

Special Session

Agenda Item #	4
Meeting Date	October 22, 2012
Prepared By	Susan Silber, City Attorney
Approved By	Suzanne Ludlow, Acting City Manager

Discussion Item	Ordinance Amending the Takoma Park Code to Establish a Residency Requirement or a Resident Preference in the Selection of Executive City Employees and to Require the City Manager to Consult with and Seek the Advice of the Council on the Hiring of Executive City Employees.
Background	<p>The Council is considering amending the Takoma Park Charter to require the City Manager to reside in the City, require the Council's confirmation of the City Manager's appointment of executive City employees, and authorize the Council, by ordinance, to require executive City employees to reside in or near the City limits.</p> <p>The proposed Ordinance would (1) amend the Takoma Park Code to make the Code consistent with the Charter if the Council amends the Charter to require Council confirmation of executive employees and (2) require that newly hired executive employees reside within ten miles of the City limits unless the Council waives this requirement for good cause.</p>
Policy	This Ordinance is intended to strengthen the ties between the City's executive staff and the Takoma Park community by requiring executive City employees to live in or near the City of Takoma Park. The proposed executive City employees covered by this residency requirement include the Deputy City Manager, City Clerk, Treasurer, and the heads of all City departments.
Fiscal Impact	N/A
Attachments	Proposed Ordinance
Recommendation	Vote on the proposed Ordinance at first reading.
Special Consideration	This proposed Ordinance should be considered in conjunction with the related proposed Resolution amending the Takoma Park Charter and the alternative proposed Ordinance (agenda item #5) that also is being considered by the Council at the Special Session.

Introduced by:

First Reading:

Second Reading:

Effective Date :

CITY OF TAKOMA PARK, MARYLAND

ORDINANCE NO. 2012-

Amending the *Takoma Park Code* to establish a residency requirement for the Deputy City Manager, City Clerk, Treasurer, and City Department Head Positions.

WHEREAS, the Council wishes to foster the ties between senior City staff and the City of Takoma Park community by following the model of many communities in requiring that senior staff reside in or near the City of Takoma Park.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND that Title 2, Administration, Chapter 2.08, City Management, of the *Takoma Park Code* is amended as follows:

Article 2. Department Heads

2.08.020. Power of appointment.

Subject to the Council's confirmation of the appointment of department heads, ~~t~~The City Manager shall have the power to appoint, suspend and remove all department heads at his or her sole discretion. The City Manager is authorized to negotiate and finalize all terms of employment with department heads and other appointed City officials.

2.08.030. Designation of department heads.

The City Manager may establish such department head positions as the City Manager deems necessary to manage the functions of the City government. The department heads may include:

A. Library Director. The Library Director shall have overall responsibility for the general operation of the library. The Library Director shall plan, coordinate and direct library services for the City.

B. Public Works Director. The Public Works Director shall have general charge of all public works done in the City. The Public Works Director shall plan, direct, supervise, and coordinate activities in such areas as infrastructure, building and vehicle maintenance, construction, park and street maintenance, refuse collection and disposal, recycling, trees and vegetation and stormwater management.

C. Police Chief. The Police Chief shall arrange all activities and programs of the Police Department and shall be responsible for law enforcement in the City.

D. Director of Recreation. The Director of Recreation shall plan, promote and administer recreation programs for the City.

E. Director of Economic and Community Development. The Director of Economic and Community Development shall manage the City's community and economic development and housing service functions. These functions include planning, historic preservation, development, enforcement of laws relating to landlord-tenant matters, housing code enforcement, and code enforcement, generally.

2.08.040. Residency of department heads.

The Deputy City Manager, City Clerk, Treasurer, and the heads of all City departments shall maintain his or her principal residence within a radius of ten (10) miles of the City limits. This requirement may be waived or modified by the Council on a case by case basis based on hardship or other good cause. This requirement shall apply to personnel hired by the City on or after January 1, 2013.

**THIS ORDINANCE IS ADOPTED BY THE COUNCIL OF THE CITY OF
TAKOMA PARK, MARYLAND, THIS _____ DAY OF _____, 2012, BY ROLL-
CALL VOTE AS FOLLOWS:**

AYE:

NAY:

ABSENT:

ABSTAIN:

EXPLANATORY NOTE

Additions to the existing language of the *Takoma Park Code* are shown by underlining.
Deletions from the existing language of the *Takoma Park Code* are shown by ~~striketrough~~.