

Worksession

Agenda Item #	4
Meeting Date	June 16, 2008
Prepared By	Jessie Carpenter City Clerk
Approved By	Barbara B. Matthews City Manager

Discussion Item	Continued Discussion of City Committees
Background	<p>As the next step in Council’s review of committee operations and procedures, staff has drafted a preliminary document for Council review and discussion. Sections which are different from past practice or which should be noted for special consideration are in italics.</p> <p>Staff has also provided a document that contains more information on residency, representative appointments, the appointment process, and options for removal of committee members. The document includes the full text from the City Code or the resolution establishing individual committees.</p>
Policy	<p>City Charter, Section 401 General Powers. “(b) The legislative powers of the Council shall include but are not limited to the following: 1. Administrative Agencies and Procedures. To establish any administrative agencies, boards and commissions that may be deemed necessary to further the purposes of the City, and to provide for administrative procedures, including rule making and quasi judicial decision-making by such agencies.”</p> <p>Takoma Park Code Chapter 2.16, Article 1.</p> <p>Administrative Regulation 95-1 (Citizens Committees – Open Meetings Act)</p> <p>Maryland Open Meetings Act</p>
Fiscal Impact	N/A
Attachments	<ul style="list-style-type: none"> • Draft Committee Guidelines and Operating Procedures • Special Committee Discussion Topics / General Information on All Committees • Administrative Regulation 95-1 (Citizens Committees – Open Meetings Act)
Recommendation	<ul style="list-style-type: none"> • Review and discuss the committee guidelines and procedures. • After Council comments are incorporated, send the document to staff and committees for further review and comment. • Review and adopt revised guidelines and procedures. • Continue to meet with all committees at least annually. At the next report for each committee, include a review of the ordinance or resolution establishing the group to evaluate whether amendments are needed.
Special Consideration	

City of Takoma Park Boards, Commissions, Committees

Relationship of the City Council, Committees, and City Staff

The City Council has the authority to establish any administrative agencies, boards and commissions that may be deemed necessary to further the purposes of the City. As such, a variety of boards, commissions, and committees have been established by ordinance amending the city code. The Council has established other committees by resolution.

The majority of boards, commissions, and committees are advisory in nature and provide guidance to the City Council. Some, such as COLTA and the Tree Commission, are quasi-judicial bodies. Other than the Nuclear-Free Takoma Park Committee, which reviews certain City purchases of equipment or services to ensure compliance with the Act, no board, commission, or committee has an oversight role relative to the operation of a City department.

Each of the boards, commissions and committees has a specific purpose set out in its enabling ordinance or resolution. Members are appointed by the City Council or, in a few cases, they may serve by virtue of other positions they hold.

While the boards, commissions and committees are directly responsible to the City Council, much of their work is done in coordination with the applicable City department(s). The boards, commissions, and committees work with City staff members but do not direct them. The City Manager assigns a staff member to serve as a committee liaison. The staff liaison is responsible for providing administrative support and technical information to enable the committee to draw meaningful conclusions and fulfill the mission set out in the enabling legislation.

Levels of staff support vary depending on the function of the committee. While the support of committees is an important aspect of the work of the City staff, such support must be balanced against the day-to-day duties and responsibilities of the various City departments. In the case of assignments that will require a substantial amount of staff time beyond what is customarily required, the committee chairperson should consult with the City Manager.

The boards, commissions and committees provide recommendations and advice to the City Council for consideration. When the Council adopts a recommendation, the Council provides direction to the City Manager, who is responsible for the implementation of the Council's policy decision.

Active Council-Appointed Committees June 2008

Quasi-judicial

These commissions and boards are defined in the City Code. Each has a role to play in implementing the relevant section of the Code. They have authority to hold hearings.

- Commission on Landlord-Tenant Affairs
- Ethics Commission
- Noise Control Board
- Personnel Appeal Board
- Tree Commission

Hybrids

Each of these bodies is defined in the City Code and each has a role to play in implementing the relevant section of the Code.

- Board of Elections
- Facade Advisory Board
- Nuclear-Free Takoma Park Committee

Advisory Committees

The following committees are defined in the City Code. They are advisory to the City Council.

- Arts and Humanities Commission
- Committee on the Environment
- Emergency Preparedness Committee
- Public Safety Citizens Advisory Committee
- Recreation Committee
- Safe Roadways Committee

Committees Established by Resolution

These committees are advisory to the Council.

- Health Services Impact Committee
- Montgomery College Neighbors Advisory Committee
- WAH Land Use Committee

Definitions:

Active Member: *Member of a council appointed committee. An active member shall have full voting rights on the committee. The quorum requirements for the committee shall be met by counting only “active members.”*

Council Liaison: *A councilmember designated by the Council to serve as a point of contact on the Council for a specific committee. The Council liaison may occasionally attend meetings but does not serve on the committee or actively participate in their deliberations.*

Staff Liaison: *A staff member designated by the City Manager or Department Head to serve as a staff point of contact for a specific committee. The staff liaison provides administrative and technical support to assist the committee in setting its agenda and fulfilling its mission. A staff liaison does not work for the committee..*

City Clerk: *The City Clerk provides guidance to all committees on meeting the requirements of the Open Meetings Act; publishes notices of committee vacancies and opportunities to apply for appointment, receives and processes applications for appointment to committees, arranges for committee applicant interviews with the City Council, and ensures that resolutions of appointment (or removal) are prepared for Council consideration.*

Committee: *In this section, “committee” refers to all committees, boards, commissions, task forces, or other bodies established by the City Council by ordinance or resolution.*

Representative Members: *Member of a committee nominated by an organization designated in the resolution or ordinance establishing a committee. Representative members are considered active members.*

Inactive Members: *A committee member who resigns, whose term expires or who ceases to reside in Takoma Park, at the discretion of the Committee Chairperson, may continue as an inactive member of the Committee to complete work on matters in which he or she participated as an active member of the Committee.*

The following provisions shall apply to all committees established by the City Council.

Residency

Unless a specific exception is stated in the ordinance or resolution establishing a committee, all members appointed shall reside within the City of Takoma Park. In the event a committee member ceases to reside in the city, that member is no longer eligible to serve as an active member *unless the Council affirmatively waives the residency requirement.*¹

Application

All applicants for appointment or reappointment to committees submit an application using a standard form provided by the City Clerk. Candidates are encouraged to submit additional information including a resume or statement of qualifications for review by the City Council.

Resumes and personal information are only disclosed to the Committee Chair, appropriate City Staff, and the City Council. The applicant’s address is considered public information.

Prior to applying, applicants are encouraged to learn about the committee by reviewing minutes, attending meetings, and contacting the Committee Chair and/or Staff Liaison.

As part of the application process, the staff confirms that applicants are current on City stormwater fees and do not owe more than \$10 in City Library fines.

Council Interviews

The Council conducts interviews of applicants applying for an initial appointment to a committee. Candidates for reappointment may be requested to attend an interview at the discretion of the Council.

Evaluation of Applications

The Council may use the following criteria in evaluating candidates for appointment or reappointment: Takoma Park residency, ward of residence, diversity of committee membership, ability of the candidate to contribute to the mission of the committee, ability to attend meetings and participate in the committee’s activities, and other standards as may be applied at the discretion of the Council.

Representative Members

Some committees have positions reserved for representatives of other organizations. In these

¹A number of committees have some positions open to non-residents. These include: the Arts and Humanities Commission, the Commission on Landlord-Tenant Affairs, the Facade Advisory Board, the Emergency Preparedness Committee, the Public Safety Citizens Advisory Committee, the Health Services Impact Committee, the Montgomery College Neighbors Advisory Committee. A full description of membership requirements is included in the section on each committee.

cases, the representative organization nominates two candidates annually for appointment to the committee, one to serve as representative and one to serve as an alternate. Such nominations are submitted to the City Clerk for Council consideration. Representative appointments shall be for a term of one year. Representative members are considered active members. The alternate representative member may participate as an active member only in the absence of the representative member.

Representative members nominated to the Emergency Preparedness Committee by their organization are not subject to appointment by the Council. In this case, representative members are also considered active members.²

Committee Terms

Except for committees established for a specific period of time (one, two, or three years), all committee appointments shall be for a specified term which expires on the committee term expiration date in the year of expiration.

Attendance Requirements

Attendance at meetings and member participation are vital to the operation of the committee. Therefore, each committee shall establish bylaws or rules or procedure which set forth meeting attendance requirements for committee members. The chair of the committee shall report to the City Clerk the names of members who do not meet the minimum attendance requirements established by the committee. The City Clerk will send a letter to the committee member notifying them of the attendance requirements. If the committee member continues to fail to attend meetings, the City Council will be notified and the committee member will be deemed to have resigned.

Committee Vacancies

Notice of all committee vacancies shall, at a minimum, be published in the Takoma Park Newsletter and on the City's web page. In the event of establishment of a new committee, where there is not sufficient time to publish notice in the Takoma Park newsletter, alternative means of publication may be used.

Beyond the basic notification requirements, staff, council, and the committees are encouraged to conduct outreach efforts through neighborhood associations, tenant associations, local publications and listservs, and at the various public events held in the city.

Committee members whose terms are expiring must submit an application for reappointment if they wish to continue to serve on the committee. *In the two month period before term expirations, the Council may interview any new applicants for membership. Both continuing*

²Committees with representative members include the Emergency Preparedness Committee, Facade Advisory Board, Health Services Impact Committee, Montgomery College Neighbors Advisory Committee, Safe Roadways Committee.

members and new applicants will be considered for appointment. Appointment of continuing members or replacement of members with new applicants is at the sole discretion of the City Council.

In the event of a vacancy on a committee, the Council may interview applicants and appoint members to fill the vacancy at any time of the year.

In the event an applicant is not selected for appointment, the City Clerk will keep the application on file for one year for Council consideration in the event of a vacancy.

Ethics and Conflicts of Interest:

The City of Takoma Park Public Ethics Ordinance applies to individuals appointed to committees.

Additionally, the Council recognizes that each committee appointee may approach issues from the perspective of their own background, experience, education, loyalties, and beliefs. The Council expects that committee recommendations will reflect the best interest of the residents of Takoma Park, rather than narrow interests or personal motives of individual members.

Annual Review of Committees

All committees shall report to the City Council at least annually. At the time of the annual report, the Council will evaluate the mission of the committee, discuss any changes recommended, and make a determination as to whether the committee should continue for at least one more year.

Meetings.

Committees should establish a regular schedule of meetings whenever feasible. A regular meeting schedule allows for ample notice to the public of upcoming meetings. It also helps to ensure availability of staff members who attend meetings. Public notice is required for all regular or special meetings. (See Administrative Regulation 95-1 “Citizens Committees - Open Meetings Act.”)

The staff liaison will arrange for an accessible meeting location and will provide notice to the City Clerk of meeting dates, times, and locations. In the event of a meeting cancellation, notice shall also be provided to the City Clerk.

The City Clerk will arrange for public notice of all committee meetings.

Meetings can be held in any manner that assures an orderly and focused discussion and which facilitates the input of all members. Roberts Rules of Order may be used if a majority of the committee members vote to do so.

Quorum

A simple majority of active committee members is required to be present for the committee to hold a regular or special meeting to conduct business. In the event a committee has an even

number of active members, a meeting may be held when 50% of the active members are present. Members who are not physically able to attend a meeting may make arrangements with the committee chair and staff liaison to participate by conference call.

Open Meetings

If it is apparent that a majority of members cannot attend a meeting at the scheduled time, the meeting should be cancelled and notice of the cancellation should be provided to committee members and to the City Clerk.

In the event there is not a quorum in attendance at a scheduled meeting, committee members may continue to use the room during their meeting time to hold an informal discussion. If staff liaisons typically attend the group's meetings, they have discretion to leave when it is determined that no quorum will be present.

All meetings are open to the public pursuant to the Maryland Open Meetings Act and Administrative Regulation 95-1.

Minutes shall be prepared of all meetings and scheduled for adoption at the following meeting. The minutes of all meetings should note the date, time and location of the meeting and who was present. Minutes should reflect each item considered, action taken on each item, and each recorded vote on any decisions and recommendations of the group.

The Council recognizes the value of committee communication and interaction between meetings; however, in the spirit of compliance with the Maryland Open Meetings Act, committees should not routinely hold discussions and make their decisions by e-mail. If timeliness of an issue requires that a final decision be made by e-mail, the committee should confirm that decision at their next regular meeting and record the action in their minutes.

Lobbying.

Committees may not lobby or advocate positions to other levels of government, agencies or organizations without prior Council approval. Recommendations for the Council to take a position on an issue should be presented to the Council for their consideration.

Bylaws/Rules of Procedure

All committees shall adopt bylaws or rules of procedure which set forth, at a minimum:

- *Attendance requirements, including number or percentage of permissible absences in a year;*
- *Minimum number of meetings to be held each year and, when feasible, provide for the setting of an annual schedule of meetings;*
- *Procedure for election of a chairperson and vice chairperson, and other officers (if applicable). The Council encourages committees to adopt term limits for the position of chairperson to ensure that other committee members have the opportunity to develop and utilize leadership skills;*
- *Process for setting the meeting agenda*

Report to City Council

Committees may request time on the Council agenda to make recommendations or bring items of interest to the Council's attention, but all committees shall report to the Council at least annually.

In their annual report, the committee should provide information on their activities in the past year and, when appropriate, provide a workplan or set of deliverables for the next year for review and consideration by the Council.

COMMITTEE MEMBERSHIP

Residency Requirements and Representative Members

Residency Requirement

Generally, the Code requires that all committee members be residents of the City. There are some exceptions (COLTA, Facade Advisory Board, the Arts and Humanities Commission, PSCAC, and Emergency Preparedness Committee). Additionally, the Montgomery College Neighbors Advisory Committee has some members who reside outside of the city.

- **COLTA**
All Commission members shall be residents of the City except that there may be a maximum of 4 members who are not residents of the City if such members own or manage rental housing in the City.
- **Facade Advisory Board**
The FAB shall consist of 7 voting members. 1. At least 2 members shall be professional such as architects, planners, and/or historians. 2. At least 2 members shall be building or business owners located or doing business in the Takoma Old Town and Takoma Junction commercial areas as defined in Section 8.40.070. 3. One member shall represent Historic Takoma, Inc. The Board of Historic Takoma, Inc. shall select from among its membership for consideration by the City Council, 2 representatives, one of which may be appointed to serve as a voting member of the FAB, the other to serve as an alternate.
- **Public Safety Citizens Advisory Committee**
The Committee is composed of up to 12 members appointed by the Council. The membership may be composed of residents, business owners, property owners, and other persons with interests in the City.
- **Arts and Humanities Commission**
The Commission shall consist of a minimum of 7 and maximum of 15 persons to be appointed by the City Council. A minimum of 2/3 of the members of the Commission shall reside in the City of Takoma Park. No organization which is a potential recipient of city arts funding shall have on the Commission more than one person who serves on its board or staff. Every effort shall be made to have a broad and diverse representation of the fine and performing arts community and of local arts and cultural organizations on the Commission.
- **Emergency Preparedness Committee**
A. The Committee will be composed of appropriate senior City Staff selected by the City Manager, one member selected by the Public Safety Citizens Advisory Committee (PSCAC), one member selected by the Takoma Park Volunteer Fire Department, one

member selected by the Washington Adventist Hospital, one member selected by the Montgomery County Department of Homeland Security, and 7 residents (preferably at least one from each Ward) appointed by the Council. Appointees should have some professional background in emergency preparedness or operations and be available to perform committee duties during the day when required.

- **Montgomery College Neighbors Advisory Committee**
The Committee shall consist of residents who live in the North Takoma neighborhood near the campus, at least one member of Historic Takoma, Inc., and one to three members with professional expertise in planning, development, architecture or transportation. Additional experts may be called on from time to time to advise the Committee.
-

Options

- Maintain the status quo.
 - Amend the Code or enabling resolution to require residency in all cases.
 - Establish evaluation criteria in considering applicants for committees. When choosing between residents and non-resident applicants, select residents. Increase recruitment efforts to find residents who meet the criteria for service.
 - Review each committee during their annual report and consider whether a change is appropriate.
-

Representative Appointments

A number of committees have member spots reserved for organizational representatives. These include: Emergency Preparedness Committee, Facade Advisory Board, Safe Roadways Committee, and MCNAC.

- **Emergency Preparedness Committee**
A. The Committee will be composed of appropriate senior City Staff selected by the City Manager, one member selected by the Public Safety Citizens Advisory Committee (PSCAC), one member selected by the Takoma Park Volunteer Fire Department, one member selected by the Washington Adventist Hospital, one member selected by the Montgomery County Department of Homeland Security, and 7 residents (preferably at least one from each Ward) appointed by the Council. Appointees should have some professional background in emergency preparedness or operations and be available to perform committee duties during the day when required.
- **Montgomery College Neighbors Advisory Committee**
The Committee shall consist of residents who live in the North Takoma neighborhood near the campus, at least one member of Historic Takoma, Inc., and one to three

members with professional expertise in planning, development, architecture or transportation. Additional experts may be called on from time to time to advise the Committee.

- **Safe Roadways Committee**

A. Membership. The Committee consists of up to 11 persons to be appointed by the City Council. One member shall represent the Takoma Park Public Safety Citizens Advisory Committee. The Public Safety Citizens Advisory Committee shall select from among its membership for consideration by the City Council, 2 representatives, one of whom may be appointed to serve as a voting member of the Safe Roadways Committee, the other to serve as an alternate. Every effort is made to have representation from each of the 6 Wards.

- **Facade Advisory Board**

A. The FAB shall consist of 7 voting members.

1. At least 2 members shall be professional such as architects, planners, and/or historians.

2. At least 2 members shall be building or business owners located or doing business in the Takoma Old Town and Takoma Junction commercial areas as defined in Section 8.40.070.

3. One member shall represent Historic Takoma, Inc. The Board of Historic Takoma, Inc. shall select from among its membership for consideration by the City Council, 2 representatives, one of which may be appointed to serve as a voting member of the FAB, the other to serve as an alternate.

- **Health Services Impact Committee**

The Committee shall consist of a diversity of persons interested in the issue of the impact of reuse of the hospital property on the Takoma Park community. A representative of the Maryland-National Capital Park and Planning Commission shall be invited to participate as an ex officio member. The Committee may choose to request other ex officio members as needed to help accomplish the charge of the Committee.

- **Montgomery College Neighbors Advisory Committee**

The Committee shall consist of residents who live in the North Takoma neighborhood near the campus, at least one member of Historic Takoma, Inc., and one to three members with professional expertise in planning, development, architecture or transportation. Additional experts may be called on from time to time to advise the Committee.

- **Washington Adventist Hospital Land Use Committee**

The Committee shall consist of a diversity of persons interested in the issue of the impact of reuse of the hospital property on the Takoma Park community. A representative of the Maryland-National Capital Park and Planning Commission shall be invited to participate as an ex officio member. The Committee may choose to request other ex officio

members as needed to help accomplish the charge of the Committee.

Options:

- Maintain the status quo.
 - Amend the Code or enabling resolution to remove representative appointments.
 - Review each committee during their annual report to consider whether a change is appropriate.
-

Application Process

- Applicants apply to the City Clerk, with the standard application form.
 - New applicants are scheduled for an interview with the City Council. Applicants for reappointment are automatically scheduled for reappointment by Council resolution.
 - City Clerk submits all names to the Library and Finance Office to ensure that the applicant does not owe money to the City. If they do, the City Clerk informs the applicant and provides opportunity to correct before appointment. If the applicant does not pay, the name is not put forward to the Council.
 - City Clerk informs staff liaison and/or committee chair of receipt of application.
-

Concerns raised (by committees):

- Little screening of applicants to be sure they are committed to attending meetings and doing the work of the committee.
- No input from committee in appointment of applicants.

Options:

- No change.
- Require applicant to attend committee meeting before appointment.
- Staff to provide the committee chair a copy of the application information (this is routinely done for many committees)
- Remind committee members that they can contact the Council, or the applicant, prior to appointment.
- Interview applicants for appointment and reappointment.
- Instead of interview (or in addition to interview), have the Councilmember liaison

or the ward Councilmember prescreen the applicant.

Removal of Committee Members

The Code provides a process for removal of committee members if they become incapacitated or fail to reasonably perform their duties.

The Council may, by resolution, remove a committee member before that person's term has expired if the Council determines that the person has become incapacitated or has failed to reasonably perform his or her duties as a committee member. A committee may recommend to the Council in writing that a committee member be removed because the member has repeatedly failed to attend meetings or hearings of the Committee. Such a recommendation is made only upon the majority vote of the committee members present at a meeting where a quorum of the Committee exists.

Options:

- Stress the importance of attendance and participation during Council interview.
 - Remove members who do not attend meetings by resolution.
 - Adopt a process which does not require Council action – a certain number of absences triggers an automatic “resignation”
-

Number of Members

How the number of members is determined varies by the ordinance or resolution adopted by the Council. They include:

- A predetermined set number of members
 - Some number of members up to an outer limit
 - A range with a minimum and a maximum
-

It is not always clear what happens when the committee level falls below the minimum number.

Councilmembers have expressed interest in discussing requiring a minimum and a maximum number of members.

2.16.010 Membership of statutory Council-appointed committees.

A. The Council shall appoint all members of the committees identified in this section.

B. Except as otherwise provided in sections specific to individual committees, all members of committees are residents of the City of Takoma Park and, in the event a committee member ceases to reside in the City of Takoma Park, that member is ineligible to serve on the Committee as an active member.

C. Several of the statutory committees are established and defined in this chapter.

Cross-references to the enabling sections of the Code for all statutory committees, including those which are established and defined in other chapters of the City Code, are noted in the Term Expiration chart below. The length and expiration month/date of terms for each committee shall be as follows:

<i>Committee</i>	<i>Term Length (Years)</i>	<i>Expiration</i>
<i>Arts and Humanities Commission (Section 2.16.140 et seq.)</i>	<i>3</i>	<i>June 30</i>
<i>Board of Elections (Section 5.24.020 et seq.)</i>	<i>3</i>	<i>June 30</i>
<i>Commission on Landlord-Tenant Affairs (Section 6.24.010 et seq.)</i>	<i>3</i>	<i>June 30</i>
<i>Committee on the Environment (Section 2.16.180 et seq.)</i>	<i>3</i>	<i>June 30</i>
<i>Emergency Preparedness Committee (Section 2.16.250 et seq.)</i>	<i>3</i>	<i>March 31</i>
<i>Ethics Commission (Section 3.04.050 et seq.)</i>	<i>2</i>	<i>September 30</i>
<i>Facade Advisory Board (Section 8.04.010 et seq.)</i>	<i>3</i>	<i>April 30</i>
<i>Free Burma Committee (Section 9.08.090)</i>	<i>2</i>	<i>March 31</i>
<i>Noise Control Board (Section 14.12.140)</i>	<i>3</i>	<i>March 31</i>
<i>Nuclear-Free Committee (Section 14.04.110)</i>	<i>2</i>	<i>March 31</i>

<i>Personnel Appeal Board (Section 4.04.800 et seq.)</i>	3	<i>March 31</i>
<i>Public Safety Citizens Advisory Committee (Section 2.16.070 et seq.)</i>	2	<i>September 30</i>
<i>Safe Roadways Committee (Section 2.16.100 et seq.)</i>	3	<i>June 30</i>
<i>Tree Commission (Section 2.16.020 et seq.)</i>	3	<i>September 30</i>

1. *The initial term of a committee member who is appointed to replace a member who cannot complete his or her term shall be for the remainder of the term of the member being replaced.*
2. *An initial term of a committee member that will expire in 6 months or less from the date of appointment is considered a short-term appointment.*
3. *At the time a short-term appointment is made, the Council may extend the person's short-term appointment to include the next full-term for the Committee, as set forth in subsection (C) of this section.*
4. *A committee member who resigns, whose term expires or who ceases to reside in Takoma Park, at the discretion of the Committee Chairperson, may continue as an inactive member of the Committee to complete work on matters in which he or she participated as an active member of the Committee.*
5. *The Council may, by resolution, remove a committee member before that person's term has expired if the Council determines that the person has become incapacitated or has failed to reasonably perform his or her duties as a committee member. A committee may recommend to the Council in writing that a committee member be removed because the member has repeatedly failed to attend meetings or hearings of the Committee. Such a recommendation is made only upon the majority vote of the committee members present at a meeting where a quorum of the Committee exists. (Ord. 2005-9 § 2, 2005/Ord. 2004-3 (part), 2004)*

Arts and Humanities Commission

Article 6. Arts and Humanities Commission

2.16.140 Commission established.

There is established a Takoma Park Arts and Humanities Commission which shall serve in an official advisory role to the City Council on all matters related to the arts, which will promote, coordinate, and strengthen public programs to further cultural development of the City. (Ord. 2003-1 § 1 (part), 2003)

2.16.150 Statement of purpose.

The purpose of the Takoma Park Arts and Humanities Commission shall be as follows:

- A. To advise the City Council on ways in which the City might best serve the public with regard to matters involving the arts.*
- B. To encourage and aid the appreciation and awareness of, and participation in, the arts among all Takoma Park residents.*
- C. To encourage cooperation and coordination among individuals, organizations and institutions concerned with the arts in Takoma Park.*
- D. To facilitate employment opportunities for artists and the development of self-sustaining arts programs. (Ord. 2003-1 § 1 (part), 2003)*

2.16.160 Commission membership, terms of office, structure and staffing.

A. Membership. The Commission shall consist of a minimum of 7 and maximum of 15 persons to be appointed by the City Council. A minimum of 2/3 of the members of the Commission shall reside in the City of Takoma Park. No organization which is a potential recipient of city arts funding shall have on the Commission more than one person who serves on its board or staff. Every effort shall be made to have a broad and diverse representation of the fine and performing arts community and of local arts and cultural organizations on the Commission.

B. Terms of Office. Commission Members shall serve staggered 3-year terms with initial appointments of one, 2 and 3 years. All terms shall begin on July 1st and end on June 30th. Members may be appointed for a maximum of 2 successive terms. Mid-term vacancies shall be filled to serve the balance of the unexpired term.

C. Structure.

1. The Commission shall organize and adopt bylaws and rules of procedure, necessary to accomplish its purposes, and elect from its members a Chairperson and such other officers as it shall deem necessary. Officers shall serve for a period of one year.

2. The Commission shall meet quarterly or as often as required to fulfill its responsibilities.

3. All meetings shall be open to the public and are subject to the Maryland Open Meetings Law. Meeting notices and agendas shall be prepared and submitted to the City Clerk and posted in advance of any Commission meeting in accordance with State law. Written records of Commission proceedings shall be maintained. A report on the activities of the Commission shall be submitted to the City Council once a year.

4. The Commission shall not meet unless a majority of the appointed members are present.

5. The Commission, individually, or as a whole, may lobby or provide comments or

recommendations to entities other than the City Council only as authorized and directed by the City Manager or through formal action of the City Council.

D. Staffing. The City Manager or his or her designee shall provide appropriate staff support to the Commission. (Ord. 2003-6 § 1, 2003/Ord. 2003-1 § 1 (part), 2003)

2.16.170 Duties and responsibilities of the Commission.

The Commission shall advise and assist the City Council with respect to developing and promoting the performing and visual arts for the enjoyment, education, cultural enrichment and benefit of the residents of the City of Takoma Park. In furtherance of these duties, the Commission shall attempt to accomplish the following:

A. Develop in cooperation with other City Departments and the Montgomery County Arts and Humanities Council, a long-range Master Plan for the development of a thriving arts community in Takoma Park and the utilization of public facilities for art-related activities. Such Master Plan shall be updated every 2 years;

B. Initiate, sponsor, conduct or support, alone or in cooperation with other public or private agencies, public programs in the arts; C. Serve as a clearinghouse for information about Takoma Park artists, art programs, facilities, organizations and institutions and to actively encourage public awareness, utilization, and support of such resources;

D. Advise the City as to the availability and adequacy of facilities and space for the presentation of cultural activities;

E. Review and advise on the aesthetic aspects of all works of art or designs or public monuments accepted or commissioned by the City;

F. Prepare and submit budgetary recommendation to the City Manager for annual expenditures necessary for the continuation and development of public programs and facilities which further the arts;

G. Review funding requests and recommend to the City Council the allocation of monies to cultural organizations, arts organizations, and individual artists;

H. Seek out and encourage contributions and grants to the arts from private and public sources;

I. Initiate proposals for Federal and State assistance to the arts and to review arts-related proposals and programs originated by the City and approved by the City Manager;

J. Keep abreast of what other communities are doing to further the arts and to adapt their accomplishments to the needs of Takoma Park;

K. Prepare an annual report to the City Council on the activities of the Commission. (Ord. 2003-1 § 1 (part), 2003)

Board of Elections

Chapter 5.24 BOARD OF ELECTIONS

5.24.010 Establishment of Board of Elections.

5.24.020 Membership and term of office.

5.24.030 Administration.

5.24.040 Duties of the Board of Elections.

5.24.010 Establishment of Board of Elections.

The City of Takoma Park Board of Elections is established. The Board of Elections shall be composed of up to 7 members who shall be appointed by the Council. The Council shall make every effort to ensure that the Board of Elections includes representatives from each Council ward. (Ord. 2007-36 § 1, 2007; Ord. 2006-36 (part), 2006)

5.24.020 Membership and term of office.

A. Qualifications. Members of the Board of Elections shall be qualified voters of the City and shall not hold or be a candidate for any elective office in government (Federal, State, County, or local) during their term on the Board. Members of the Board of Elections also shall not serve as the treasurer or campaign manager for any candidate for City elective office or be an advocate for or against any campaign or ballot referendum question in a regular or special City election. Any member who ceases to meet the qualifications for membership on the Board of Elections shall automatically forfeit his or her membership on the Board and the Council may act to fill the vacancy.

B. Term. Members of the Board of Elections shall serve staggered 3-year terms. Initial appointments to the Board shall be for one, 2 or 3 years. All terms shall begin on July 1st and end on June 30th. Midterm vacancies on the Board of Elections shall be filled by the Council for the remainder of the unexpired term.

C. Removal. Any member of the Board of Elections may be removed by the Council before the member's term has expired if the Council determines that the member has become incapacitated, has failed to reasonably perform his or her duties as a member of the Board of Elections, or for other good cause. Before removal, the member of the Board of Elections who is proposed to be removed shall be given written notice of the proposed removal and the reasons for such action. If the Board member requests a public hearing on the proposed removal within 10 days after receipt of the written notice, then the Council shall conduct a hearing before acting on the proposed removal. Any member who fails to attend, without being properly excused by the Chairperson, 3 or more consecutive meetings of the Board, or a majority of 5 consecutive meetings, shall be deemed to have provided good cause for removal by the Council. (Ord. 2006-36 (part), 2006)

5.24.030 Administration.

- A. Officers. The Board of Elections shall elect a Chairperson and Vice Chairperson for a one-year term or until a successor is elected.*
- B. Quorum. A majority of the members of the Board of Elections shall constitute a quorum for the transaction of business.*
- C. Meetings. The Board of Elections shall meet as required to perform its duties, but at least once a year. Regular or special meetings shall be convened by the Chairperson or by a majority of the members of the Board of Elections.*
- D. Adoption of Bylaws and Rules of Procedure. The Board of Elections may adopt bylaws and rules of procedure to further regulate the activities of the Board. (Ord. 2006-36 (part), 2006)*

5.24.040 Duties of the Board of Elections.

The Board of Elections shall:

- A. Plan and conduct regular and special City elections in coordination with the City Clerk;*
- B. Encourage voter registration in the City;*
- C. Conduct voter education programs and prepare and distribute voter outreach materials;*
- D. Recommend to the Council amendments to the City's elections law and regulations when it deems such amendments are necessary and will provide for the improved conduct of elections;*
- E. Periodically review City elections procedures;*
- F. Serve as election judges in City elections;*
- G. Recommend additional qualified individuals to the Council for appointment as election judges during a regular or special City election;*
- H. Perform such other duties as may be assigned to the Board of Elections by Charter, ordinances and resolutions, and by the direction of the Council. (Ord. 2006-36 (part), 2006)*

Commission on Landlord-Tenant Affairs

The Commission is empowered to adjudicate and mediate complaints for violations of Chapter 6.16, Landlord-Tenant Relations, to rule on petitions for rent increases above the rent stabilization allowance, and to decide appeals from the City Manager's decision to deny, suspend or revoke a license under Chapter 6.08, Rental Housing Licenses and Commercial Occupancy Licenses.

6.24.010 Establishment.

The City of Takoma Park Commission on Landlord-Tenant Affairs is established. The Commission shall consist of at least 7 but no more than 12 active members appointed by the Council. The Council shall make every effort to ensure that the Commission has representation from landlords, tenants and homeowners. (Ord. 2004-6 (part), 2004: Ord. 2003-7 § 1 (part), 2003: prior code § 6-600)

6.24.020 Jurisdiction.

The Commission is empowered to adjudicate and mediate complaints for violations of Chapter 6.16, Landlord-Tenant Relations, to rule on petitions for rent increases above the rent stabilization allowance, and to decide appeals from the City Manager's decision to deny, suspend or revoke a license under Chapter 6.08, Rental Housing Licenses and Commercial Occupancy Licenses. (Ord. 2003-24 § 3, 2003/Ord. 2003-7 § 1 (part), 2003: prior code § 6-601)

6.24.030 Membership.

A. Qualifications. All Commission members shall be residents of the City except that there may be a maximum of 4 members who are not residents of the City if such members own or manage rental housing in the City.

B. Appointments and Terms of Office. Each member of the Commission shall be appointed for a term of 3 years which shall begin on July 1st.

1. The initial term of a Commissioner who is appointed to replace a member who cannot complete his or her term shall be for the remainder of the term of the member being replaced.

2. A Commission member who resigns, whose term expires or who ceases to reside in Takoma Park, may, at the discretion of the Commission chairperson, continue as an inactive member of the Commission to complete work on cases on which he or she participated as an active member of the Commission. This participation may include the approval and signing of Commission opinions and orders.

C. Removal. The Council may, by resolution, remove a Commissioner before the Commissioner's term has expired if the Council determines that the Commissioner has become incapacitated or has failed to reasonably perform his or her duties as a Commissioner. (Ord. 2003-7 § 1 (part), 2003: prior code § 6-602)

6.24.040 Administration.

A. The Commission shall elect a chairperson and a vice chairperson for a one-year term or until a successor is elected.

B. A Commissioner may serve a maximum of 3 consecutive terms in any one office.

C. At least 1/2 of the active Commissioners shall constitute a quorum for the transaction of business. A majority vote of those present shall be sufficient for any official action taken by the Commission.

D. The Commission shall meet as required to perform its duties, but at least once a year.

E. At the request of a majority of the active Commissioners, a regular or emergency meeting of the Commission shall be convened.

F. Written notice shall be given to all Commissioners at least 5 days prior to any regular meeting.

G. Notice of an emergency meeting shall be given in writing or orally to all Commissioners at least 24 hours prior to such emergency meeting. (Ord. 2003-7 § 1 (part), 2003: prior code § 6-603)

6.24.050 Commission rules of procedure.

The Commission shall promulgate Commission rules of procedure which further regulate the operations of the Commission, in accordance with the administrative regulations provisions of this Code, as amended. (Ord. 2003-7 § 1 (part), 2003: prior code § 6-604)

Committee on the Environment

Article 7. Committee on the Environment

2.16.180 Committee established.

There is established a Takoma Park Committee on the Environment which shall serve in an official advisory/approval role to the City Council on all matters related to environmental protection and preservation. (Ord. 2005-9 § 1 (part), 2005)

2.16.200 Statement of purpose.

The purposes of the Committee shall be as follows:

A. To advise the City Council on all environmental issues, including but not limited to, tree protection, open space conservation, biodiversity, watershed functioning, energy use and conservation, and recycling;

B. To review and provide advice on City actions that affect environmental quality, preferably prior to implementation. The Committee may review any work within the City which it has reason to believe may impact environmental quality. This includes resolutions, legislation, regulations, policy, guidance, administrative actions, plans, and program activities that may affect environmental quality;

C. To educate Takoma Park residents, businesses, and County government on environmental issues and encourage Takoma Park residents, businesses, and County government to choose environmentally beneficial or non-harmful alternatives when available to protect the environment, reduce energy use and limit greenhouse gas emissions;

D. To convey citizen views on environmental issues to Council and City staff;

E. To work with City staff on environmental issues and projects. (Ord. 2005-9 § 1 (part), 2005)

2.16.210 Committee and Council collaboration, membership, terms of office, structure and staffing.

A. Committee and Council Collaboration. The City Council recognizes the need to build environmental considerations into a broad array of City operations and activities. To this end, the Committee will offer advice and counsel as soon as practicable on each applicable issue and will maintain an open dialogue with Council and citizens.

B. Membership. The Committee shall consist of between 7 and 11 persons to be appointed by the Council. Efforts shall be made to have representation from a variety of scientific, technical, and environmental policy disciplines, outreach skills related to environmental science, and with a variety of organizational talents. Members shall attempt to assess environmental issues and protect the environment across the entire City without political bias. Candidates are encouraged to attend meetings and volunteer with the Committee prior to appointment.

C. Terms of Office. Committee members shall serve renewable 3 year terms with initial appointments of one, 2 and 3 years. All terms shall begin on July 1st and end on June 30th. Midterm vacancies will be filled as needed.

D. Structure.

1. The Committee shall organize to accomplish its purposes, and elect from its members a Chair and other officers as it shall deem necessary.

2. *The Committee shall meet at least quarterly or as often as required to fulfill its responsibilities.*
3. *All meetings shall be open to the public and are subject to the Maryland Open Meetings Law. Meeting notices and agendas shall be prepared and submitted to the City Clerk and posted in advance of any Committee meeting in accordance with State law. Written records of Committee proceedings shall be maintained. An oral or written report on the activities of the Committee shall be submitted to the Council at least once a year.*
4. *A Committee meeting shall not be an “official” meeting unless a majority of the members are present.*
- E. *Staffing and Resources. The City Manager or his or her designee shall provide appropriate staff support and funding to support the Committee’s activities. The City Manager shall make available City communication vehicles to the Committee, such as the newsletter, website, and cable television programming as needed. (Ord. 2005-9 § 1 (part), 2005)*

2.16.220 Duties and responsibilities of the Committee.

The Committee shall advise and assist the Council in developing and implementing policies to protect and preserve the environment in Takoma Park. In furtherance of these duties, the Committee shall attempt to accomplish the following:

- A. *Assist the Council in the development of policies and programming that address the environmental concerns of the community;*
- B. *Proactively promote environmental issues and projects based on the technical expertise of Committee members;*
- C. *Assist the Council in technical and policy direction and in setting priorities for environmental projects;*
- D. *Review and provide advice on any City actions, prior to, during, and after implementation, that it has reason to believe may affect environmental quality. These actions include resolutions, legislation, regulations, policy, guidance, administrative actions, plans, and program activities that may affect environmental quality. The Committee shall make recommendations or give direction for alternatives to change City actions to actions that are likely to improve environmental outcomes;*
- E. *Educate Takoma Park residents on environmental issues and actions to promote environmental quality;*
- F. *Keep abreast of what other communities are doing to promote environmental protection and preservation;*
- G. *Prepare an annual report to the Council on the activities of the Committee and provide additional briefings as needed. (Ord. 2005-9 § 1 (part), 2005)*

Emergency Preparedness Committee

Article 8. Emergency Preparedness Committee--Statement of Purpose

2.16.230 Established.

The City Council of Takoma Park, Maryland, establishes an Emergency Preparedness Committee to provide community input to and assist in the City's planning and preparations for emergency operations and to involve residents in providing appropriate assistance during emergency operations. (Ord. 2004-31 (part), 2004)

2.16.240 Duties of Emergency Preparedness Committee.

The Emergency Preparedness Committee shall assist in:

A. Reviewing the City's Emergency Operations Plan and recommending changes to the Council and City Manager, including changes to improve processes for assisting special populations during an emergency.

B. Exploring the formation of volunteer neighborhood emergency teams that would assist City Departments in carrying out emergency activities when called upon.

C. Assisting the City in coordinating with Montgomery County and other agencies to educate residents on their individual responsibilities for preparing their households for emergencies and providing information on what residents can expect from the City and County during an emergency.

D. Exploring grant opportunities that would aid the City to improve the emergency preparedness of the Community and City Management--this would include assisting City staff in documenting and submitting desirable grants for review by the City Manager and concurrence of the Council.

E. Reporting to the Council on the Committee's progress 6 months after the Committee starts operating and every 6 months thereafter. Each report should provide appropriate recommendations for improving the City's emergency preparedness along with budgetary implications that should be considered during the preparation of the annual budget.

F. Coordinating with Montgomery County to offer and promote Community Emergency Response Training (CERT) or other citizen training programs for resident volunteers and committee members.

G. Coordinating with the Montgomery County Volunteer Center to identify and promote volunteer opportunities under emergency situations. Assist in promoting these volunteer opportunities to Neighborhood Safety Contacts, citizen patrols, citizen associations, persons who serve or care for special City populations, and other City residents.

H. Advising the City on strategies to improve the effectiveness and efficiency of the City preparedness activities and its relationship with relevant County, State and Federal Volunteer Agencies, and the American Red Cross, as well as the emergency preparedness organizations of neighboring jurisdictions.

I. Suggesting test scenarios to the City Manager and providing Committee members to be present in the City's Emergency Operations Center during Emergency Test Exercises to act as observers during the test and to provide input to the after action report of the test. (Ord. 2007-3, 2007: Ord. 2004-31 (part), 2004)

2.16.250 Membership.

A. The Committee will be composed of appropriate senior City Staff selected by the City Manager, one member selected by the Public Safety Citizens Advisory Committee (PSCAC), one member selected by the Takoma Park Volunteer Fire Department, one member selected by the Washington Adventist Hospital, one member selected by the Montgomery County Department of Homeland Security, and 7 residents (preferably at least one from each Ward) appointed by the Council. Appointees should have some professional background in emergency preparedness or operations and be available to perform committee duties during the day when required.

B. Resident committee members shall serve staggered, 3-year terms with initial appointments of one, 2 and 3 years. All terms shall begin on April 1st and end on March 31st. Mid-term vacancies shall be filled to serve the balance of the unexpired term and if appropriate, extended in accordance with provisions of Takoma Park Code Section 2.16.010. Other committee members will serve as long as determined appropriate by their agency. (Ord. 2006-2, 2006: Ord. 2005-8, 2005/Ord. 2004-31 (part), 2004)

2.16.260 Open meetings requirements.

The Committee shall comply with open meetings requirements as set forth in Takoma Park Administrative Regulation 95-01 and other applicable City Regulations/Policies, and Federal and State laws. This shall include making prior announcements of all meetings and maintaining and publishing written minutes of all meetings. (Ord. 2004-31 (part), 2004)

Ethics Commission

3.04.050 Ethics Commission.

A. There shall be a City Ethics Commission, which is composed of up to 7 members appointed by the Council. The Commission shall have the following responsibilities:

- 1. To devise, receive and maintain all forms generated by this Chapter.*
- 2. To provide at the request of any person concerning the application of this Chapter to an actual situation or one seriously contemplated, written advisory opinions. The Commission shall respond promptly to these requests, providing interpretations of this Chapter based on the facts provided or reasonably available to it. The Commission shall, to the extent practicable, publish its advisory opinions with any information that would identify the subject of the opinion deleted.*
- 3. To hear and decide any inquiry or complaint filed by any person regarding an alleged or potential violation of this Chapter. The Commission may obtain the advice of legal counsel to the extent it deems such advice helpful for the resolution of an inquiry or complaint. The City Manager shall procure the services of legal counsel at the request of the Commission. Legal counsel shall review all draft and final opinions of the Commission for legal sufficiency before the Commission issues an opinion to the public or a party. The City Attorney shall not provide legal counsel to the Commission regarding any inquiry or complaint or review opinions of the Commission for legal sufficiency.*
- 4. To conduct a public information program regarding the purposes and application of this Chapter.*
- 5. To recommend legislative changes and improvements to this Chapter.*
- 6. The Commission shall promulgate regulations to accompany this Chapter.*

B. The members of the Commission are appointed to staggered 2-year terms and may only be removed by the Council for cause. "Cause" includes neglect of duty, misconduct in office, a disability rendering the member unable to discharge the powers and duties of the office or a violation of this Chapter. Initially, 3 members are appointed to one-year terms and 2 members to 2-year terms. The terms begin on October 1st and end on September 30th. Any vacancy occurring on the Commission is filled for the unexpired term in the same manner as provided for appointments to the Commission. Commission members shall not serve past the expiration date of their term.

C. Consistent with the provisions of state and City laws and ordinances, the Commission shall operate under Robert's Rules of Order or such rules as it may promulgate.

D. Its members shall take an oath of office.

E. The Commission may establish 3-member review panels to investigate and adjudicate inquiries and complaints or respond to requests for advisory opinions.

F. Each year the Commission shall elect one of its members as Chair and one of its members as Vice Chair. The Chair shall preside over meetings, assign members to such review panels as may be established and carry out other duties as may be established in the Commission's rules. The Vice Chair shall act as Chair in the absence of the Chair.

G. Its members are authorized to administer oaths.

H. The City Manager shall make available to the Commission such staff assistance as may be needed and shall provide appropriate security for Commission records.

I. The City Attorney shall assist the Commission in carrying out its responsibilities at its

discretion. (Ord. 2003-41 (part), 2003)

Facade Advisory Board

Article 1. Facade Advisory Board

8.40.010 Purpose.

The Facade Advisory Board (FAB) is established as an advisory panel to:

- A. Help ensure that facade designs and their maintenance are harmonious and consistent with the intended quality and character of the commercial areas of Takoma Park;*
- B. Provide guidance and assistance to commercial building and business owners seeking permits for facade alterations, signs, and new construction work;*
- C. Coordinate with and advise the City of Takoma Park Code Enforcement Department;*
- D. Inform citizens and business owners of the historic district benefits and requirements and to continue coordinating with the Montgomery County Historic Preservation Commission and the Montgomery County Department of Fire and Rescue Services -- Code Enforcement (MCFD) regarding necessary approvals. (Ord. 1999-43 § 1A, 1999)*

8.40.020 Members.

A. The FAB shall consist of 7 voting members.

- 1. At least 2 members shall be professional such as architects, planners, and/or historians.*
- 2. At least 2 members shall be building or business owners located or doing business in the Takoma Old Town and Takoma Junction commercial areas as defined in Section 8.40.070.*
- 3. One member shall represent Historic Takoma, Inc. The Board of Historic Takoma, Inc. shall select from among its membership for consideration by the City Council, 2 representatives, one of which may be appointed to serve as a voting member of the FAB, the other to serve as an alternate.*

B. Members shall be nominated and appointed by the City Council.

- 1. The 7 members shall serve staggered 3-year terms, with initial appointments of one, 2 and 3 years. The terms shall begin on April 1st and end on March 31st.*
- 2. Historic Takoma, Inc. representatives shall serve for one year.*
- 3. No member, with the exception of the member representing Historic Takoma, Inc., shall serve for more than 2 consecutive terms. The members representing Historic Takoma, Inc. may serve for an unlimited number of one year terms.*

C. The initial term of a member appointed to replace a member who cannot complete his or her term shall be for the remainder of that member's term.

D. A member, whose term expires, may upon a majority vote of the remaining members, continue as a voting member on pending cases which were ongoing prior to the completion of their term.

E. The City Administrator may remove a member before their term has expired if the member has become incapacitated, has failed to reasonably perform his or her duties, or has missed 3 consecutive meetings.

F. The FAB shall elect a Chairperson and a Vice Chairperson. (Ord. 2004-20, 2004/Ord. 2002-7 (part), 2002/ Ord. 1999-43 § 1B, 1999)

8.40.030 Support staff.

The City Administrator shall assign City staff familiar with building code and historic preservation policies and procedures in Takoma Park, Montgomery County, and the State of

Maryland to support the FAB. (Ord. 1999-43 § 1C, 1999)

8.40.040 Meetings.

A. The FAB shall convene as frequently as may be reasonably required to perform its duties and may operate under a quorum of at least 3 voting members.

B. The FAB shall establish a regular monthly meeting date, time and place which shall be published, along with the name and phone number of the City staff person to contact for placing items on the agenda.

C. The City staff will consult with the Chairperson and prepare and distribute an agenda and supporting materials to the members at least 7 days in advance of each regularly scheduled meeting date.

D. If there are no agenda items, the Chairperson may cancel the regularly scheduled meeting and have the City staff person(s) notify the Board members.

E. An emergency meeting may be convened by the Chairperson by providing written notice to each member at least 7 days prior with supporting materials and an explanation of the nature and need of the meeting.

F. The FAB shall meet at least every 6 months to evaluate process. (Ord. 1999-43 § 1D, 1999)

8.40.050 Duties.

A. The FAB shall advise commercial building and business owners of the provisions of this chapter and available financial resources.

B. The FAB may make recommendations to Montgomery County Historic Preservation Commission regarding facade, sign, and similar architectural and planning related issues.

C. The City Administrator (or his or her appointed designee), in conjunction and with the FAB, shall implement, enforce and routinely update the City Standards described in Article 2 of this chapter.

D. Members may advise and comment on, but shall recuse themselves from voting, issues affecting properties in which they have any direct financial interest.

E. The City staff will be responsible for managing administrative functions of the FAB, assisting applicants in preparing presentations to the FAB, preparing agendas, and preparing reports for the FAB. (Ord. 1999-43 § 1E, 1999)

Noise Control Board

14.12.140 Noise Control Board.

A. Establishment and Membership.

- 1. A City Noise Control Board is established to assist and advise the City on noise control issues, including administration and enforcement of this noise control ordinance, and to adjudicate noise disturbance complaints.*
- 2. The Board shall consist of 5 to 7 active members appointed by the Council. All members shall be residents of the City. Board members shall be appointed for a term of 3 years, except that 3 of the initial appointees shall serve 2-year terms. Terms shall begin on April 1st and end on March 31st.*
- 3. The term of a Board member who is appointed to replace a member who cannot complete his or her term shall be for the remainder of the term of the Board member being replaced.*
- 4. A Board member who resigns, who is removed, whose term expires or who ceases to reside in the City is ineligible to continue to serve on the Board except that, at the discretion of the Chairperson, he or she may continue as an inactive member of the Board to complete work on cases in which he or she participated as an active member of the Board. This participation may include the approval and signing of Board decisions on noise disturbance complaints.*
- 5. The Council may, by resolution, remove a Board member before the Board member's term has expired if the Council determines that the Board member has become incapacitated or has failed to reasonably perform his or her duties as a Board member.*
- 6. The Board shall elect one member as Chairperson and another member as Vice Chairperson to serve at the pleasure of the Board. The Board shall meet at the call of the Chairperson as required to perform its duties, but not less often than semi-annually. A majority of the active members of the Board constitute a quorum for transacting business. The Board may act by a majority vote of those present.*
- 7. The Board may adopt rules of procedure which further regulate its operations and the conduct of hearings.*

Nuclear Free Takoma Park Committee

14.04.110 Nuclear-Free Takoma Park Committee.

A. Within 60 days of the effective date of this chapter, the Mayor shall appoint, with the approval of the City Council, a nonpartisan Nuclear-Free Takoma Park Committee to oversee implementation of and adherence to this Act. The Committee shall consist of seven Takoma Park residents, with staffing to be provided by the City Administrator. Committee members shall have collective experience in the areas of science, research, finance, law, peace and ethics.

B. Residents appointed to the Committee shall serve 2-year terms, except that 3 of the initial appointees as designated by the Mayor and Council shall serve one-year terms. The terms shall begin on April 1st and end on March 31st. The Committee shall appoint its own chair and establish its own bylaws, both subject to approval by the Mayor and Council.

C. The Committee shall have the following duties and responsibilities:

1. The Committee may review any work within the City which it has reason to believe is not in compliance with Section 14.04.040 of this Act. The Committee shall inform appropriate legal authorities of suspected violation of this Act.

2. The Committee shall review existing City contracts, awards, purchase orders and investments and may review proposed contracts, awards, purchase orders and investments to assure compliance with Sections 14.04.050 and 14.04.060 of this Act. If the Committee finds any contracts, awards, purchase orders or investments in violation of this Act, it shall, in conjunction with the City Administrator, make recommendations to the Mayor and Council regarding the existence of reasonable alternatives.

3. The Committee, in conjunction with the City Administrator, shall propose a socially responsible investment policy and implementation plan as specified in Section 14.04.050 and, upon the adoption of the policy and plan, shall annually thereafter review the investment policy to ensure its conformity to this Act.

4. The Committee shall, through the collection of materials, newsletter articles, cable television programming, public forums and other means, provide public education and information on issues related to the intent and purpose of this Act. In performing this task, the Committee shall cooperate with City staff, the Nuclear Freeze Task Force and other interested community groups and individuals.

5. The Committee shall maintain a collection of current materials concerning the production of nuclear weapons and the components thereof and the transportation of high-level nuclear waste resulting from the production of nuclear weapons and nuclear energy. From this information and from consultations with individuals and organizations involved in the nuclear weapons and nuclear energy debate, the Committee shall annually prepare and report to the City Council a list of nuclear weapons producers to guide the City, its officials, staff and agents in the implementation of Sections 14.04.050 and 14.04.060 of this Act. The Committee shall also make recommendations to the City Council from this information and from consultations with individuals and organizations involved in the transportation of high-level nuclear waste on how best to promote the safety and welfare of the City from harmful exposure to high-level nuclear waste.

6. Before a waiver of the provisions of Sections 14.04.060(A), (B) or (C) above pursuant to Section 14.04.060(F) may be sought, the Committee, in conjunction with the City Administrator

or his or her designee, shall conduct a diligent search to determine the availability of reasonable alternative sources for a necessary product or service, except, however, the City Administrator or his or her designee and/or the Committee's unwillingness or inability to conduct such a search shall not preclude actions by the Mayor and Council pursuant to Section 14.04.060(F). (Ord. 2005-29 (part), 2005/prior code § 8A-12)

Article 15. Personnel Appeal Board

4.04.800 Establishment and composition.

A. There shall be a Personnel Appeal Board composed of 5 members who are residents of the City.

B. Except for the initial appointments, the City Council shall appoint the members for terms of 3 years. Initially, the City Council shall appoint one member for a term of one year, 2 members for a term of 2 years and 2 members for a term of 3 years. The terms shall begin on April 1st and end on March 31st. Any member appointed to fill a vacancy occurring prior to the expiration of a term shall be appointed only for the remainder of that term. (Prior code § 8B-181)

4.04.810 Meetings.

A. The Board shall meet for the purpose of organization subsequent to appointment or reappointment of a member. At this organization meeting, the Board shall elect a Chairperson and Vice Chairperson for the ensuing year. All other meetings shall be held for the purpose of hearing employee appeals and shall be called by the Chairperson upon receipt of proper notification to convene. A quorum of the Board is 3 members.

B. 3-Member Panels.

1. The Chairperson of the Board is authorized to designate 3 members of the Board to sit as a panel to conduct a hearing on any complaint pending before the Board. The Chairperson shall designate one panel member to serve as the panel's presiding officer. The Chairperson of the Board will endeavor to rotate panel membership from time to time among members of the Board.

2. In the event that any matter is heard by a Commission panel designated pursuant to this subsection, all panel members so designated must be present to conduct the hearing and all official action by the panel shall be taken by the vote of not fewer than 2 members of the panel. (Prior code § 8B-182)

4.04.820 Authority.

A. The Board shall be the final arbiter in all cases brought before it.

B. The Board only has the authority to hear employee grievance appeals if this chapter specifically authorizes the Board to rule on the appeal. (Prior code § 8B-183)

Public Safety Citizens Advisory Committee

Article 4. Public Safety Citizens Advisory Committee

2.16.070 Establishment.

A Public Safety Citizens Advisory Committee is established, which shall 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. (Ord. 2004-3 (part), 2004)

2.16.080 Composition.

The Committee is composed of up to 12 members appointed by the Council. The membership may be composed of residents, business owners, property owners, and other persons with interests in the City. The members shall serve staggered 2-year terms. The terms shall begin on October 1st and end on September 30th. The members shall elect among themselves a Chair. (Ord. 2004-3 (part), 2004)

2.16.090 Objectives.

The objectives of the Public Safety Citizens Committee are to:

A. Act as a conduit between Takoma Park residents, the Takoma Park Police Department and the Council by soliciting and conveying information regarding community needs and expectations, long range visions and goals, and any problems and/or specific incidents that might arise.

B. Be an active participant in the continuous process of advising the Council and the Police Department regarding the designing and implementing of policies, plans and programs for Community Oriented Policing, Neighborhood Watch, and other neighborhood-based crime prevention activities.

C. Make a presentation to the Council at least once a year which will include but not necessarily be limited to discussions and descriptions of community needs and expectations in the public safety area, activities being carried out to address these needs and expectations, and recommendations for making further progress.

D. 1. Design and implement procedures for carrying out Subsections (A), (B) and (C) of this Section.

2. In designing and implementing procedures, the Committee shall obtain any needed input and decisions from the Council, the Takoma Park Police Department, and other City agencies.

E. Attempt to provide the Council, the Police Department, and other appropriate City agencies, with suggestions about how services might be funded. (Ord. 2004-3 (part), 2004)

Recreation Committee

Article 9. Recreation Committee.

Section 2.16.300. Establishment of Recreation Committee.

A Recreation Committee is hereby established to advise the City Council on matters pertaining to recreation programming and facilities.

Section 2.16.310. Statement of Purpose.

The purpose of the Recreation Committee shall be as follows:

A. To advise the City Council on how best to serve the diverse recreation needs of Takoma Park residents, including but not limited to reviewing and recommending policies and programs that concern recreational opportunities within the City, with a special emphasis on youth and seniors and broad and diverse participation.

B. To advise the City Council regarding a range of community needs involving recreation, health, leisure, education, enrichment programs, and opportunities for social development.

C. To identify for the City Council options and opportunities which may benefit the Takoma Park community by serving those needs.

D. To advise the City Council on ways to enhance use of existing City-owned or operated facilities, including the Community Center, the New Hampshire Avenue Recreation Center, Heffner Park Community Center, and athletic fields maintained by the City to meet the objectives set forth in Section 2.16.310(B).

E. To advise the City Council of options and opportunities for recreational use of other public community facilities in the area and to suggest to the Council new facilities which may be needed.

Section 2.16.320. Membership, Terms of Office, Structure and Staffing.

A. The Recreation Committee shall consist of seven to 15 Takoma Park residents to be appointed by the City Council. Every effort shall be made to ensure that the membership represents all wards and the diverse populations in Takoma Park.

B. Committee members shall serve staggered two-year terms, with initial appointments of one and two years. Terms shall begin on May 1 and end on April 30.

C. The Committee shall organize and adopt bylaws and rules of procedure as necessary to accomplish its purpose. The Committee shall elect a Chairperson, Vice Chairperson, and any other officers it shall deem necessary. Officers shall serve for a period of one year.

D. The City Manager shall designate a City staff member to serve as liaison to the Committee.

E. To facilitate coordination with other groups, the Recreation Committee shall select from among its membership representatives to serve as non-voting liaisons to the Arts and Humanities Commission, the Public Safety Citizens Advisory Committee, and any other bodies designated by the Committee or the Council.

Section 2.16.330. Meetings

A. The Recreation Committee shall meet quarterly or as often as necessary to fulfill its responsibilities. The Committee shall establish a regular meeting schedule and prepare minutes of meetings in conformance with the Maryland Open Meetings Act.

B. A majority of members shall constitute a quorum to conduct business.

Section 2.16.340. Duties and Responsibilities of the Committee

A. The Committee shall prepare an annual report to the Council and may provide additional briefings as needed.

B. The Committee shall conform to other provisions of Article 1, Chapter 2.16 Boards and Commissions, as may be amended from time to time

Safe Roadways Committee

Article 5. Safe Roadways Committee

2.16.100 Committee established.

There is established a Takoma Park Safe Roadways Committee which shall serve in an official advisory role to the City Council on all matters related to transportation. (Ord. 2004-08 § 1, 2004)

2.16.110 Statement of purpose.

The purpose of the Takoma Park Safe Roadways Committee shall be as follows:

- A. To advise the City Council on transportation-related issues including pedestrian and bicycle safety, traffic problems, and transit services.*
- B. To encourage Takoma Park residents to use alternatives to driving including walking, bicycling, and transit. (Ord. 2004-08 § 2, 2004)*

2.16.120 Committee membership, terms of office, structure, and staffing.

A. Membership. The Committee consists of up to 11 persons to be appointed by the City Council. One member shall represent the Takoma Park Public Safety Citizens Advisory Committee. The Public Safety Citizens Advisory Committee shall select from among its membership for consideration by the City Council, 2 representatives, one of whom may be appointed to serve as a voting member of the Safe Roadways Committee, the other to serve as an alternate. Every effort is made to have representation from each of the 6 Wards.

B. Terms of Office. Committee members shall serve staggered 3 year terms with initial appointments of one, 2 and 3 years. The Takoma Park Public Safety Citizens Advisory Committee appointee, and alternate, shall serve a one-year term. All terms shall begin on July 1st and end on June 30th. Midterm vacancies shall be filled to serve the balance of the unexpired term.

C. Structure.

1. The Committee shall organize and adopt bylaws and rules of procedure, necessary to accomplish its purposes, and elect from its members, a Chairperson and other officers as it shall deem necessary. Officers shall serve for a period of one year.

2. The Committee shall meet quarterly or as often as required to fulfill its responsibilities.

3. All meetings are open to the public and are subject to the Maryland Open Meetings Law. Meeting notices and agendas are prepared and submitted to the City Clerk and posted in advance of any Committee meeting in accordance with State law. Written records of Committee proceedings are maintained. A report on the activities of the Committee is submitted to the Council once a year.

4. The Committee shall not meet unless a majority of the members are present.

5. The Committee, individually or as a whole, may lobby or provide comments or recommendations on behalf of the Committee to entities other than the Council, only to the extent that they are consistent with established policies of the city or as authorized through formal action of the City Council. This does not preclude committee members from presenting their views as individuals.

D. Staffing. The City Manager or his or her designee shall provide appropriate staff support to the Committee. (Ord. 2005-36, 2005/Ord. 2004-08 § 3, 2004)

2.16.130 Duties and responsibilities of the committee.

The Committee shall advise and assist the Council with respect to developing and implementing policies to increase transportation safety and accessibility in Takoma Park, especially for pedestrians, bicyclists, and transit riders. In furtherance of these duties, the Commission shall attempt to accomplish the following:

A. Develop a Transportation Strategy for consideration and adoption by the Council. This Strategy shall guide the City's efforts on transportation issues and is updated every 2 years.

B. Assist as directed by the Council in the development of policies and programming that address the transportation concerns of the community.

C. Assist the Council in prioritizing transportation related projects.

D. Keep abreast of what other communities are doing to promote pedestrian and bicycle safety and increase transit use.

E. Prepare an annual report to the Council on the activities of the Committee and provide additional briefings as required. (Ord. 2004-08 § 4, 2004)

Tree Commission

“Tree Commission” means the citizen commission established by the Council to preserve, protect, and promote the urban forest of the City and to hear appeals from permit decisions.

2.16.020 Establishment.

A Tree Commission is established to preserve, protect and promote the urban forest of Takoma Park. (Ord. 2004-3 (part), 2004)

2.16.030 Composition.

The Tree Commission is composed of up to five City residents appointed by the Council. The terms begin on October 1st and end on September 30th. The members shall elect among themselves a Chair. (Ord. 2004-3 (part), 2004)

Advisory - Established by resolution

Montgomery College Neighbors Advisory Committee

Health Services Impact Committee (sunsets)

Washington Adventist Hospital Land Use Committee (sunsets)

Introduced By: Councilmember Austin-Lane

Resolution 2005-33

***RESOLUTION ESTABLISHING
THE MONTGOMERY COLLEGE NEIGHBORS ADVISORY COMMITTEE***

WHEREAS, *the Takoma Park City Council and North Takoma residents recognize the importance of the Takoma Park Campus of Montgomery College and value its presence in our community; AND,*

WHEREAS, *the City Council recognizes that the future development of the existing Takoma Park Campus is of great importance to the North Takoma Community and the City of Takoma Park; AND,*

WHEREAS, *the City Council recognizes the value of long-term planning and on-going dialogue between Montgomery College officials and residents who live nearby.*

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

There is hereby established a Montgomery College Neighbors Advisory Committee that shall serve in an advisory role to the City Council on matters related to the existence and expansion of the Takoma Park Campus of Montgomery College.

The purpose of the Committee shall be:

A) *To advise the City Council on neighborhood issues related to the planning and implementation of facility and enrollment changes at the Takoma Park Campus of Montgomery College.*

B) *To nurture the good relationship between the College and the community by maintaining regular dialogue, and working proactively with Montgomery College to identify and resolve potential issues early in the process, consistent with the Committee's direction by Council.*

In furtherance of this mission, the Committee shall attempt to accomplish the following:

A) *Be familiar with the plans and development proposals related to the expansion of the Takoma Park Campus of Montgomery College.*

B) *Identify, as early as possible in the planning process, the effects of those plans and proposals on the North Takoma community.*

C) Make recommendations as to ways the College may meet its needs while reducing and mitigating development impacts on the comfort, character and residential environment of the North Takoma community.

The Committee shall consist of residents who live in the North Takoma neighborhood near the campus, at least one member of Historic Takoma, Inc., and one to three members with professional expertise in planning, development, architecture or transportation. Additional experts may be called on from time to time to advise the Committee.

The Committee shall be limited to nine to eleven members.

The Committee shall meet quarterly or as often as needed to fulfill its responsibilities.

The City Manager or his or her designee shall provide appropriate staff support to the Committee.

The Committee shall brief the North Takoma Citizens' Association at their regular meetings about the work of the Committee and possible issues that may affect the community.

The Committee shall brief the Council twice a year or as needed.

Adopted this 25th day of April, 2005.

Introduced by: Councilmember Clay

CITY OF TAKOMA PARK, MARYLAND
RESOLUTION 2008-23
RESOLUTION ESTABLISHING THE WASHINGTON ADVENTIST HOSPITAL
LAND USE COMMITTEE

WHEREAS, on September 22, 2005, the Board of Trustees for Adventist HealthCare voted to move Washington Adventist Hospital out of Takoma Park; AND

WHEREAS, since that time, hospital officials have discussed continuing to use some of the land on which the hospital is currently located, but firm plans for the property have not been made public; AND

WHEREAS, because of its size and location, any change of use at the site could have substantial impacts on the Takoma Park community in terms of services, appearance, traffic, and economic health; AND

WHEREAS, the Council wishes to establish a residents' committee to advise the Council on land use options and impacts of reuse of the property.

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

There is hereby established a Washington Adventist Hospital Land Use Committee that shall serve in an advisory role to the City Council on matters related to the future use of the property currently occupied by Washington Adventist Hospital.

The purpose of the Committee shall be:

- A) To become familiar with land use regulations and processes that may apply to reuse of the property.*

- B) *To consider the positive and negative community impacts of various land use scenarios for the property, including impacts on nearby neighborhoods as well as the greater Takoma Park community.*
- C) *To evaluate constraints, opportunities, and/or information gaps regarding reuse of the property.*
- D) *To identify key requirements for successful reuse of the property.*
- E) *To identify ways to hear from the community on the reuse issues, through methods such as forums, charettes, articles or other formats.*
- F) *To consult and coordinate, as needed, with other committees or organizations, to help meet the charge of this committee. In particular, the chair of this committee should communicate regularly with the chair of the Health Services Impact Committee.*

The Committee shall consist of a diversity of persons interested in the issue of the impact of reuse of the hospital property on the Takoma Park community. A representative of the Maryland-National Capital Park and Planning Commission shall be invited to participate as an ex officio member. The Committee may choose to request other ex officio members as needed to help accomplish the charge of the Committee.

The Committee shall consist of between seven and 15 members.

The Committee shall meet monthly or as often as needed to fulfill its responsibilities.

The Committee shall brief the Council quarterly or as needed.

The City Manager or his or her designee shall provide appropriate staff support to the Committee.

The Committee shall be disbanded at the end of a two-year period from the date of this Resolution unless the City Council acts to extend the term or otherwise alter the structure of this Committee.

Adopted this 24th day of March, 2008.

Introduced By: Councilmember Elrich

Resolution 2006-12

***RESOLUTION ESTABLISHING THE TAKOMA PARK
HEALTH SERVICES IMPACT COMMITTEE***

WHEREAS, *on September 22, 2005 the Board of Trustees for Adventist HealthCare voted to move Washington Adventist Hospital out of Takoma Park, where it has been located for nearly a century; AND,*

WHEREAS, *the Takoma Park City Council is concerned that the relocation of the hospital could negatively affect the quality and availability of health services for the Takoma Park community; AND,*

WHEREAS, *the Council wishes to establish a citizens' committee to gather and share information on the health care and health care access needs of the Takoma Park community and on the potential impacts of the possible relocation of Washington Adventist Hospital to meeting those needs.*

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

There is hereby established a Takoma Park Health Services Impact Committee that shall serve in an advisory role to the City Council on matters related to the health care needs of the Takoma Park community.

The purpose of the Committee shall be:

- A) To gather and share information on the health care and health care access needs of the Takoma Park community.*
- B) To assess and/or to review assessments done by other parties as to the impacts of the possible relocation of Washington Adventist Hospital on the availability of needed health*

care services for the Takoma Park community, taking into consideration the services and locations of other health care providers, the proposed new location of Washington Adventist Hospital, and the proposed medical building in the Long Branch neighborhood.

- C) *To report to the City Council on the findings of the Committee and to make recommendations to the Council on any steps that may be taken to improve the delivery and accessibility of health care services for the Takoma Park community.*

The Committee shall consist of persons interested in the issue of health care services for the Takoma Park community, including Takoma Park senior citizens and persons with special health care needs; persons who may have difficulties in accessing health care services due to transportation, language or income constraints; and persons with expertise in the field of health care services or public health. Representatives of the Health Departments of Montgomery County, Prince George's County and the District of Columbia, and a representative of the Washington Adventist Hospital Center on Health Disparities, shall be invited to participate as ex officio members.

The Committee shall consist of approximately twelve to fifteen members.

The Committee shall meet monthly or as often as needed to fulfill its responsibilities.

The Committee shall brief the Council quarterly or as needed.

The City Manager or his or her designee shall provide appropriate staff support to the Committee.

The Committee shall be disbanded at the end of a two-year period from the date of this Resolution unless the City Council acts to extend the term or otherwise alter the structure of this Committee.

Adopted this 27th day of February, 2006.

