

**Resolution 2010-19**

**Amending the Employment Agreement  
Between the City of Takoma Park  
and Barbara Burns Matthews, as City Manager**

WHEREAS, on July 6, 2004, the City Council adopted Resolution 2004-32, approving an employment agreement (the "Agreement") between the City of Takoma Park and Barbara Burns Matthews, as City Manager; and,

WHEREAS, on October 22, 2007, the City Council adopted Resolution 2007-54, amending the Agreement; and,

WHEREAS, on January 12, 2009, the City Council adopted Resolution 2009-2, further amending the Agreement; and,

WHEREAS, the Agreement, as executed in 2004, was of a continuing nature, with a goal that the relationship between the parties be at least for five years; and,

WHEREAS, the Agreement included a meet and confer provision prior to the fifth year of the relationship between the parties; and,

WHEREAS, said meet and confer requirement was met during an administrative function session on March 15, 2010 and supplemented by the City Council's annual performance evaluation of Ms. Matthews; and,

WHEREAS, Ms. Matthews completed five years of employment with the City as of July 12, 2009; and,

WHEREAS, the language in the Agreement related to the five-year period of employment and the meet and confer provision is no longer applicable; and,

WHEREAS, for the sake of clarity, the City Council wishes to delete the language related to these issues and to reaffirm the continuing nature of the Agreement.

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

Section 1. The Mayor is hereby authorized to execute an addendum to the Employment Agreement between the City of Takoma Park and City Manager Barbara Burns Matthews dated July 6, 2004, removing provisions that are no longer applicable and reaffirming the continuing nature of the Agreement.

Section 2. This resolution shall become effective upon adoption.

Adopted this 22nd day of March, 2010.

Attest:

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Jessie Carpenter, CMC  
City Clerk

**ADDENDUM**

This Addendum to the Employment Agreement between the City of Takoma Park, Maryland, and Barbara Burns Matthews dated July 6, 2004 (“Employment Agreement”), is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

WHEREAS, the parties wish to reaffirm the continuing nature of the Employment Agreement; and,

WHEREAS, the parties wish to incorporate the amendments to the Employment Agreement set forth in City of Takoma Park Resolution Nos. 2007-54 and 2009-02 in the Employment Agreement.

Now, therefore, in consideration of the mutual promises and agreements of the parties, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. Sections 2(F) and 2(G) are hereby stricken from the Employment Agreement.
2. The terms regarding retirement and deferred compensation set forth in City of Takoma Park Resolution Nos. 2007-54 and 2009-02 shall replace and supersede Section 11 of the Employment Agreement.

IN WITNESS WHEREOF, the City of Takoma Park, Maryland, a political subdivision of the State of Maryland, has caused this Addendum to be signed and executed on its behalf by its City Council and duly attested by the City Clerk, and Barbara Burns Matthews has signed and executed the Addendum, both in duplicate, this date.

\_\_\_\_\_  
Barbara Burns Matthews

\_\_\_\_\_  
Bruce R. Williams, Mayor

ATTEST:

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Jessie Carpenter, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Susan Silber, City Attorney