



MAYOR AND COUNCIL AGENDA FORM

MOTION # 45-03-07 | **DRAFT # 1**

DATE SUBMITTED: 3/7/07 | **DATE TO GO BEFORE COUNCIL: 3/12/07**

SUBMITTED BY: Bill Tierney, Bill Gardiner

DEPARTMENT: Administration

TITLE OF MOTION: Technical and Conforming changes to the Charter and Code affecting City Special Departments, Committees, Commissions, and Task Forces

RECOMMENDATION: I Move that the Mayor and Council direct the City Attorney to review and prepare language to effect the following changes to the City Charter and Code affecting City Special Departments, Committees, Commissions, Task Forces and make other recommended changes based on his review:

Chapter 4, Article II, § 4-5 “Creation of special committees; nominations”, be expanded to include the following requirements in the establishment of committees:

- Mission Statement to include the purpose, scope, and deliverables of the committee,
- Minimum requirements for frequency of meetings,
- Appointment of Council Liaisons, and other Council representation,
- Requirement for minutes and reporting to Council (including failure to meet),
- Subject to Open Meetings Act requirements, public announcement of meetings (and reasonable notice), public comment, and agendas, quorum,
- Make up of membership (number or limit of Council members and residents, distribution between wards, need for professional qualifications on certain committees, staff participation, etc.),
- Sunset or renewal date(s) for committee and appointments,
- Reason for removal (failure to meet, lack of attendance or other Good Cause),
- Special Circumstances (e.g. Closed meetings for personnel matters).
- Publication of Names and CV in advance of Council confirmation vote.
- Clerk to maintain membership lists and advise Mayor/Council in advance of term of appointment for reappointment or replacement of members.

City Attorney to review for compliance with Chapter 4, Article II, § 4-5, revised

- § C2-6.1 Compensation Review Committee (change references to “salary” to “compensation”)
- § C4-2 through C4-4 Board of Supervisors of Elections; Chapter 8 §8-1
- § 10-2 Establishment of Ethics Commission [in progress]
- Chapter 112 Shade Tree Board

City Attorney to review for revision:

§ C5-5 first Sentence. After “The Mayor” strike “or the Chairman of the Finance Committee of the City Council at the direction of the Mayor”

Chapter 14 “Volunteer Fire Department” be stricken without replacement. This is a technical amendment to the Code reflecting the independent relationship of the independently incorporated Hyattsville Volunteer Fire Department and the City of Hyattsville since the late 1970s. This action has no effect on the current relationship between the Volunteer Fire Department and the City. It only removes out-dated, confusing, and unenforceable language in the Code.

§ 46-3.D (1)(e) replace “Design Review Board” with “Code Enforcement Office”

§ 46-3 G-I Design Review Board. Appears never to have been enacted. Transfer review functions to Planning Committee.

Chapter 65 Health and Sanitation Committee. Transfer functions to Code Enforcement Department.

§ 65-15 B replace “Health and Sanitation Chairman” with “City Administrator”

§ 65-19 last sentence. After “...unless directed otherwise by” insert “the City Administrator” and strike the remainder of the sentence.

§ 65-26 delete reference to Health and Sanitation Committee and replace with Code Enforcement (Department ? Committee?).

§ 84-2 delete

§ 84-7 D strike “or Chairman of the Parks and Recreation Committee”

§ 84-20 strike last sentence.

The Cable Television Commission in § A125-19ff was never established. Review for legal requirement and/or deletion.

It is proposed that the following remain in the Charter/Code:

- Board of Elections [Charter]
- Compensation Review Committee [Charter]
- Ethics Committee [from Code to Charter]
- Personnel Committee [to Charter]
- [Shade Tree Board] [Code?]

It is proposed that the following not appear in the Charter/Code but be maintained by Council action renewable at the times stated in their enabling acts:

- Bicycle and Pedestrian Safety Committee
- Code Enforcement Committee
- Disaster Review Committee
- Marketing Task Force as a Sub-Committee of the Planning Committee
- Parks and Recreation as Recreation and the Arts [Code]
- Planning Committee
- Public Infrastructure Task Force
- Environment Committee

It is proposed to close the following entities and delete them from the Code/Charter:

- Volunteer Fire Department
- Cable Television Commission [Code]
- Civic Participation Committee
- Design Review Committee [Code]
- Finance Committee [Charter]
- Youth Services
- Health and Sanitation Committee [Code]
- Legacy Trails Task Force

BACKGROUND: Many sections of the City Charter and Code have not been revised in years and do not reflect the current state of City Special Departments, Committees, Commissions, Task Forces. It is desirable to standardize the requirements for City Committees as practicable.

ANTICIPATED STAFF RESOURCES REQUIRED TO IMPLEMENT: Staff time responding to questions based on attorney’s review; public notice and publication of revisions; electronic and printed materials changes.

CITY ADMINISTRATOR OR DEPARTMENT DIRECTOR/SUPERVISOR COMMENT:
Recommend approval of the motion.

FUNCTION AND OBJECTIVES: (Note: Delete the ones that DO NOT pertain to your Agenda Item)
(1)Ensure Open Government and Fair Elections; (8)Promote Efficient and Effective Government Services.

SUPPORTING DOCUMENTATION:

CURRENT YEAR BUDGET IMPACT: Attorney's fees, publication fees, and electronic and printed materials charges.