result of a slip on the ice.

Ms. Guerian-Sherman said that she is sorry to hear of Fran's accident. There were other streets that had problems (e.g., Holly Avenue). The City needs to be prepared in future inclement weather situations when the County does not make decisions that address the conditions in the City. She welcomed Alisia Moffert (8th Grader) who came to the Council meeting this evening. Her attendance is a great way for her to become empowered and become familiar with the City Council process.

Michael Brown, 802 Carroll Avenue, remarked about his participation in the citizens police academy, and commented on situations he witnessed during the days of the ice storm.

REGULAR MEETING

1. Resolution re: Reduction of Local Greenhouse Gas Emissions.

Ms. Porter described the resolution.

Public Works Team Leader Braithwaite explained that ICLEI is responsible for our grant and has asked that, as part of the grant, we provide a resolution from the Council supporting the efforts. She noted the members on the committee. It is a pro-forma resolution, for the most part. There will be public meetings as we go through the process--both at the times of the draft plan and final plan.

Ms. Porter supported public involvement in formulating the plan. This is an important initiative. People might be interested in contributing and finding out what kinds of things they can do to participate in the process.

Moved by Williams; seconded by Chavez.

Mr. Rubin commented that this is a marvelous thing that we are doing with our neighbors in Mt. Rainier.

Ms. Porter noted the work of Mt. Rainier's Mayor, Fred Sissine, in this effort.

Resolution #1999-4 was adopted unanimously, supporting the joint campaign to develop an action plan to reduce local greenhouse gas emissions in Takoma Park and Mt. Rainier (VOTING FOR: Porter, Chavez, Elrich, Rubin, Stewart, Williams; ABSENT: Hawkins).

RESOLUTION #1999-4 (Attached)

Ms. Braithwaite commented on the presentation that she is trying to schedule with the lighting expert. She noted several dates from an itinerary that has been set for this consultant.

Ms. Porter commented that this person is an expert in lighting issues who is from Vermont and who is going to make a presentation to the Council on February 8th. Ms. Sachs will be discussing appropriate levels of lighting, ways to get appropriate levels of lighting, ways of directing light, etc.

Ms. Braithwaite added that Ms. Sachs also has a lot of experience with lighting in historic areas and that she will also be making a presentation to Mt. Rainier.

2. Resolution re: Matthews Townhouses.

Planning Center Coordinator Ludlow explained the resolution and recommendations. She noted that Mr. Matthews (applicant) and Ms. Holmes (Pine Crest Association) are in the audience.

Ms. Porter noted that the recommendation contained in the resolution is that the City would recommend in favor of 4 of the 6 requested variances.

Ms. Ludlow commented on the original 6 variance requests, and said that her recommendation is to not permit the variances for (1) a departure from the green space requirements and (2) the distance between the two buildings since with the two-lot subdivision, it would not be needed.

Ms. Porter concurred with the recommendation for set-backs on four sides, and agreed that the Council should not concur with the variance for space between the two buildings and variance on green space requirements.

Mr. Williams recalled a comment from last week about whether the resolution language makes clear the point about green space.

Ms. Ludlow stated that she did not change the language because she things it is clear.

Moved by Stewart; seconded by Chavez.

Jane Holmes (Pine Crest Civic Association), read a statement that was presented at the hearing before the Board of Appeals. She described the history of the Pine Crest community, focusing on the character of buildings and homes in the community. She noted the transition from P.G. County to Montgomery County that came with Unification. Ms. Holmes remarked about the zoning of Mr. Matthews' property and Pine Crest's opposition to the number of variances being requested by Mr. Matthews. Ms. Holmes concluded that the property is not zoned like similar townhouse developments in the neighborhood.

Ms. Porter clarified Ms. Holmes' statement about the property ordinarily being allowed only 5 townhouses instead of 8.

Ms. Ludlow explained that if the property were zoned RT-8, only 5 units could be built. However, under the current R-30 zone, Mr. Matthews can build 8 units. She further explained what is allowable in the R-30 zone.

Mr. Rubin asked whether the statement presented by Ms. Holmes was presented as a motion of the full Pine Crest Association.

Ms. Holmes explained that it came from a sub-committee of the association which was appointed to follow this issue.

Mr. Elrich asked if there is any other area in Pine Crest zoned R-30.

Mr. Ludlow responded in the negative.

Ms. Porter noted that in the change-over, the zones were converted to the closest Montgomery County zone.

Ms. Ludlow added that when Unification took place, the County was determined to find a zone that would allow the same use which would have been allowed under P.G. County zoning and which has the closest density requirements.

Mr. Williams confirmed Ms. Ludlow's statement about the ability for the property owner to build single family homes on two of the lots. The other two lots would not be buildable.

Ms. Porter clarified that the hearing that will be held by the Board of Appeals is only on the variances. The subdivision will be considered at a later time.

Mr. Williams asked what could be built if there were no variances and no subdivision change.

Ms. Ludlow responded that two single family homes could be built.

Mr. Elrich questioned the square footage of the possible homes.

Mr. Matthews said that they would each be just under 30,000 square feet.

Michael Brown asked whether there has been any consideration about the City putting generators on the property to address future power outages. He spoke in support of the staff recommendation.

Ms. Porter restated the staff recommendation and that the issue before the Council is in regards to the requested variances. The variances are dependent upon an issue that is not before the Council--the subdivision request.

Mr. Brown asked again, about whether a generator has been considered for the site.

Ms. Porter explained that the lots are privately owned.

Ms. Ludlow stated that the property owner could develop the site without altering density and without the variances.

Ms. Porter confirmed that the Council will have an opportunity to address the subdivision request. She asked if there will be a discussion about the zoning of the property.

Ms. Ludlow responded that zoning will be addressed through the Master Plan process.

Ms. Porter asked whether it would be possible to postpone consideration of this matter.

Ms. Ludlow stated that she would not advise postponing this discussion. The City needs to forward a position to the Board of Appeals. She said that she could request a further extension for us to submit comment, but that she cannot anticipate what kind of a response she would receive.

Ms. Porter commented that the issue that concerns her at this point, is that the Council is being asked to provide comments on just the variances. She said that it is her sense that the county will take all concerns into account, but may or may not act on comments on other than the variances. We could make a proposal that is sort of a staged approach--i.e., would like to see "xyz" or if that does not work, would like to see something else. We may have to construct a multi-state resolution (with "if" and "then"'s). The Board of Appeals can do as they like, but we do not want to have them say that we have ignored the issue before them, the variance requests. They will take silence as consent if we comment on other issues and do not address the variance requests.

Mr. Elrich suggested that the Council support the variances for a single R-30 lot, but note that the Council opposes the development of one or two R-30 lots and would prefer another course of development.

Mr. Williams suggested that the Council list its order of preference--i.e., park, single-family and lastly, the Matthews Townhouse proposal. If the property ends up being re-subdivided into one or two lots, the Council would approve 4 of the 6 variances.

Ms. Porter stated that the "park" approach is on another, parallel track. We do not want to confuse the issue.

Ms. Ludlow explained why she does not think it would be a strong argument to say that we do not support the re-subdivision, at all. This would leave two lots (of the four) unbuildable.

Ms. Porter remarked that she is uncomfortable putting reference to the park into the resolution.

Ms. Holmes commented that the community would not mind a townhouse development that meets RT-8 zoning (consistent with adjoining townhouse developments).

Ms. Porter summarized that the Council has a preference for a less dense type of development, but if the Board goes forward with the variances, we would like to offer the proposed recommendations.

Mr. Williams proposed adding another clause "our preference for the property is that it be in a future re-subdivision process and that the zoning would be changed to RT-8 or R-60, and that

given where things are now with the variance process, we understand the need for us to comment on the variances and we do so as indicated in this resolution.”

Ms. Porter said that this language would also preserves our options. We will not have lost our voice on development issues. She suggested the following language: “Development with single family homes or less dense townhouses would be more consistent with surrounding properties”...”the property be re-zoned to accommodate R-60 or RT-8, but if that is not the case, the property be subdivided into 2 lots and that the City recommends four of the variances, but not the other two.”

Mr. Williams suggested the need to convey the sense that if the property is re-zoned to R-60, the four lots could be reconfigured.

Ms. Ludlow acknowledged the point.

Mr. Elrich suggested the following language: “City Council recommends that the Board of Appeals deny the variances and that the property be re-zoned under R-60”...”if the Board of Appeals chooses to forward the variances, we would recommend... {proposed language of the resolution}.”

Ms. Porter expressed her concern about recommending denial up front. We want to make sure that other concerns are also on the record here, and to make sure that if the Board only looks at the things that are most directly relevant to the issues they are considering, there is a clear statement about our intention in terms of the variances.

Mr. Elrich stated that the Council needs to encourage the Board to not permit development. We need to convey that we really do not want this to happen, but if it is going to happen, this is how we would like it to happen.

Ms. Ludlow reminded the Council that if the variances are denied, Mr. Matthews could still go through the subdivision process and proceed with a single long building. The subdivision will be a difficult challenge because the use is in the Master Plan.

Mr. Williams said that he is happy with the approach recommended by staff regarding the variances.

Ms. Porter remarked that we could still put on the record that the Council would prefer a different approach with the recommendations regarding the variances.

City Administrator Finn asked whether it would be more appropriate to explain the Council’s preferences in a cover letter versus including them in the resolution.

Ms. Porter said that if the Council feels strongly about the issue, she would think it should be

addressed in the resolution.

Mr. Finn read a proposed Whereas clause “the City would prefer a development with single family homes or less dense townhouse development.”

Mr. Williams added a Resolved clause “the City Council recommends that the property should be re-zoned to either R-60 or RT-8 and if that is not the case then...”

Councilmember Stewart asked how this action will impact Mr. Matthews in terms of developing the property and the price that he paid for the property.

Mr. Matthews said that it is not financially feasible. He expressed his concern that the City is moving to down-zone the property.

Ms. Stewart asked about his options.

Ms. Porter responded that it will depend on the decision of the Board of Appeals. She added that the Board will likely only take up the variance issue.

Mr. Williams added that Mr. Matthews would then get what he is requesting.

Ms. Porter said that since the resolution is different from the one originally put on the table for citizen comments, she is going to invite further citizen comments regarding the changes.

Ms. Holmes observed that the way the resolution has been redesigned seems to indicate that the Council is taking the Association’s concerns into consideration and supporting them. The testimony of the Association before the Board of Appeals will now be consistent with the position of the Council.

Mr. Brown asked if this land is going to be as valuable as the property on Auburn Avenue.

Ms. Porter responded that the City does not own the property on Auburn Avenue.

Mr. Brown remarked that the City paid the owner of Auburn Avenue to keep it undeveloped for a period of time. He questioned whether the Council’s thinks that changing the zoning to R-30 would be better for the Matthews property.

Ms. Porter commented that one of the recommendations will be to re-zone the property.

Moved by Williams, as amended; seconded by Rubin. The Council voted unanimously to amend the resolution as discussed--addition of two clauses, (1) recommending that property be re-zoned, but (2) if not re-zoned, make the recommendations proposed by staff.

Resolution #1999-5 as amended, was adopted unanimously, recommending approval of Variance Requests for the Matthews' Property Townhouse development (VOTING FOR: Porter, Chavez, Elrich, Hawkins, Rubin, Stewart, Williams).

**RESOLUTION #1999-5
(Attached)**

3. 2nd Reading Ordinance re: FY99 Budget Amendment.

Ms. Porter described the ordinance. Moved by Rubin; seconded by Williams.

Treasurer McKenzie noted the additional monies left over from the bond proceeds, and asked how the Council wants to deal with this money. She noted the three options outlined in the memo.

Ms. Porter stated that the purpose of the bond funds was to use the funds for already budgeted items and put aside money that was already budgeted. In the event that debt service were to rise above the interest earned on the money put aside, the bonds could be paid off. To remain consistent with Council's original intent, she suggested that the Council designate the remaining monies for items already budgeted.

Mr. Elrich said that the only other item that could fit the bond requirements would be to replace some of the \$30,000 that Engineer Monk wants to spend (reserved in street repairs).

Ms. Porter suggested that the remaining bond monies be used to fund an item from the list. She referred to the budget ordinance (Sec. I.a.5. "street light upgrades").

Mr. Rubin asked if this money could be used toward the public/private parking lot being discussed for Old Town.

Ms. McKenzie responded that she is not sure.

Mr. Rubin said that if so, it is important to keep in mind that we are still negotiating about the parking lot.

Ms. Porter commented on her understanding that the \$30,000 is the money that was being held aside to match the bond monies for Old Town. The Council has not yet made a decision regarding the \$30,000.

Mr. Rubin stated that he wants to preserve the \$30,000 for the negotiations.

Ms. Porter concurred with Mr. Rubin's position regarding the \$30,000 (e.g., hold for the parking

lot project). The left over bond money could be used to off-set items #5 and #13 of the budget ordinance.

Mr. Rubin clarified that items #5 and #13 are not covered by the Byrne Grant.

Ms. Hawkins received clarification about the proposal to use the money to off-set items in the budget amendment.

Mr. Rubin said that we have an indication that PEPCO might be willing to make a contribution to the two poles (cost of \$5,639), but that it will take some time to get a reimbursement, if at all.

Ms. Porter added that if we were to designate some of the remaining bond funds for the street light upgrades, a change to the language in this ordinance would be needed.

Ms. McKenzie confirmed the need for an amendment.

Ms. Porter said that the ordinance would need to reflect that (1) \$18,303 is from bond funds and (2) that the remaining amount from (\$18,250 + \$5,639) is drawn from the Unappropriated Reserve.

Mr. Elrich said that originally, we took money out of street improvements. Now we have some extra money and should put the money back into street repairs. Ice has caused problems on neighborhood streets, and we should take this opportunity to address street repairs. He suggested leaving the ordinance as written, and amending it to put the \$18,303 towards street repairs.

Ms. Porter clarified that his suggestion is to use the money for projects that have not already been funded.

Mr. Elrich stated that it would be putting back some of the money that had been taken out.

Ms. Porter explained the Council's original intent in terms of the bond funds. She recalled that she voted against the bond approach because of her concern about using the bond money over-and-above what has been budgeted.

Mr. Elrich responded that he is not suggesting this. Originally, \$150,000 was budgeted for street repairs. \$30,000 has been held out. So, he is suggesting that the \$18,303 be put back into street repairs.

Ms. Porter remarked that he is essentially asking that the money that was budgeted for the radio system be moved in the budget to street repairs.

Mr. Williams said that he likes this idea, but that he would almost like to hold off on making a decision at this point in the year.

Mr. Elrich commented that if more money can be found, he would support putting it toward street repairs also. However, by moving the \$18,303 now, Mr. Monk can begin to plan more street repairs.

Ms. Porter agreed. However, she suggested that the Council could make a decision later in the fiscal year. She suggested that the \$18,303 be designated the street lights.

Mr. Finn observed that the Council is talking about two separate pots of money, both equal to approximately \$30,000. If it is Council's desire to go forth with parking lot improvements, it will cost \$60,000. If it is the Council's intent to wait and see what will happen, then the best course would be to do nothing this evening and see how things happen. If the \$30,000 is re-allocated, it would take away from the potential parking lot project. Maybe, the Council wants to reserve taking this action.

Ms. Porter commented that Mr. Elrich is proposing to take money left over from the radio system and put it toward street repairs. The issue involves designating the money within the budget.

Mr. Elrich said that his preference is to make a statement to Mr. Monk now, so that he can plan on the Council spending another \$18,303 towards roads.

Ms. Porter remarked that she would like to look at street repairs along with other items on the deferred list.

Mr. Elrich noted that the Council has already underfunded street repairs this year.

Ms. Porter acknowledged that this is a good argument, but that she would like to consider this point in the context of other items.

Mr. Rubin asked about the time frame for reconsideration.

Ms. Porter noted that the Council was going to look at the items remaining on the hold list at the end of the next quarter.

Mr. Rubin said that he suspects that road repairs would not occur until the end of the quarter. Whether the item is deferred from this evening or not, the money would not be spent until later in the spring.

Ms. Porter noted that the issue of the bond money is different than the issue of the roads. She restated her proposal.

Mr. Williams pointed out that a balance of \$5,586 would still need to come from unappropriated reserves.

Mr. Rubin clarified that item #5 deals with street lights everywhere except the area discussed earlier during citizen comments (not Holly Avenue lights which are covered under the Byrne Grant).

Williams moved the amendments to the ordinance; seconded by Chavez.

Ms. Porter restated the amendments--re-designate the source of funding for items #5 and #13 (1) \$18,303 would come from the capital bond funds, and (2) the remaining amount of \$5,586 would come from unappropriated reserves. The total amount from Unappropriated Reserves would have to be changed (line 1 a.).

The Council voted unanimously to accept the amendment to the ordinance.

Ordinance #1999-4 was adopted unanimously, as amended, authorizing FY99 Budget Amendment No. 2 (VOTING FOR: Porter, Chavez, Elrich, Hawkins, Rubin, Stewart, Williams).

**ORDINANCE #1999-4
(Attached)**

WORKSESSION / CLOSED SESSION / ADJOURNMENT

The Council moved into Worksession at 9:40 p.m. and later convened in Closed Session. Following the Closed Session, the Council adjourned for the evening.

Closed Session 1/25/99 - Moved by Rubin; seconded by Chavez. Council voted unanimously to convene in Closed Session at 10:35 p.m. in the Conference Room. (1) OFFICIALS PRESENT: Porter, Chavez, Elrich, Hawkins, Rubin, Stewart, Williams. STAFF/OTHERS PRESENT: Finn, Hobbs, Sartoph, Silber, Sickle, Ellis Koch. The Council discussed the legal implications of land licenses for Takoma Junction. Legal Counsel was given direction on further communications with persons requesting licenses. (2) OFFICIALS PRESENT: Porter, Chavez, Elrich, Hawkins, Rubin, Stewart, Williams. STAFF/OTHERS PRESENT: Finn, Hobbs, Sartoph, Silber, Sickle. The Council discussed county and state financing of 7611 Maple Avenue Cooperative. Council directed staff on response to state suggestion (Authority: Annotated Code of Maryland, State Government Article, Section 10-508(a)(3) and (4)).

Introduced by: Councilmember Williams

Resolution Date: 1/25/99

Resolution No. 1999-4

**In Support of Takoma Park and Mount Rainier's Joint Campaign To
Develop An Action Plan To Reduce Local Greenhouse Gas Emissions**


- WHEREAS, In Resolution 96-34 the City of Takoma Park expressed support for greenhouse gas (ghg) emission reductions; AND**
- WHEREAS, The City of Mount Rainier passed Resolution 12-96 supporting local efforts to reduce ghg emissions; AND**
- WHEREAS, In April, 1998, Mount Rainier and Takoma Park filed a joint grant application to the International Council For Local Environmental Initiatives (ICLEI) to support development of a community-wide Action Plan for ghg emission reduction and thereby share scarce staff and resources; AND**
- WHEREAS, In August, 1998, ICLEI approved \$23,000 for the joint grant application; AND**
- WHEREAS, The approved grant calls for the creation of a core group, including elected officials, staff and residents from both Cities, which to date includes the following people:**

Takoma Park	Albert Nunez, Campaign Coordinator Bruce Williams, Councilmember Daryl Braithwaite, Public Works Team Leader Karen Rindge, resident, Committee On Envir. member Bob Gibson, resident, Committee On Envir. member Catrina Hatcher, resident, Committee On Envir. member Michael Totten, resident
Mount Rainier	Fred Sissine, Mayor Bruce Dodgson, Public Works Director Merrilee Harrigan, resident Lynn Thorp, resident

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL TO THE CITY OF TAKOMA PARK, MARYLAND; THAT The Council of the City of Takoma Park adopts this Resolution expressing support for the partnership and cooperative effort with the City of Mount Rainier in pursuing development of a 10 year Action Plan to reduce local greenhouse gas (ghg) emissions.

Adopted this 25th day of January, 1999.

Attest:


Catherine E. W. Sartoph, CMC/AAE
City Clerk

Introduced By: Councilmember Williams

Resolution No. 1999-5

**Resolution Recommending Approval of Variance Requests
For the Matthews' Property Townhouse Development**

- WHEREAS, a proposal has been made to demolish one home and construct two buildings of four condominium townhouse units each on property bordered by Sligo Mill Road, Orchard Avenue and Fifth Avenue in the Pinecrest Neighborhood; AND
- WHEREAS, this property is now four lots which must be resubdivided into one or two lots to meet the 12,000 square foot minimum lot size requirement for development in the R-30 Multiple-Family, Low Density Residential Zone; AND
- WHEREAS, provided an applicant meets the criteria for subdivision approval, the property could be developed into one or two narrow buildings facing Orchard Avenue and contain a maximum of ten units, without a need for any setback or minimum greenspace variance; AND
- WHEREAS, if the property were subdivided into one lot, the building that could be developed as of right would be 185 feet long and from 26 to 34 feet deep and with a massing that would be substantially different than the surrounding small-scale residential and commercial properties in the area; AND
- WHEREAS, the applicant is proposing a development that is in conformance to the Master Plan in terms of use and density, in structures of a size that is similar to development on adjacent properties; AND
- WHEREAS, the applicant has proposed to set the two buildings at an angle on the property in order to conform with the topography of the site and minimize unattractive views of the property across Orchard Avenue for future residents; AND
- WHEREAS, given the shallowness of the property, the relatively small size of the property for the types of uses permitted in an R-30 zone, and the fact that the property is bordered by three streets, siting the buildings at an angle encroaches into setbacks from the three streets and the rear lot line; AND
- WHEREAS, the applicant is requesting a variance from the 65% minimum greenspace requirement, as he is providing only 61% greenspace area with the proposed building and driveway dimensions; AND
- WHEREAS, the dimensions of the buildings and driveways may be reduced to lessen the size of, or eliminate the need for, the variance from the minimum greenspace requirement;

AND

WHEREAS, if all of the setback and greenspace variances are approved, the potential size of buildings on the site could not be increased due to the remaining minimum greenspace requirement, thus protecting the neighborhood from significant overdevelopment on the site; AND

WHEREAS, the applicant therefore meets the criteria for variance approval as set forth in the following provisions of Section 59-G-3.1 of the Montgomery County Zoning Ordinance for each of the requested variances except the variance from the minimum greenspace requirement:

- a) By reason of exceptional narrowness, shallowness, shape, topographical conditions, or other extraordinary situations or conditions peculiar to a specific parcel of property, the strict application of these regulations would result in peculiar or unusual practical difficulties to, or exceptional or undue hardship upon, the owner of such property;
- b) Such variance is the minimum reasonably necessary to overcome the aforesaid exceptional conditions;
- c) Such variance can be granted without substantial impairment to the intent, purpose and integrity of the general plan or any duly adopted and approved area master plan affecting the subject property; and
- d) Such variance will not be detrimental to the use and enjoyment of adjoining neighboring properties; AND

WHEREAS, the City would prefer the site to be developed with single-family homes or a townhouse development of a lesser density, similar to surrounding properties.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF TAKOMA PARK, MARYLAND, THAT the City Council recommends that the property be rezoned to either the R-60 or RT-8 zones and, if that is not the case, that the Board of Appeals approve all of the requested variances except the minimum greenspace requirement, provided the following conditions are made part of the variance language:

- 1) that the four-lot property be resubdivided into two lots, as opposed to one lot, with the lot line perpendicular to Orchard Avenue in order to preclude the possible construction of a massively-long structure on the site, and
- 2) that the site plan be approved by the City of Takoma Park before building permits may be issued.

ADOPTED THIS 25TH DAY OF JANUARY, 1999.

Introduced by: Councilmember Rubin

First Reading: 1/11/99
Second Reading: 1/25/99

**ORDINANCE NO. 1999-4
FY 99 BUDGET AMENDMENT NO. 2**

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

SECTION 1. The Fiscal Year 1999 Budget be amended as follows:

General Fund - Transfers

- a. Transfer [~~\$164,541~~] \$151,877 from Budget Account # 9000-8200 (Unappropriated Reserve) to the following accounts:
1. \$6,000 to Special Revenue Fund Transfer, Account 9200-8100, to match Open Space funds to be received for renovation work at the Thomas Siegler Carriage House and gardens.
 2. \$23,761 to Account 9100-8000 to be used for Y2K compliance (previously allocated for Website & Server in the Capital Budget).
 3. \$66,000 to Account 9100-8000 for police vehicle replacement
 4. \$11,000 to Account 9100-8000 for replacement of Police records and CAD servers
 5. [~~\$18,250~~] \$5,586 to Account 9100-8001, infrastructure improvements, for street light upgrades.
 6. \$10,000 to Account 9100-8000, for full funding for HVAC control changes.
 7. \$2,000 to Account 3200-5305, for relocation and painting of the tool library.
 8. \$2,000 to Account 1120-5206, Computer Supplies for new City Administrator's computer.
 9. \$6,700 to Account 1120-4010, Salaries, for City Administrator salary expense
 10. \$4,000 to Account 1120-4020, Fringe Benefits for City Administrator fringe benefits.
 11. \$13,430 to Account 1110-7015, Mayor and Council expense, for executive search firm expenses (\$13,130) and for position advertising expenses (\$300).
 12. \$1,400 to Account 1110-7005, Mayor and Council Miscellaneous, for candidate travel expenses.

Capital Budget re-designation

1. \$18,303 in bond funded capital projects is re-designated for street light upgrades.

Special Revenue Fund - Revenues

- b. \$6,000 is appropriated to General Fund Transfer, Account 0010-3385, for Siegler Property renovation project
- c. \$2,000 is appropriated to Account 0010-3430, Donations, for Siegler Property renovation project.
- c. \$24,000 is appropriated to Account 0010-3836, POS Development, for Siegler Property renovations project.

Special Revenue Fund - Expenditures

- a. \$32,000 is appropriated to Account 0010-7188, Siegler Garden/Property renovation project.

SECTION 2. THAT this Ordinance shall become effective upon adoption

Adopted this 25th day of January, by Roll Call vote as follows:

AYE: Porter, Chavez, Elrich, Hawkins, Stewart, Rubin, Williams

NAY: None

ABSTAIN: None

ABSENT: None

o-99ba2

Editorial note: Additions since first reading are underlined.