

**CITY OF TAKOMA PARK, MARYLAND
CITY COUNCIL REGULAR MEETING
WEDNESDAY, JANUARY 13, 2021**

MINUTES

Minutes adopted July 7, 2021.

CALL TO ORDER/ROLL CALL

Present: Mayor Stewart, Councilmember Kovar, Councilmember Dyballa, Councilmember Kostiuk, Councilmember Seamens, Councilmember Smith, Councilmember Searcy

Also Present: City Manager Ludlow, Deputy City Manager Clarke, City Clerk Carpenter, Public Works Director Braithwaite, Library Director Arnold-Robbins, Human Resource Director Smith

The City Council convened at 7:30 PM on Zoom.

CHANGES TO THE AGENDA / AGENDA SCHEDULING UPDATE

Ms. Stewart provided an update on future agendas.

FOR THE RECORD

- **Proclamation Regarding the Treaty on the Prohibition of Nuclear Weapons (attached)**

LEGISLATIVE UPDATE

Ms. Stewart provided the update. A subcommittee of the City Council (Mayor Stewart, Councilmember Kovar, Councilmember Dyballa) meets regularly with the City's lobbyist to review bills and discuss whether any action is needed. A document has been prepared defining the subcommittee's policies. (Document attached.)

PUBLIC COMMENTS

Sue Miller stated her concerns regarding the powers of the City Manager, the suspension of the Public Information act deadline, the purchase of police SUVs, and public safety. She urged the Council to schedule a work session on the workforce and racial equity effects on the junction plan.

Mary Jane Muchui stated her concerns on the removal of signs and on sidewalk safety.

Randy Gibson (for Takoma Park Mobilization) commented on climate action.

COUNCIL COMMENTS

Mr. Kovar commented on the passing of Tommy Raskin (Congressman Raskin's son) and the violent incident that occurred at the Capitol.

Ms. Dyballa mentioned that the draft County Climate Plan was released and noted a meeting scheduled to discuss the County and City plans. She reported on the cancellation of the Martin Luther King, Jr. Day in-person events but noted that there are volunteer opportunities available. She updated Council on NLC and COG committees.

She encouraged the public to participate in a Maryland Department of Transportation survey on rail transportation. Ms. Kostiuk requested the City Manager to provide an update on outstanding Public Information Act requests. She announced an upcoming community meeting.

Mr. Smith commented on a community meeting with Washington Adventist University regarding reuse of the hospital site. He also commented on City Library services and food distribution in Ward 5.

Ms. Searcy noted a New Hampshire Gardens Community Association meeting and gave an update on the Hillwood Manor community playground design.

Ms. Stewart announced that the Reimagining Public Safety Task Force application was live on the City website and there would soon be a City Manager search update. She stated that she was elected Vice Chair of the Metropolitan Washington Council of Governments Board of Directors.

CITY MANAGER COMMENTS

Comments attached.

WORK SESSION

1. Discussion of Code Amendments: Police Retirement Plan Deferred Retirement Option Program (DROP) and Military Service Credit

Ms. Ludlow explained the proposed amendments to the Police retirement plan.

2. FY 21 Financial Review; Review of Hold List; Discussion of Property Tax Assistance Options

Ms. Ludlow gave a presentation (attached).

3. Collective Bargaining Agreement with AFSCME

Ms. Ludlow stated that negotiations with AFSCME were finalized and that, once approved, the contact would be effective July 2020 through July 2023.

4. Wage Adjustments for Staff Members Not Otherwise Addressed

Ms. Ludlow explained that there were 31 non-union employees that would be covered by the wage adjustment resolution.

5. Discussion of Proposed Purchases

Ms. Ludlow urged the council to consider the purchase of:

- Ford F-250 for Public Works - \$32,280 (plus \$9,716 and \$3,500 for the hopper and lift)
- Twelve mobile computers including installation for the Police department - \$50,217
- Four equipped Ford Interceptor Hybrid SUVs for the Police Department - \$231,956
- Three-year contract renewal with Useful Corporation for the Library - \$24,852.

6. Discussion of Appointment of Fifth Member to the Tree Commission

The Council addressed the Tree Commission's request to appoint a fifth member to the Commission and agreed to solicit applicants for the position.

ADJOURNMENT

The Council adjourned for the evening at 10:50 PM.



Mayoral Proclamation

Entry into Force of the United Nations Treaty on the Prohibition of Nuclear Weapons

- WHEREAS,** the City of Takoma Park has been a nuclear-free city since 1983; and
- WHEREAS,** the City of Takoma Park was the first U.S. city to declare its compliance with the UN Treaty on the Prohibition of Nuclear Weapons; and
- WHEREAS,** the City of Takoma Park is deeply concerned about the grave and continued threat that nuclear weapons pose to communities throughout the world; and
- WHEREAS,** any use of nuclear weapons, whether deliberate or accidental, would have catastrophic, far-reaching and long-lasting consequences for people and the environment; and
- WHEREAS,** we firmly believe that our residents have the right to live in a world free from this threat; and
- WHEREAS,** the UN Treaty on the Prohibition of Nuclear Weapons, having been ratified by the requisite 50 countries, will now enter into force on January 22, 2021; and
- WHEREAS,** the Treaty on the Prohibition on Nuclear Weapons bans any country party to the treaty from developing, testing, producing, acquiring, possessing, stockpiling, using or threatening to use nuclear weapons, effectively and permanently stigmatizing nuclear weapons; and
- WHEREAS,** the City of Takoma Park adopted Resolution 2018-17 affirming the City's support for the Treaty on the Prohibition of Nuclear Weapons.

NOW, THEREFORE, I, Kate Stewart, Mayor of the City of Takoma Park, Maryland, do hereby recognize and celebrate this milestone treaty as it enters into force on January 22, 2021.

Dated this 13th day of January, 2021.

**Kate Stewart
Mayor**

The City of Takoma Park

Legislative Sub-Committee Policies

The City of Takoma Park closely monitors public policy activities that take place at the State level that impact the City and its residents. Maintaining municipal authority over our operations is a perennial priority, along with discouraging measures that create unfunded mandates or significant, negative fiscal impacts on the City.

In addition, Takoma Park annually develops a list of policy priorities prior to each Maryland General Assembly Session. Along with considering taking positions on proposals directly reflecting those priorities, the City considers other proposals that are either indirectly related to its priorities, or upon request from legislators, organizations and residents.

Takoma Park's City Council Legislative Sub-Committee considers the specific proposal made during the annual Maryland General Assembly Session. In general, the Committee considers them with the following criteria:

- How does the proposed issue forward our policy priorities and/or directly affect City residents and operations?
- What expertise does the City have concerning the issue?
- What is the potential of success?
- How important is Takoma Park's visibility on the issue?
- What is the willingness of the City to take the specific actions needed in support of a position?

Priorities Identified for 2021

1. Mitigating the impacts of the pandemic on residents, businesses and the City of Takoma Park
 - a. Housing, including Safe and Stable Homes Act
 - b. Aid to businesses, residents, and municipal governments
 - c. Food security
2. Mitigating the impacts of climate change
 - a. Community Choice Energy Pilot Program
 - b. Assistance to those impacted by longer storms, flooding
 - c. Targeted energy efficiency programs, including multi-family buildings
3. Reimagining public safety

- a. Action on Law Enforcement Officers Bill of Rights, Maryland Public Information Act, other steps
 - b. Need to address community mental health needs – more important during pandemic
- 4. Get Purple Line construction back on track and continue mitigation efforts
 - a. Release \$2 million for area small businesses earmarked by the General Assembly
 - b. Purple Line Tree Replacement legislation
- 5. Support for expanded funding flexibility for municipalities rather than just depend on property taxes; enforceable tax duplication provisions
- 6. Vaccine distribution to critical populations
 - a. Facilitate regional approaches to vaccine distribution; distribution by residency, rather than employment centers or need may hurt D20 residents
- 7. Vision Zero
 - a. Allowing lower speed limits Reduction of Speed Limits



City of Takoma Park City Manager Comments

Report of January 13, 2021

We Are In This Together

It has been just a week since the insurrection at the U.S. Capitol Building occurred. As you have seen from the messages of Takoma Park Police Chief Tony DeVaul, our police department is conferring with other public safety agencies, monitoring locations in Takoma Park, and scheduling staff to be prepared for the impacts of potential violent disruptions as we near the Presidential Inauguration on January 20.

Besides the work of the Police Department, all City departments are on call to serve the needs of public safety in Takoma Park. From communicating to the public, to reporting suspicious activity, to making sure we have barricades or equipment ready, to providing support to residents and staff, staff throughout the City government are working to ensure that we are prepared even as we keep calm.

As Chief DeVaul has said, there is no indication at this time that Takoma Park is a target. Please rest assured that we are working jointly to take care of our community.

What can you do?

First, avoid going to downtown Washington, D.C. on days of higher risk, particularly January 17-20. Inauguration activities are scheduled to take place mostly virtually, so you can watch safely from home.

Second, if you see or hear something that is especially concerning, contact Takoma Park Police at 301-270-1100 or – if an emergency – call 9-1-1.

Third, help bring down the anxiety level. The mental health pressures of these last months have been heavy, and comments or listserv postings that sound scary can add to the unease. Yes, be vigilant. But also help reassure others that we are in this together and the City of Takoma Park has your back.

Keeping Takoma Park residents safe and secure in Takoma Park is a team effort. It involves all departments of the City government, our business owners, elected officials, and residents. In these unprecedented times, this team effort and collaborative strength will serve us well.

Thanks to you and the wonderful City staff for being this caring team!

COVID-19 Related Information

It has been ten months since we went into lock-down due to the COVID-19 pandemic. Since the scary confusion of March 2020, we have learned that COVID-19 transmission mostly occurs from breathing in air that has been exhaled from an infected person, whether or not the infected person shows any signs of illness. For that reason, wearing masks correctly, keeping a distance from others, and avoiding crowded locations are the most effective steps to take to stay safe.

Remarkably, several highly effective vaccines are now available to be used and targeted vaccination efforts are beginning. It will take a number of months before the vaccine is available to all. Takoma Park's essential employees have begun to be vaccinated through the Montgomery County Health Department. The order of those eligible to receive vaccinations has changed several times and may change again. Go to [Montgomery County Vaccine Information](#) page to learn about when and how vaccines will be provided and to sign up for email or text alerts regarding vaccine availability.

Staff will continue to wear masks and adhere to all health protocols long after receiving the vaccines. When you are able to get a vaccine, please do so! Our community and economy cannot move forward until a substantial majority of residents have been vaccinated.

COVID-19 testing in Takoma Park

Free, no appointment COVID-19 testing is being held most Wednesdays and Saturdays at the Takoma Park Recreation Center, 7315 New Hampshire Avenue from 10 am to 5 pm. For this and other testing options, please see the information here: [Montgomery County Testing Sites](#)

Tax Preparation Assistance

Staff has been working to help coordinate the availability of free tax preparation assistance during the pandemic for our residents. The Community Action Agency's Volunteer Income Tax Assistance (VITA) program is currently using a virtual tax preparation model during the COVID-19 emergency. Virtual VITA allows residents to use an online platform to securely upload their tax documents and have their taxes prepared for free by a certified tax preparer. No in-person contact is required, allowing for the health and safety of staff and community members to be maintained. They are now scheduling virtual appointments. Montgomery County residents with household incomes of \$57,000 or less may call 240-777-1123 to schedule an appointment.

Other Information

Martin Luther King, Jr. Day Celebration

Many of the standard ways to serve and celebrate on Martin Luther King, Jr. Day are different this year due to pandemic health concerns. It should still be a day "on" and not a day off. Montgomery County has a wonderful website with ways to serve: [MLK Week of Service](#). Folks in Takoma Park also recommend volunteering at food distribution sites, picking up litter in Sligo Creek or other public areas (use gloves and take trash and recyclables home), and helping your neighbors. In addition, on Monday, January 18 from 7:00 – 7:15 pm, they urge all to go outside onto a front porch, balcony or yard area and lift a flashlight or candle into the evening sky.

Due to the holiday, City services are closed on Sunday, January 17 through Monday, January 18. The Police Department is always open for emergency services.

Free Flu Clinic – January 22!

The City has coordinated with CCI Health and Wellness Services to sponsor a free flu clinic on Friday, January 22 from 3 to 6 pm at the Takoma Park Recreation Center, 7315 New Hampshire Avenue in Takoma Park. This is a first come, first serve opportunity.

Update on COVID-19 Response

The City of Takoma Park has been providing assistance to residents and businesses since the onset of the COVID-19 pandemic in this area. A full [Report](#) on what had been done to date was presented to the Council on October 14, 2020 and updates are in preparation.

Weekly we provide information about COVID-19 cases in Takoma Park on the COVID-19 Dashboard: [COVID-19 Dashboard](#). The dashboard was created by Deputy City Manager Jessica Clarke and now will be overseen and maintained by Public Administration Specialist Daniel Powers.

Jessica Clarke has worked closely with Montgomery County officials on bringing COVID-19 testing to Takoma Park, urging the County to hold flu clinics, and advocating for the County to do vaccinations in Takoma Park.

City facilities staff have been hard at work to make facility improvements to lessen virus transmission. All HVAC equipment now has increased outside airflow and air purification systems to greatly reduce the potential of COVID-19 transmission in our buildings.

Work continues on serving residents and business owners with information, financial assistance, food, PPE and cleaning supplies, and, most of all, a helping hand and a friendly voice.

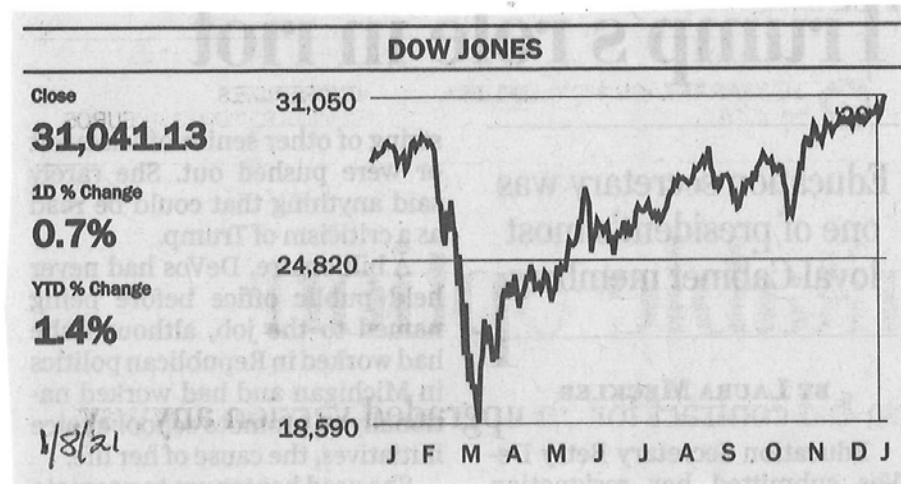
FY21 FINANCIAL REVIEW; HOLD LIST; PROPERTY TAX ASSISTANCE

City Council Work Session
January 13, 2021



FY21 Financial Overview

- Pandemic shutdown occurred in March 2020, just as FY21 budget was being prepared and negotiations with the City's two unions were underway.
- Stock market crashed in March 2020:



FY21 Financial Overview

- As Council considered the budget, \$634,000 was set aside for COVID-19 relief funds, of which \$578,500 is in the FY21 budget. In addition, \$1.3 million of the FY21 budgeted items were placed on a “hold” list. The funds could be used with Council approval, but full authorization was not provided until more economic and financial information was known.
- Financial information was reviewed by the Council in October, 2020 and is being reviewed again this month as part of the Council’s Priority Retreat and planning for the FY22 budget.
- Negotiations with the City’s two unions have been completed; one of the Collective Bargaining Agreements has been approved by Council and the other is before Council at this time.

FY21 Financial Overview – Hold List

- The “hold” list consisted of
 - \$320,000 in personnel expenditures
 - \$500,000 in ADA Sidewalk funds
 - \$450,000 in road resurfacing funds
 - \$30,000 for the Tree Canopy Implementation Plan
- Personnel items on the “hold” list included
 - City Clerk’s Record Specialist (1/2 year) - \$36,000
 - Crossing Guard and Substitute positions (1/2 year) - \$24,000
 - Vegetative Maintenance Supervisor (1/2 year) - \$60,000
 - Urban Forest Intern - \$8,000
 - Two Recreation Supervisors (1/2 year) - \$55,000
 - Housing and Community Development Director (1/2 year) - \$95,000 – REMOVED
 - Arts Intern (1/2 year) - \$9,500
 - Related costs - \$32,500

FY21 Financial Overview

- At the time the FY21 budget was being prepared, we assumed that the City would return to near normal operations by January 2021. It is now likely that near normal operations may begin in the fall of 2021; it is hoped that summer camps may take place.
- In October, the City Council took action to approve the Local 400 (Police) Collective Bargaining Agreement and institute a Retirement Incentive Program. In December, the Council agreed to take the HCD Director position off of the “hold” list.
- With wage savings from the wage agreements and savings from vacancies, the next Budget Amendment will reflect a **savings of \$550,000 in personnel costs** for FY21.

FY21 Financial Overview

- One unexpected budget hit to the City is the reduction in interest income from our various accounts. We have a **decrease in revenue of \$226,000** related to the interest rates; institutions were quick to lower the rate when the markets plummeted, but have not restored them with market gains.
- When we were preparing the City budget, we expected some FEMA reimbursements from some limited COVID-19 expenditures, but did not budget for **CARES revenue**. We are expecting a check from Montgomery County **of \$403,650**. We are continuing to get small reimbursements from FEMA.

FY21 Financial Overview - Unknowns

- As we look to prepare the FY22 budget, we will want to estimate possible impacts from the Hogan economic relief bill that has been proposed and possible Federal assistance to cities.
- In general, we welcome the elements of the Hogan proposal. We do not know the impact of waiving income taxes from unemployment benefits and other payments.
- In general, we do not expect major hits to the value of property in Takoma Park, nor to intergovernmental payments (County tax duplication, State Police Aid, Highway User Revenue, etc.).

FY21 Financial Overview

- In Maryland, municipalities receive 17% of the County income tax that is paid. Takoma Park does not have many very wealthy residents and most local income is not based on capital gains. For that reason, the amount of income tax Takoma Park receives is relatively modest. When income from wealthy households declines, it hurts Montgomery County more and the County can react by cutting other payments to municipalities.
- Property values in Takoma Park have remained stable and may have increased this past year. Residents who have jobs they can do from home or who have substantial retirement income have not had the financial hits that other residents have had during the pandemic.
- Those who work in service positions, gig work or own their own retail businesses have been particularly hard hit financially. In Takoma Park, they are more often renters. Those who own their own homes have benefited from foreclosure forbearance.

FY21 Financial Overview – Taxes

- For the past several years, there has been interest in providing more property tax credits or providing other assistance to homeowners on limited incomes.
- About 150 households receive tax credits from the City of Takoma Park in addition to those they receive from the State and County with the Homeowners Property Tax Credit and Renters Tax Credit.
- Montgomery County also has an Elderly/Veterans Tax Credit and a variety of single-purpose tax credits. The Elderly Tax Credit is for those who have owned their homes for 40 years or more.
- Most of the State and County credits only apply to properties worth less than a set value, which is rather low for Montgomery County and Takoma Park.
- Many credits are for households with limited incomes. The City has not had the staff to be able to manage an income evaluation process, so has preferred to piggyback onto other tax credit programs.
- In general, there has been interest in assisting people with limited incomes with property tax credits, but the mechanism to identify the people and the appropriate income levels and level of assistance has been difficult.

FY21 Financial Overview – Taxes

- During the pandemic, staff has worked with several property owners and looked to provide financial assistance. While Takoma Park property tax can be a burden, the Montgomery County property tax is twice the amount and generally there is concern with paying all of the property taxes, not just the Takoma Park tax.
- Just as when we are working with renters, the issues are larger than just the tax payment. There are concerns about health care, medicine, food, and other expenses. Many need handholding to get financial assistance or unemployment insurance to which they are entitled. There are issues of families with undocumented members, and there may be language or mental health challenges. Just filling out the paperwork online to get the existing tax credits can be a challenge.
- One area that the City will likely need to act is to provide aid to residents who will be receiving a higher stormwater bill than in past years. Information will be going out by mail and in the Newsletter about the proposal to go to a tiered stormwater fee system in the next year. Some homeowners will see their fee decrease, but many will see an increase. The fee is included on the property tax bill, although it is not a tax.

FY21 Financial Overview

Questions to consider

- Who does the Council wish to see receive property tax credits or deferrals?
- Does the Council wish to provide additional property tax credits or deferrals this coming year, or wait to see what steps are to be taken by the County, State and Federal governments?
- In considering developing ways to provide property tax assistance, is the Council willing to also budget for personnel or consulting services to evaluate and process applications?
- To what extent could we be successful in getting the County or State to adjust their programs to assist more homeowners in need?

FY21 Financial Overview - Summary

- Despite the difficulty of budgeting during lockdown, the FY21 City budget revenue estimates were largely accurate.
- City management has taken strong steps to save funds on personnel and activities in this pandemic-impacted fiscal year.
- City staff has done a remarkable job on obtaining COVID-19 activity reimbursements and grant funds.
- Staff continues to monitor financial trends and impacts.
- Recognize that the FY22 budget will need to be compared more to FY20 than FY21, as service positions and activities will be reactivated.