

**CITY OF TAKOMA PARK, MARYLAND
CITY COUNCIL REGULAR MEETING
WEDNESDAY, JANUARY 27, 2021**

MINUTES

Minutes adopted July 7, 2021.

CLOSED SESSION – THURSDAY, JANUARY 21, 2021

The City Council convened at 6:00 PM on Zoom to vote to go into closed session to consult with the City Attorney to obtain legal advice regarding various government operations. The meeting was closed pursuant to Annotated Code of Maryland, General Provisions Article, §3-305(b)(7). Mr. Kovar moved to close the meeting; second by Ms. Kostiuk. VOTING FOR: Stewart, Kovar, Kostiuk, Seamens, and Searcy. ABSENT: Dyballa, Smith.

Present for the Closed Session: Mayor Stewart, Councilmembers Kovar, Dyballa, Kostiuk, Seamens, Smith, and Searcy; City Attorney Cornbrooks, City Manager Ludlow, Deputy City Manager Clarke, and City Clerk Carpenter. The Council received legal advice and asked questions related to Takoma Park's form of government; the authority of the City Manager, City Council, and the Mayor; and City Council use of email and implications for the Maryland Open Meetings Act. There were no recorded votes and no action was taken.

The closed session was adjourned at 7:00 PM.

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, 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

Shepherds of Zion Ministries International Church Proclamation (attached)

Pastor Smith Vodi was present to receive the proclamation.

Holocaust Remembrance Day Proclamation (attached)

LEGISLATIVE UPDATE

Ann Ciekot, the City's legislative advocate, provided the update.

PUBLIC COMMENTS

Lizz Kleemeier, Ward 1, made several suggestions to the Council regarding the Council priorities related to the urban forest, biodiversity, and the City tree species list.

Rachel Hardwick stated her concerns about the possible traffic issues that may arise with the Takoma Junction development plan.

Tracy Duvall, Ward 3, commented on the Takoma Junction development plan and stated his concerns.

Colleen Cordes, Ward 1, commented on her concerns about placement of small cell towers.

Robert Anderson commented on the Maryland and Montgomery County Vision Zero initiatives and how the proposed Takoma Junction development would reduce traffic and pedestrian safety in the Junction.

COUNCIL COMMENTS

Ms. Kostiuk commented on a recent Vision Zero meeting hosted by County Councilmember Evan Glass, thanked those who attended a Ward 3 virtual meeting, noted a recent meeting with the new owner of the former John Nevins Andrews School building, and announced a ribbon cutting for the new Enterprise Rental Car on New Hampshire Avenue.

Ms. Searcy commented on the Vision Zero meeting hosted by Councilmember Glass and provided an update on the appointment process for the Reimagining Public Safety Task Force.

Mr. Smith noted the recent MML Montgomery Chapter meeting discussions and commented on the continuing food insecurity in Takoma Park.

Ms. Dyballa also noted the informative Vision Zero meeting, announced a community meeting for the 7402 Garland Avenue project, and noted the COG Climate Energy and Environment Policy Committee meeting where the Montgomery County Climate Action Plan and regional tree canopy goals were discussed. She agreed with concerns about food insecurity in Takoma Park.

Mr. Kovar noted a new Dance Exchange program for older adults partly funded by a Takoma Park grant. He reported that significant renovation of Silver Spring International Park would begin shortly. Mr. Kovar also reported on a City project to consider redesigning Maple Avenue from Eastern Avenue to Sligo Creek.

Ms. Stewart thanked Ms. Kostiuk for inviting her to the Ward 3 meeting. She also noted the recent session for interested applicants for the Reimagining Public Safety Task Force.

CITY MANAGER COMMENTS

Ms. Ludlow's comments are attached.

VOTING SESSION

1. Second Reading Ordinance Regarding Code Amendments to the Police Employees' Retirement Plan (Deferred Retirement Option Program and Credit for Military Service)

Councilmember Searcy moved the ordinance. Ms. Kostiuk seconded.

Ms. Kostiuk moved an amendment to the ordinance to "direct the City Manager to actively pursue benefit provisions that attract and retain Takoma Park Police officers who live up to and promote the goals and priorities of Council Resolution 2017-45 and who, as a group, are reflective of the diversity of the Takoma Park community. Such provisions may include credit for other types of service or experience before being hired by the City of Takoma Park, and may include modifications to existing benefits after consultation with the Union, the Retirement Plan Committee and other stakeholders.

Mr. Smith seconded. The motion carried unanimously.

Vote on the amended ordinance: (VOTING FOR: Stewart, Kovar, Dyballa, Kostiuk, Seamens, Smith, Searcy).

Ordinance 2021-1 (attached)

2. First Reading Ordinance Approving FY21 Budget Amendment No. 3

The first reading ordinance was moved by Councilmember Dyballa; seconded by Councilmember Kovar. The motion carried (VOTING FOR: Stewart, Kovar, Dyballa, Kostiuk, Seamens, Smith, Searcy).

First Reading Ordinance 2021-6 (attached)

WORK SESSION

3. Report Out on Council Retreat

Ms. Stewart stated the Council met on January 16 for the retreat to discuss priorities, goals, and strategies for the 2021-2022 Council term.

The Council discussed the priorities and revisions to the priorities document.

4. Update on City Manager Search

Ms. Stewart noted that the Council contracted with Catherine Tuck Parrish of the Novak Group to assist with the search for a new City Manager. Ms. Tuck Parrish has interviewed members of the City Council and staff. The next step in the public process is a meeting on February 4 to hear resident comments on what qualities the Council should seek in a new City Manager.

ADJOURNMENT

The Council adjourned for the evening at 9:28 PM.



Mayoral Proclamation

Proclamation Recognizing the Shepherds of Zion Ministries International Church for their Service and Support to the Community During the COVID-19 Pandemic

- WHEREAS,** the Shepherds of Zion Ministries International Church was founded in 2014 by Reverend Apostle Smith K. O. Vodi and Reverend Evangelist Yvonne Vodi; and
- WHEREAS,** the Shepherds of Zion Ministries International Church is known for its open door policy welcoming all to the church's worship services and for providing a number of ministries that serve the community; and
- WHEREAS,** one of the Church's missions is to engage the local communities in the fight to end hunger by working with food providers and a broad network of collaborative working partners, such as the United States Veteran Reserve Corps, who volunteer with the congregation; and
- WHEREAS,** the Shepherds of Zion Ministries International Church Feeding the Hungry and Food Distribution Program started in Silver Spring in 2014; and
- WHEREAS,** the distribution program moved to Takoma Park Elementary School in 2019; and
- WHEREAS,** since its 2014 inception, the congregation has provided free food to approximately 70,000 families; and
- WHEREAS,** the Church has responded to the increase of families in need of food due to the COVID-19 pandemic by changing food distribution from once a month to bi-weekly at the Takoma Park Elementary School.

NOW, THEREFORE, I, KATE STEWART, MAYOR OF THE CITY OF TAKOMA PARK, MARYLAND, on behalf of the Council, staff, and residents, do hereby express appreciation to the Shepherds of Zion Ministries International Church for its service and support to the community during the COVID-19 pandemic.

Dated this 27th day of January, 2021.

Kate Stewart
Mayor



Mayoral Proclamation

Recognizing International Holocaust Remembrance Day

WHEREAS, the United Nations General Assembly designated January 27 – the anniversary of the liberation of Auschwitz-Birkenau – as International Holocaust Remembrance Day; and

WHEREAS, the day provides an opportunity to honor the six million Jewish victims of the Holocaust and millions of other victims of Nazism, and to share the urgent responsibility to protect the lessons and legacy of Holocaust history and defend its truth; and

WHEREAS, in Resolution 2020-1, the City Council recognized the recent rise in deadly attacks and historical violence toward the Jewish people, and strongly denounced anti-Semitism, Holocaust denial, and distortions about Judaism and Jewish life and culture.

NOW, THEREFORE, I, KATE STEWART, MAYOR OF THE CITY OF TAKOMA PARK, MARYLAND, on behalf of the Council, staff, and residents, do hereby proclaim our observation of Holocaust Remembrance Day and urge all to consider the terrible consequences of antisemitism, racism and other forms of discrimination and prejudice.

Dated this 27th day of January, 2021.

Kate Stewart
Mayor



City of Takoma Park City Manager Comments

Report of January 27, 2021

COVID-19 Related Information

The top topic of the day is COVID-19 vaccinations. The biggest difficulty is that there is not yet enough vaccine available to effectively meet the need or desire for vaccinations. And, there is a great deal of confusion even in Montgomery County about who is eligible for a vaccine, who can actually receive a vaccine, and where and how to register to receive a vaccine. **Right now, Montgomery County is accepting pre-registrations for many categories of residents,** including people 65 years of age or older, child care workers and many essential workers. **Go to the [Montgomery County Vaccine Information](#) page to pre-register. You can also call 240-777-2982 to pre-register.** There are also ways to sign up for vaccines through the [Maryland Vaccine Website](#). The categories eligible for vaccines on the State site often differ by site, and registration availability changes day to day.

The City of Takoma Park will do our best to get accurate information out. The best options are to check in frequently with the [Montgomery County Vaccine Information](#) website page and the [Maryland Vaccine Website](#).

IMPORTANT – DO NOT SEND REGISTRATION LINKS TO OTHERS, DO NOT RESPOND TO UNSOLICITED LINKS OR LINKS FROM FRIENDS, AND DO NOT JUST SHOW UP AT A VACCINATION SITE WITHOUT AN APPOINTMENT

COVID-19 testing in Takoma Park

Even though all of the attention is on vaccinations right now, it is still important to have regular COVID-19 testing. 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](#)

Update on COVID-19 Response

A detailed presentation was provided to the City Council at its Priorities Retreat on January 16. The presentation has been posted on the website: [COVID-19 Response Presentation 01162021](#)

Each week, the City's COVID-19 Dashboard is updated. The most recent one is here: [COVID 19 Dashboard](#)

Housing Assistance: In the first two weeks of January, \$35,000 was provided to families needing assistance with rent. The average amount of assistance was \$2,700. Our partners in providing assistance include MUSST, Interfaith Works, Bethesda Cares, and Montgomery County Department of Housing and Community Affairs.

The Federal stimulus approved in December includes rental assistance funding and the County is receiving a direct allocation of funds. They are working to structure that rental assistance similarly to the previous federally funded assistance that was called COVID Rent Relief, and it will take 45-60 days to roll out.

Courts are not scheduling eviction actions until after March 15, and the Federal and State eviction protections for tenants who have lost income due to COVID impact will continue beyond that (Federal to 3/31 and may be extended, State until end of State of Emergency).

Business Assistance: A number of businesses have recently requested financial assistance for thorough cleaning after an employee had tested positive for COVID-19. The amount set aside for those funds has been exceeded, but there are other emergency funds available for assistance at this time. We are keeping track of the various types of needs in case more substantive reallocations of funds within the COVID-19 Fund are needed.

We have two pieces of good news from our business community. The special [Shop Takoma E-Gift Card](#) program for our local businesses that began during the pandemic has really taken off. 41 businesses have signed up to participate in the gift card program and the amount spent so far is \$4,600. This was a great boost during our recent holiday season and shows how much Takoma Park residents wanted to patronize our local businesses.

We also learned today that the Old Takoma Business Association has received a \$188,963 grant from the State of Maryland to support its Takoma Micro-Grant Fund for Covid Relief. Such good news at a hard time for our business community!

City Staff Preparation: City staff have been working to prepare for child care and summer camp programs in City facilities. Funds are being spent on special training, cleaning supplies, plastic dividers, and PPE. These expenses can be submitted for 75% FEMA reimbursement.

Reimagining Public Safety Task Force Applications Open Until February 5

Last night there was an informational meeting on the schedule and what to expect for potential members of the Reimagining Public Safety Task Force. The video of the informational session is now available to review. The deadline for applications had been this Friday, but has been extended for a week to Friday, February 5. While it will require a significant commitment from Task Force members, the work of the Task Force is to end by June 5. We are very excited to have an excellent facilitation team to ensure that the meetings are productive. This is a great opportunity to imagine public safety in all of its aspects for Takoma Park. Here is the link to the project page: [Reimagining Public Safety Task Force](#).

Community Quality of Life Grants

The City of Takoma Park is currently accepting applications for its Community Quality of Life Grants Program through Thursday, March 11, 2021. Projects are eligible for up to \$10,000 in financial support, for projects taking place between July 1, 2021 and June 30, 2022. For more information and to apply, go to: [Community Grants](#).

WSSC Study

If you live in and around the North Takoma part of Takoma Park, you may have received a letter from WSSC asking you to identify if you have a drain on your property that looks like this:



This “North Takoma Surcharge Study” is a study to help WSSC address back up flooding into basements and toilets during rainstorms. The term “surcharge” does not refer to a financial surcharge but to overflow in the WSSC infrastructure. Letters were sent to many properties on the following streets: Piney Branch Road, Hodges Lane, and the following Avenues: Takoma, Chicago, Chestnut, Buffalo, Baltimore, Birch, Holly, Cedar, Maple, Hancock, Willow, Spruce, Eastern, Boston, Albany, New York, Grant, Park, Dogwood, Darwin, Sherman, Valley View, and Lee.

WSSC is requesting your assistance in indicating whether you have one of these drains on your property. This will greatly streamline our process.

If you have an areaway drain on your property, please take a picture of it and email it, along with your house address, to Zachary Tucker, of Brown and Caldwell (the WSSC contractor) at BCBeltsville@BrwnCald.com. If you do NOT have an areaway drain on your property, please email that information as well.

Grand Opening – Enterprise Car Rental

We are so happy to welcome a new business to Takoma Park! The ribbon cutting for Enterprise Car Rental, 6494 New Hampshire Avenue, will be at 11 am, Thursday, January 28. Enterprise used to have a location near the Dunkin Donuts on New Hampshire Avenue, just across the line

from Takoma Park. After they moved from that location, they looked for a way to get back to our community, and took over and renovated the property at the corner of New Hampshire Avenue and Sheridan Street. We are happy they made that investment in Takoma Park!

What Does a City Manager Do?

As the City Council begins its process to hire a new City Manager to take over when I retire on July 1, you may wish to learn more about what a City Manager does. One place for information is the International City County Management Association (ICMA) website. Here is an overview of what a professional manager does: [City and County Management](#).

Remembering Those We Have Lost

COVID-19 and the mental health strains of isolation have led to serious illness and death in Takoma Park, as in the rest of the world. Between privacy concerns and the difficulty of physically gathering together to remember our loved ones, we do not have a good list of residents lost in Takoma Park during the pandemic. We would like to gather names and contact information from people who might want to have their loved ones recognized on a memorial webpage, garden, video or other format. We will be creating a secure mechanism to leave the contact information, but in the meantime, if someone wants to share the name of a person who has passed and a contact person for them, they can email me at: SuzanneL@takomaparkmd.gov.

One person we are remembering today is **Maria Veltri**, a resident of Takoma Park and daughter of Joanna Veltri, also a resident of the City. A zoom memorial for Maria was held on Saturday, January 23rd. Friends, family, and neighbors joined the service and reflected on her rich life.

1 Introduced by: Councilmember Kostiuik

First Reading: January 21, 2021

2 Second Reading: January 27, 2021

3 Effective Date: March 1, 2021

4
5 **CITY OF TAKOMA PARK, MARYLAND**
6 **ORDINANCE NO. 2021-1**
7

8 **AMENDING THE CITY OF TAKOMA PARK POLICE EMPLOYEES' RETIREMENT**
9 **PLAN TO ADD A DEFERRED RETIREMENT OPTION PROGRAM AND TO PERMIT**
10 **MILITARY SERVICE AS CREDITABLE SERVICE**
11

12 WHEREAS, the City of Takoma Park Police Employees' Retirement Plan (Plan) provides
13 participants various benefits; and
14

15 WHEREAS, the City and the Union representing Police Officers (Union) believe that the Plan
16 should offer another option, commonly referred to as Deferred Retirement Option
17 Program (DROP); and
18

19 WHEREAS, the Plan does not permit military service to constitute either eligibility service or
20 creditable service for participants hired by the City on or after July 1, 2001; and
21

22 WHEREAS, the Maryland State Retirement System that covers other City employees provides
23 for a U.S. Military Credit for up to five years credit; and
24

25 WHEREAS, the City and the Union believe that the Plan should permit certain military service
26 to constitute creditable service under the Plan; and
27

28 WHEREAS, the City and the Union have recommended amendments to the Plan to create a
29 DROP and to address the changes to creditable service; and
30

31 WHEREAS, the Plan's enrolled actuary has provided the City, the Union and the Retirement
32 Plan Committee with an estimate of the actuarial cost of the amendments; and
33

34 WHEREAS, the Retirement Plan Committee approved the proposed amendments on December
35 21, 2020 and recommends adoption of the amendments by the City Council; and
36

37 WHEREAS, the Council wishes to attract and retain Takoma Park Police officers who live up
38 to and promote the goals and priorities of Council Resolution 2107-45 and who,
39 as a group, are reflective of the diversity of the Takoma Park community.
40

41 **NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF**
42 **TAKOMA PARK, MARYLAND:**
43

44 *SECTION 1. Title 4, Personnel, Chapter 4.24, Police Employees' Retirement Plan, Section 060,*
45 *"Year of eligibility service," of the Takoma Park Code (2004 edition) is amended as follows:*
46

47 “Year of eligibility service” means a year of service for purposes of calculating a participant’s
48 eligibility for specified benefits under the Plan. The rules for calculating a participant’s years of
49 eligibility service are set forth in Sections 4.24.100 through 4.24.150 with reference to the
50 continuous period beginning with the employee’s employment commencement date or
51 reemployment commencement date and ending with the employee’s termination date, excluding
52 any period during which the employee is not a covered employee, ~~but~~ including any periods for
53 which service for the Maryland State Retirement System has been credited as described in
54 Section 4.24.130, and excluding periods for which pre-employment military service has been
55 credited as described in Section 4.24.140.

56
57 *SECTION 2. Title 4, Personnel, Chapter 4.24, Police Employees’ Retirement Plan, of the*
58 *Takoma Park Code is amended by adding new Section 295:*

59
60 **4.24.295** **Deferred Retirement Option Program.**

61
62 **A.** Definitions.

63
64 In this section, the following words have the meanings indicated:

- 65
66 1. DROP means the Deferred Retirement Option Program established under this Section
67 4.24.295, pursuant to which a Participant agrees to delay receipt of retirement benefits
68 while the Participant continues to work.
69
70 2. DROP Participant means a Participant who participates in DROP.
71
72 3. DROP Participation Period means the three (3) year period during which a Participant
73 participates in DROP while actively employed by the City.
74
75 4. DROP Account means the account established for a DROP Participant in accordance
76 with subsection E. to which monthly amounts are credited while the Participant continues
77 to work for the City.
78
79 5. DROP Effective Date means March 1, 2021.
80
81 6. Applicable Interest Rate means 5% per annum.

82
83 **B.** Eligibility.

- 84
85 1. A Participant who has completed 25 Years of Eligibility Service as of the DROP
86 Effective Date shall be eligible to participate in DROP as of the DROP Effective Date.
87
88 2. A Participant who has not completed 25 Years of Eligibility Service as of the DROP
89 Effective Date shall be eligible to participate in DROP on the date the Participant has
90 completed 25 Years of Service.

91
92 **C.** Limitation on Number of DROP Participants.

- 93
94 1. Initial Plan Year. During the plan year ending June 30, 2021, no more than 3 Participants
95 are permitted to participate in DROP.
96
97 2. Second Plan Year. During the plan year ending June 30, 2022, no more than 6
98 Participants are permitted to participate in DROP.
99
100 3. Later Plan Years. Beginning with the plan year ending June 30, 2023, no more than 25%
101 of Eligible Employees may participate in the DROP at any time.
102
103 4. Selection by seniority. If the number of Participants that apply for participation in DROP
104 exceeds the number permitted under paragraphs 1 through 3 above, Participants shall be
105 selected by seniority on the basis of the Participants' actual service with the City as a
106 sworn police officer. The Coordinator will develop procedures to implement this
107 paragraph.
108

109 D. Application for DROP participation.
110

111 An eligible Participant who elects to participate in DROP shall complete and submit to the
112 Coordinator within a reasonable time before the beginning of the DROP Participation Period:
113

- 114 1. A written application on a form approved by or acceptable to the Committee, stating the
115 Participant's intention to participate in DROP;
116
117 2. An irrevocable election whether his or her retirement benefits shall be paid at the end of
118 the DROP Participation Period in either the normal form described in Section 4.24.220 or
119 one of the optional forms described in 4.24.330;
120
121 3. Such other information required by the Coordinator to implement the DROP selection
122 process described in paragraph 4 of subsection C.
123

124 E. DROP Account.
125

- 126 1. The Coordinator shall establish and maintain a DROP Account for each DROP
127 Participant solely for purposes of accounting for the DROP Participant's benefit from the
128 DROP. The Trustee shall not segregate funds from the Trust for Participants' DROP
129 Accounts.
130
131 2. During the DROP Participation Period, the Coordinator shall credit to the DROP
132 Participant's DROP Account:
133
134 a. An amount equal to the DROP Participant's normal monthly retirement income
135 determined pursuant to Section 4.24.220, but without the adjustment for unused
136 sick leave.
137
138 b. Interest at the applicable interest rate on the amount described in subparagraph a.

139 in accordance with the following rules:

- 140
- 141 i. Interest compounded monthly, but with an applicable annual rate equal to
- 142 the applicable interest rate, will be applied to the balance of the DROP
- 143 account as of the last day of each month during the DROP participation
- 144 period, and
- 145
- 146 ii. No interest will be applied to additions to the account made during the
- 147 current calendar month
- 148
- 149 3. At least once a year, the Coordinator shall provide to a DROP Participant a statement of
- 150 the account balance credited to the DROP Account as described in paragraphs 1 and 2.

151

152 F. Status during participation in DROP.

153

154 During the DROP Participation Period:

- 155
- 156 1. A DROP Participant will remain an active Participant in the Plan;
- 157
- 158 2. A DROP Participant will not accrue credit for Years of Creditable Service;
- 159
- 160 3. A DROP Participant's compensation shall be subject to the City pick up contributions
- 161 provided for in Section 4.24.200.
- 162
- 163 4. A DROP Participant's Compensation shall not be used to increase the DROP Participant's
- 164 Average Compensation;
- 165
- 166 5. The normal monthly retirement income of DROP participants, which accumulates in their
- 167 DROP accounts, will not be subject to cost of living adjustments under Section 4.24.290.
- 168
- 169 6. A DROP Participant shall continue to be eligible to participate in any health and welfare
- 170 plan or deferred compensation plan, and to receive any other benefits otherwise available
- 171 to City employees who are sworn police officers; and
- 172
- 173 7. A DROP Participant shall continue to be subject to the personnel laws, regulations and
- 174 policies applicable to City employees who are sworn police officers.

175

176 G. Death of a DROP Participant.

177

178 If during the DROP Participation Period, the Participant reaches a Termination Date by reason of

179 death, the Participant's Beneficiary will receive the balance of the Participant's DROP Account

180 in addition to the death benefit described in Section 4.24.300.

181

182 H. Disability during participation.

- 183
- 184 1. Permitted. A DROP participant may apply for a disability pension pursuant to Section

185 4.24.250.

- 186
- 187 2. Effect of disability pension. If a DROP participant receives a disability pension, the
- 188 disability benefit calculated under Section 4.24.250 shall be based upon the participant's
- 189 actual Years of Creditable Service, if applicable, and Average Compensation earned
- 190 through the Termination Date and calculated as if the DROP Participant had not elected
- 191 to participate in DROP. A DROP Participant who receives a disability benefit will forfeit
- 192 his or her DROP Account

193

194 I. Payment of DROP Account and retirement income at Termination Date.

- 195
- 196 1. DROP Account. Upon the termination of a DROP Participant's employment with the
- 197 City at the end of the 3-year DROP Participation Period:

- 198
- 199 a. the Trustee shall pay to the Participant the amount accrued in the Participant's
- 200 DROP Account, determined in accordance with paragraph E, in the form of: (a)
- 201 an eligible rollover distribution, pursuant to Section 4.24.350; (b) a lump sum
- 202 distribution, reduced by any withholding taxes remitted to the Internal Revenue
- 203 Service or other taxing authority; or (c) an additional annuity in the form of
- 204 monthly benefit elected by the DROP Participant in accordance with paragraph
- 205 (2) of subsection D.

- 206
- 207 b. the Participant will begin receiving his or her monthly retirement income,
- 208 determined in accordance with the Participant's irrevocable election, as of the first
- 209 day of the month following the end of the DROP Participation Period. Retirement
- 210 income shall include an adjustment for unused sick leave. The amount of the
- 211 Participant's unused sick leave shall be determined as of the Participant's
- 212 Termination Date.

- 213
- 214 2. Termination prior to the end of the DROP Participation Period. If the DROP Participant
- 215 reaches a termination date, other than by reason of death or disability, prior to the end of
- 216 the 3- year DROP Participation Period without regard to whether the termination of
- 217 employment is voluntary by the Participant or involuntary and at the request of the City:

- 218
- 219 a. the Participant will forfeit the balance of his or her DROP Account; and

- 220
- 221 b. the Participant's monthly retirement income shall be determined in accordance
- 222 with the election made during the application for participation in DROP and
- 223 calculated as if the DROP participant did not participate in DROP.

224

225 J. Adjustment for maximum limitations on benefits.

226

227 The benefits payable pursuant to this Section 4.24.295 shall be adjusted, if necessary, to conform

228 to the limitations on the accrual of benefits pursuant to Section 4.24.270.

229

230 *SECTION 3. Title 4, Personnel, Chapter 4.24, Police Employees' Retirement Plan, Section*

231 *140(C) of the Takoma Park Code is amended as follows:*

232

233 **4.24.140(C) Credit for pre-employment military service.**

234

235 Participants Hired on or After July 1, 2001. Participants hired by the City on or after July 1, 2001
236 shall not receive credit for years of eligibility service ~~and years of credited service~~ for service in
237 the armed forces of the United States which precedes the participant's employment
238 commencement date but, upon retirement, shall receive credit for up to three (3) years of credited
239 service for service in the armed forces of the United States which precedes the participant's
240 employment commencement date.

241

242 **SECTION 4.** Council directs the City Manager to actively pursue benefit provisions that attract
243 and retain Takoma Park Police officers who live up to and promote the goals and priorities of
244 Council Resolution 2017-45 and who, as a group, are reflective of the diversity of the Takoma
245 Park community. Such provisions may include credit for other types of service or experience
246 before being hired by the City of Takoma Park, and may include modifications to existing
247 benefits after consultation with the Union, the Retirement Plan Committee and other
248 stakeholders.

249

250 **SECTION 5.** The provisions of this Ordinance shall be effective March 1, 2021.

251

252 **ADOPTED BY THE COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND, THIS**
253 **27TH DAY OF JANUARY, 2021, BY ROLL-CALL VOTE AS FOLLOWS:**

254

255

256 Aye: Stewart, Kovar, Dyballa, Kostiuk, Seamens, Smith, Searcy

257 Nay: None

258 Absent: None

259 Abstain: None

260

261 **Explanatory Note**

262 Additions to the existing language of the *Takoma Park Code* are shown by underlining.

263 Deletions to the existing language of the *Takoma Park Code* are shown by ~~strikeout~~.

Introduced by: Councilmember

First Reading:

Second Reading:

Effective Date:

**CITY OF TAKOMA PARK, MARYLAND
ORDINANCE NO. 2021-**

FY 2021 BUDGET AMENDMENT NO. 3

WHEREAS, the Fiscal Year (FY) 2021 budget was adopted by the City Council on May 20, 2020 and;

WHEREAS, since this date, information has been received that requires amendments to the FY 2021 budget; and

WHEREAS, the budget for the Interest and Dividend is decreased \$146,000 due to the decline of Fed Funds Rate that directly affecting the bank interest revenues provided by the Suntrust (Truist) Bank; and

WHEREAS, the budget for the Interest and Dividend-Bond Trust Fund is decreased \$60,000 due to the undrawn bond fund balance decline resulting in the decrease of interest revenue provided by the Bond Trustee account; and

WHEREAS, the budget for the Interest and Dividend-Equipment Replacement Reserve is decreased \$10,000 due to the decrease of interest revenue since the adjustment of the Fed Funds Rate; and

WHEREAS, the budget for the Interest and Dividend-Emergency Reserve is decreased \$10,000 due to the decrease of interest revenue since the adjustment of Fed Funds Rate; and

WHEREAS, the budget for the Bond Payment -Public Works Facility is decreased \$175,049 due to the reduction of debt service payment after the bond payoff; and

WHEREAS, the budget for City Management salaries is reduced \$36,000 due to the adjustment to the annual salaries increment rate from 4.5 percent to 1.5 percent; and

WHEREAS, the budget for City Management fringe benefits is reduced \$30,017 due to the payroll cost reduction; and

WHEREAS, the budget for Finance salaries is reduced \$36,957.46 due to the adjustment to the annual salaries increment rate from 4.5 percent to 1.5 percent; and

WHEREAS, the budget for Information Technology salaries is reduced \$40,511.51 due to the adjustment to the annual salaries increment rate from 4.5 percent to 1.5 percent; and

- WHEREAS, the budget for Human Resources salaries is reduced \$6,750 due to the adjustment to the annual salaries increment rate from 4.5 percent to 1.5 percent; and
- WHEREAS, the budget for City Clerk salaries is reduced \$4,632 due to the adjustment to the annual salaries increment rate from 4.5 percent to 1.5 percent; and
- WHEREAS, the budget for City Clerk Intern salaries is increased \$7,800 to provide payroll expenditure for the intern during the election; and
- WHEREAS, the budget for Office of Police Chief salaries is reduced \$12,609.24 due to the adjustment to the annual salaries increment rate from 4.5 percent to 1.5 percent; and
- WHEREAS, the budget for Police Communications salaries is reduced \$8,275 due to the adjustment to the annual salaries increment rate from 4.5 percent to 1.5 percent; and
- WHEREAS, the budget for Support Services salaries is increased \$44,680 to provide funds for two officers' retirement incentive payments and termination payout; and
- WHEREAS, the budget for Neighborhood Services salaries is reduced \$7,731 due to the adjustment to the annual salaries increment rate from 4.5 percent to 1.5 percent; and
- WHEREAS, the budget for Public Works Administration salaries is reduced \$52,318.23 due to the adjustment to the annual salaries increment rate from 4.5 percent to 1.5 percent and recruitment delay; and
- WHEREAS, the budget for Right of Way seasonal wages is reduced \$27,216 due to decrease in work hours during the pandemic; and
- WHEREAS, the budget for Solid Waste salaries is reduced \$14,523.10 due to the adjustment to the annual salaries increment rate from 4.5 percent to 1.5 percent; and
- WHEREAS, the budget for Vegetation Management salaries is reduced \$14,612 due to the adjustment to the annual salaries increment rate from 4.5 percent to 1.5 percent and partial year vacancy; and
- WHEREAS, the budget for Urban Forest salaries is reduced \$27,000 due to the adjustment to the annual salaries increment rate from 4.5 percent to 1.5 percent and partial year vacancy; and
- WHEREAS, the budget for Recreation Administration salaries is reduced \$8,295.16 due to the adjustment to the annual salaries increment rate from 4.5 percent to 1.5 percent; and
- WHEREAS, the budget for Recreation Center salaries is reduced \$53,000 due to the facility closure during the pandemic; and

WHEREAS, the budget for Housing Administration salaries is reduced \$7,970.74 due to the adjustment to the annual salaries increment rate from 4.5 percent to 1.5 percent, partial year vacancy and retirement payout; and

WHEREAS, the budget for Planning salaries is reduced \$9,000 due to the adjustment to the annual salaries increment rate from 4.5 percent to 1.5 percent and partial year vacancy; and

WHEREAS, the budget for Housing and Community salaries is reduced \$23,000 due to the adjustment to the annual salaries increment rate from 4.5 percent to 1.5 percent and partial year vacancy; and

WHEREAS, the budget for Communications salaries is reduced \$4,810.02 due to the adjustment to the annual salaries increment rate from 4.5 percent to 1.5 percent; and

WHEREAS, the budget for Communications-Salary Part-Time is reduced \$17,579.50 due to the facility closure during the pandemic; and

WHEREAS, the budget for Equipment Replacement Expenditure is reduced \$6,100 and \$6,500 due to savings from not purchasing the Treadmill and Active Arcade Game; and

WHEREAS, the budget for Write Off account is increased \$11,620 due to the exclusion of City Attorney service fees from the FEMA grant reimbursement; and

WHEREAS, the budget for Housing Fund Expenditure is increased \$200,000 due to the increased funding in connection with the purchase of 7402 Garland Avenue; and

WHEREAS, the budget for the City Administration Contract Expenditure is increased \$35,000 to provide funds for the facilitation service of the Public Safety Task Force; and

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

SECTION 1. The Fiscal Year 2021 Budget is amended as follows:

General Fund - Revenues

1. Reduce \$146,000 to account 0001-36100, Interest and Dividend, due to the bank interest rate adjustment.
2. Reduce \$60,000 to account 0001-36130, Interest Bond Trust Fund due to the bank interest rate adjustment.
3. Reduce \$10,000 to account 0001-36140, Interest and Dividend-Equipment Replacement Reserve, due to the bank interest rate adjustment.
4. Reduce \$10,000 to account 0001-36150, Interest and Dividend-Emergency Reserve, due to the bank interest rate adjustment.

General Fund – Expenditures

1. Reduce \$175,049 to account 8000-72510, Bond-Public Works Facility, due to the reduction of debt service payment.
2. Reduce \$36,000 to account 1120-40010, Salaries, due to the adjustment of annual salary increase from 4.5 percent to 1.5 percent.
3. Reduce \$30,017 to account 1120-40200, Fringe Benefits, due to the payroll decrease.
4. Reduce \$36,957.46 to account 1130-40010, Salaries, due to the adjustment of annual salary increase from 4.5 percent to 1.5 percent.
5. Reduce \$40,511.51 to account 1150-40010, Salaries, due to the adjustment of annual salary increase from 4.5 percent to 1.5 percent.
6. Reduce \$6,750 to account 1160-40010, Salaries, due to the adjustment of annual salary increase from 4.5 percent to 1.5 percent.
7. Reduce \$4,632 to account 1170-40010, Salaries, due to the adjustment of annual salary increase from 4.5 percent to 1.5 percent.
8. Appropriate \$7,800 to account 1170-40011, Intern Salaries, to provide payroll expenditure for an intern during election.
9. Reduce \$12,609.24 to account 2100-40010, Salaries, due to the adjustment of annual salary increase from 4.5 percent to 1.5 percent.
10. Reduce \$8,275 to account 2200-40010, Salaries, due to the adjustment of annual salary increase from 4.5 percent to 1.5 percent.
11. Appropriate \$44,680 to account 2400-40010, Salaries, due to the two retirement incentive programs and employee payout at termination.
12. Reduce \$7,731 to account 2600-40010, Salaries, due to the adjustment of annual salary increase from 4.5 percent to 1.5 percent.
13. Reduce \$52,318.23 to account 3100-40010, Salaries, due to the adjustment of annual salary increase from 4.5 percent to 1.5 percent and payroll decrease due to delay staff recruitment.
14. Reduce \$27,216 to account 3400-40016, Seasonal Staff, due to decrease in work hours during the Covid pandemic.
15. Reduce \$14,523.10 to account 3500-40010, Salaries, due to the adjustment of annual salary increase from 4.5 percent to 1.5 percent.
16. Reduce \$14,612 to account 3700-40010, Salaries, due to the adjustment of annual salary increase from 4.5 percent to 1.5 percent and partial year vacancy.
17. Reduce \$27,000 to account 3800-40010, Salaries, due to the adjustment of annual salary increase from 4.5 percent to 1.5 percent and partial year vacancy.
18. Reduce \$8,295.16 to account 4100-40010, Salaries, due to the adjustment of annual salary increase from 4.5 percent to 1.5 percent.
19. Reduce \$53,000 to account 4300-40015, Salaries-Part Time, due to the program closure during the pandemic.
20. Reduce \$7,970.74 to account 5500-40010, Salaries, due to the adjustment of annual salary increase from 4.5 percent to 1.5 percent.

21. Reduce \$9,000 to account 5400-40010, Salaries, due to the adjustment of annual salary increase from 4.5 percent to 1.5 percent.
22. Reduce \$23,000 to account 5800-40010, Salaries, due to the adjustment of annual salary increase from 4.5 percent to 1.5 percent.
23. Reduce \$4,810.02 to account 6000-40010, Salaries, due to the adjustment of annual salary increase from 4.5 percent to 1.5 percent.
24. Reduce \$17,579.50 to account 6000-40015, Salaries-Part Time, due to the decreased activities during the pandemic.
25. Appropriate \$11,620 to account 9000-71450, Write Off, due to the reduction of FEMA reimbursement which excluded the City Attorney service.
26. Appropriate \$35,000, to account 1120-61040, Contract, due to the increased funding to facilitate the service of Public Safety Task Force.
27. Appropriate \$200,000, Housing Fund Expenditure, due to the increased funding in connection with the purchase of 7402 Garland Avenue.
28. Reduce \$6,100 to account 9100-80003, Equipment Reserve Expenditure, due to the savings from not purchasing a new treadmill.
29. Reduce \$6,500 to account 9100-80003, Equipment Reserve Expenditure, due to the savings from not purchasing a new active arcade game.

SECTION 2. The City's Capital Improvement Program for FY 2021 shall be amended to reflect the aforementioned changes in the General Fund budget.

SECTION 3. This Ordinance shall become effective upon adoption.

Adopted this the day of January, 2021 by Roll Call vote as follows:

AYE:

NAY:

ABSTAIN:

ABSENT: