

Worksession

Agenda Item #	4
Meeting Date	January 8, 2007
Prepared By	Jessie Carpenter, City Clerk and Barbara B. Matthews, City Manager
Approved By	Barbara B. Matthews City Manager

Discussion Item	Continued Discussion of City Committees - Committee Web Pages, Free Burma Committee, Council Liaisons to Committees, Term Limits, Attendance Requirements
Background	<p>The Council has been holding an ongoing series of discussions of City boards, commissions and committees. Discussions were held on January 3, September 18, and November 6, 2006. The City Clerk has contacted committee chairs to inform them of the discussions and to request their comments.</p> <p>Topics proposed for discussion on January 8 include:</p> <p>Free Burma Committee. The Committee was established to oversee implementation of and adherence to the Free Burma Act. The Act included selective purchasing provisions and prohibited the City from contracting with and purchasing goods and services from firms which do business with Burma. Enforcement of the Act was suspended by Resolution 2000-53, in response to a United States Supreme Court decision which struck down a Massachusetts state law with similar provisions. The committee has been dormant for several years.</p> <p>Staff has attempted to contact individuals who were most recently members of the committee to get a sense of their opinion on repealing the Free Burma Act and dissolving the committee. Two responses were received; neither opposed the recommendation.</p> <p>Staff recommends that the Council adopt an ordinance to repeal the Free Burma Act and dissolve the Free Burma Committee.</p> <p>Council Liaisons to Committees. The City Manager recommends that the Council consider the appointment of a Council Liaison to each committee. The Liaison would serve as a point of contact on the Council for the committee and would facilitate communication between the Council and committees.</p> <p>Committee Web Pages. In recent years, staff has made a concerted effort to enhance the City's website so that it serves as a one-stop information center for City residents and others. A number of committees have pages on the City's website that provide information on the role of the committee, a roster of members, minutes, etc. Several committees have also made extensive use of the "News" section on the homepage to announce special events or other non-recurring activities. City staff would like to work with the various committees to further expand the information available on the City's website; the Communications Director has expressed no concern about the availability or the dedication of staff resources towards this effort.</p>

Staff is seeking Council direction as to whether it should continue its efforts to expand information on the City's website about Council appointed committees or if the Council desires for committees to host their own websites, as has been proposed by one committee.

Term Limits for Members or Officers. As reflected on the attached chart, some committees have term limits for members and/or officers while others do not. The Arts and Humanities Commission and the Facade Advisory Board have term limits for members. A number of committees have established term limits for officers, requiring that officers step down for at least one year after having served for two years.

Often times, term limits are put in place to allow for broader opportunities for involvement. It should be noted that some Takoma Park committees may cease to function if a universal term limit were to be established.

In light of the different practices by the various committees, the Council may wish to discuss the term limit issue to consider whether any changes should be made to the existing system.

Attendance Requirements. Chapter 2.10.010(C)(5) of the Takoma Park Code sets a mechanism for removal of committee members: "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."

Lack of participation or non-attendance at meetings is a serious problem for some committees, resulting in meeting cancellations due to lack of a quorum. Some committees make arrangements for members to participate by conference call when they cannot attend personally. This is an appropriate mechanism to allow members to participate. Some of the committees have established rules or guidelines for attendance, triggering a recommendation to Council that a member be removed from the committee under certain circumstances.

Two of the committee chairs have encouraged the Council to ensure that individuals who apply for appointment are able to participate and attend meetings.

In previous discussions, the Council has made the following decisions:

- Applicants for appointment or reappointment must be current on all City fees and taxes, including property taxes, stormwater fees, rental licence fees, refuse fees, Takoma Park Library fines, and any other fines and penalties. (Worksession of September 18, 2006)

To aid in implementation of this policy, a standard application form has been developed for use by all applicants for appointment or reappointment. The form requests background information and also informs the applicant about the requirement. A copy of the form is attached.

	<ul style="list-style-type: none"> If committees are following a standard reporting schedule, applicants for reappointment need not appear before the Council for an interview. Committee reports should be scheduled to precede the term expiration dates for committee members to permit time for Councilmembers to consider the suitability of applicants for reappointment and new applicants who may be applying to serve. Notice of the potential vacancy should still be advertised. The Council discussed what information should be included in committee reports. (Worksession of November 6, 2006) <p>Term expiration dates and suggested annual reporting periods have been added to the chart of committee information.</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	<p>The City Council has authorized funding for use by some committees. Additionally, Council established committees require staff support. While the number of committees has increased considerably in recent years, staffing levels have remained unchanged.</p>
Attachments	<ul style="list-style-type: none"> Committee Chart Takoma Park Code, Chapter 9.08 “Restricted Relations with Burma” Resolution 2000-53 Suspending Enforcement of the Takoma Park Free Burma Act Application for Appointment/Reappointment
Recommendation	<p>Staff recommends that the Council discuss and provide direction on the issues to be discussed.</p>
Special Consideration	<p>Other issues have been raised by Councilmembers and committee members. These remain to be addressed, including:</p> <ul style="list-style-type: none"> Council policy on filling vacancies when there is a range in the number of members. Should vacancies always be advertised when a committee does not have the maximum number of members? (Staff) Staff Support of Committees and Clarification of the Role of City Staff (Councilmember Seamens, Committee Members) Committee Representation by Wards (Councilmember Clay) Development of Outreach Plans as a Way to Increase Participation (Councilmember Clay) Guidelines for Committees in the Event There is No Quorum (Committee Members/Staff) Opportunity for Committees to Weigh In on Applications for Appointment and Review of Qualifications for Appointment to Committees (Committee

	<p>Members)</p> <ul style="list-style-type: none">• Process for Selection of Committee Chairs Should be Clarified (Committee Members) <p>After the remaining issues are reviewed by the Council, staff recommends that a draft resolution be prepared to confirm and finalize decisions made over the course of discussions. The resolution can then be circulated to committees for comment. Committee chairs or their representatives should be invited to a worksession to provide feedback. After the resolution is adopted, any needed changes to the City Code can be drafted for adoption by ordinance.</p>
--	--

CITY BOARDS, COMMISSIONS, AND COMMITTEES - UPDATED JANUARY 2007

Committee/ Authority/ Staffing	Reporting Requirement / Meeting Requirement	Bylaws	Quorum (if specified by enabling legislation or bylaws)	Number of Members and Terms	Date of Term Expiration	Suggested Reporting Periods	Term Limits for Members or Officers	Budget
Arts and Humanities Commission Code Ch. 2.16, Art. 6 Liaison: Daines (HCD)	Annual Report to Council	Yes	Bylaws (one- half) Ordinance (majority)	7-15 members 3 year terms Term limit: 2 consecutive terms	June 30	April/May	Two consecutive terms for members (Code) Commission members may serve a maximum of two (2) consecutive one (1) year terms in any one office. After completing two (2) terms in any one office, the Commission member must wait one (1) year before serving in that office again. (Bylaws)	\$5,000
Board of Elections Code Ch. 5.24 Liaison: Carpenter (City Clerk)	No	No	Majority	4-7 members 3 year terms	June 30	April/May	No	
Citizens Liaison Committee to the Community Center Resolution 2004- 62 Liaison: Haiduven (Recreation)	No	No	No	No limit on number of members. Terms undefined.	N/A		N/A	N/A

Committee/ Authority/ Staffing	Reporting Requirement / Meeting Requirement	Bylaws	Quorum (if specified by enabling legislation or bylaws)	Number of Members and Terms	Date of Term Expiration	Suggested Reporting Periods	Term Limits for Members or Officers	Budget
Commission on Landlord-Tenant Affairs Code Ch. 6.24 Executive Director: Sigman Staff: Kerr, Wilds (HCD)	Annual written report. Must meet at least annually.	Yes	One-half (Code)	7-12 members 3 year terms	June 30	April/May	Term limits for officers (3 successive terms)	
Committee on the Environment Code Ch. 2.16, Art. 7 Liaison: Braithwaite (PW)	Annual report and additional briefings as needed. Meet at least quarterly	No	“Committee meeting shall not be an official meeting unless a majority of the members are present.”	7-11 members 3 year renewable terms	June 30	April/May	No	\$3,500

Committee/ Authority/ Staffing	Reporting Requirement / Meeting Requirement	Bylaws	Quorum (if specified by enabling legislation or bylaws)	Number of Members and Terms	Date of Term Expiration	Suggested Reporting Periods	Term Limits for Members or Officers	Budget
Emergency Preparedness Committee Code Ch. 2.16, Art. 8 Liaison: Deputy City Manager Hobbs Co-Chairs the Committee; other City staff serve on or assist the Committee.	Every six months. No meeting requirement in Code.	No	No	City staff, representative appointments and organizational representatives appointed. 6 residents appointed to 3 year renewable terms.	March 31	January/February	Committee policy of two consecutive terms for the Community Co-Chair	
Ethics Commission Code Ch. 3.04.050, <i>et seq.</i>	Meet quarterly	Yes - Procedures		Up to 7 members 2 year renewable terms	September 30	June/July	No	
Facade Advisory Board Code Ch. 8.40, Art. 1 Liaison: Blanchard (HCD)	Meet at least every six months.	Yes	3 voting members (Code) 4 voting members in order to meet, act, or transact business (Bylaws)	7 members 3 year terms except for HTI rep (one year term)	April 30	February/March	Two consecutive terms for members Two consecutive terms for officers	

Committee/ Authority/ Staffing	Reporting Requirement / Meeting Requirement	Bylaws	Quorum (if specified by enabling legislation or bylaws)	Number of Members and Terms	Date of Term Expiration	Suggested Reporting Periods	Term Limits for Members or Officers	Budget
<p>Free Burma Committee</p> <p>Code Ch. 9.08.090</p> <p>This committee is inactive.</p>	No	No		<p>7 members</p> <p>2 year</p>	March 31			
<p>Health Services Impact Committee</p> <p>Resolution 2006-12</p> <p>Committee to disband Feb. 27, 2008 unless extended by the City Council.</p> <p>Liaison: George (Administration)</p>	<p>Meet monthly or as needed.</p> <p>Brief the Council quarterly or as needed.</p>	No		12-15 members				

Committee/ Authority/ Staffing	Reporting Requirement / Meeting Requirement	Bylaws	Quorum (if specified by enabling legislation or bylaws)	Number of Members and Terms	Date of Term Expiration	Suggested Reporting Periods	Term Limits for Members or Officers	Budget
Montgomery College Neighbors Advisory Committee Resolution 2005-33 Liaison: Blanchard (HCD)	Meet quarterly or as often as needed Brief Council twice a year or as needed.	No		9-11 members Length of terms undefined	N/A			
Noise Control Board Code Ch. 14.12.140 Liaison: Police Department, City Attorney and City Clerk's Office assist.	Meet at least twice a year.	Yes	Majority of active members.	7 members 3 year terms Officers limited to 2 consecutive one year terms in office (bylaws)	March 31	January/ February	Two consecutive one-year terms for officers.	
Nuclear-Free Takoma Park Code Ch. 14.04.110		No		7 members 2 year terms	March 31	January/ February	No	

Committee/ Authority/ Staffing	Reporting Requirement / Meeting Requirement	Bylaws	Quorum (if specified by enabling legislation or bylaws)	Number of Members and Terms	Date of Term Expiration	Suggested Reporting Periods	Term Limits for Members or Officers	Budget
Safe Roadways Committee Code Ch. 2.16, Art. 5 Liaison: Suls (HCD)	Meet quarterly or as often as required to fulfill its responsibilities. Report to council annually.	Yes	The committee shall not meet unless a majority of the members are present.	Up to 11 3 year terms	June 30	April/May	Officers limited to two consecutive one year terms	
Tree Commission Code Ch. 2.16, Art. 2 Liaison: City Arborist; City Attorney support	No	No	No	Up to 5	September 30	June/July	No	

Chapter 9.08

RESTRICTED RELATIONS WITH BURMA*

Sections:

- 9.08.009E** Editor's note
- 9.08.010** Title.
- 9.08.020** Purpose.
- 9.08.030** Findings.
- 9.08.040** Eligibility for City contracts.
- 9.08.050** Exclusions.
- 9.08.060** Violations and penalties--Other remedies.
- 9.08.070** Definitions.
- 9.08.080** Notification.
- 9.08.090** Takoma Park Free Burma Committee.
- 9.08.100** Contract stipulation.

Section 9.08.009E Editor's note

*Editor's Note: Res. 2000-53, adopted October 23, 2000, suspended enforcement of this chapter.

Section 9.08.010 Title.

This chapter shall be known as the "Takoma Park Free Burma Act." (Prior code § 3A-1)

Section 9.08.020 Purpose.

The purpose of this Act is to establish the City of Takoma Park, Maryland, as a City assisting in the restoration of democracy and respect for human rights in Burma in the manner requested by Nobel Peace Prize Laureat Daw Aung San Suu Kyi and the National League for Democracy Party. (Prior code § 3A-2)

Section 9.08.030 Findings.

It is the finding of the City Council, that:

A. The citizens of the City, believing that their quality of life is diminished when peace and justice are not fully present in the world, recognize the important role local communities can take to promote universal respect for human rights and fundamental freedoms.

B. The City has a stormy and vibrant tradition of organizing local action to affect larger world events, as manifested by the Takoma Park Nuclear-Free Zone Act.

C. Citizens of Takoma Park have petitioned the City Council requesting that tax moneys not be spent in ways that help support the military regime in Burma, currently known as the State Law and Order Restoration Council (SLORC).

D. Burma has been singled out year after year by the United States Department of State and the United Nations Human Rights Commission for widespread violations of human rights, and according to the Commission's Special Rapporteur to Burma and other respected human rights monitoring organizations, such as Human Rights Watch/Asia and Amnesty International, the military regime in Burma has institutionalized torture and rape as political instruments, embarked upon campaigns of forcible relocation and persecution of ethnic minorities, and incarcerated political opponents including 20 Members of Parliament elected in 1990, thereby denying the majority of the population the right to

participate in the political process, to benefit from the system of justice or to exercise economic rights.

E. The military regime in Burma has been repeatedly rebuked by the International Labor Organization (ILO) for "widespread and extremely serious" use of forced labor for infrastructure projects and denial of the right of the freedom of association, and the United States Government continues to deny trade privileges for Burma because of violations of labor rights.

F. Both the Drug Enforcement Agency and the Department of State have identified Burma as the largest source of heroin reaching the United States and reported that the military regime in Burma continues to protect narcotics traffickers wanted by the international community.

G. Daw Aung San Suu Kyi, the 1991 Nobel Peace Prize winner and the leader of the democratic forces in Burma, has called on the world community to impose economic sanctions against the military regime in Burma because foreign investment serves to bolster the resources and power of the SLORC.

H. Aung San Suu Kyi's call for sanctions has been publicly supported by a group of Aung San Suu Kyi's fellow Nobel Peace Prize laureates which is led by Archbishop Desmond Tutu of South Africa and includes Oscar Arias Sanchez, the Dalai Lama, Mairead McGuire and Betty Williams, and Adolpho Perez Esquivel.

I. The military regime in Burma continues to refuse calls from the United Nations General Assembly and political leaders around the world urging them to engage in political dialogue with Aung San Suu Kyi and the democratic forces led by the National League for Democracy (NLD) Party, which won 82% of the seats in the Parliament in the 1990 elections but was prevented by SLORC from taking power.

J. The United States Supreme Court has upheld the power of a municipality to make legitimate economic decisions without being subject to the restraints of the Interstate Commerce Clause when it participates in the market place as a corporation or a citizen as opposed to exerting its regulatory powers. (Prior code § 3A-3)

Section 9.08.040 Eligibility for City contracts.

A. The City and its officials, employees or agents shall not knowingly and intentionally grant any award, contract or purchase order, directly or indirectly, to any firm on the Takoma Park Free Burma list.

B. The City and its officials, employees or agents shall not knowingly and intentionally grant any award, contract or purchase order, directly or indirectly, to purchase or lease products produced by a firm on the Takoma Park Free Burma list.

C. The recipient of a City contract, award or purchase order shall certify to the City Clerk by a notarized statement that it is not knowingly or intentionally a firm on the Takoma Park Free Burma list.

D. The City shall phase out the use of any products of a firm on the Takoma Park Free Burma list which it owns or possesses. Insofar as non-Burmese alternatives are not available, for the purpose of maintaining a product during its normal useful life and for the purpose of purchasing or leasing replacement parts, supplies and services for such products, subsections (A) and (B) of this section shall not apply.

E. The City Council shall annually adopt a Takoma Park Free Burma list to guide the City, its officials, employees and agents in the implementation of subsections (A), (B) and (C) of this section. Prior to such adoption, the Takoma Park Free Burma Committee shall review and suggest any modifications to the Takoma Park Free Burma list. In the event the City Council fails to adopt a list, the prior list shall remain in full force and effect. The list shall not preclude application or enforcement of these provisions to or against any other firms with a direct investment or employees in Burma.

F. Waivers.

1. The provisions of subsections (A) and (B) of this section may be waived by resolution passed by a majority vote of the City Council, provided that:

a. The City Council shall determine, after a diligent good-faith search, that a necessary good or service cannot reasonably be obtained from any source other than a firm on the Takoma Park Free Burma list;

b. The City Administrator or his or her designee shall notify the Takoma Park Free Burma Committee of the City Council's intent to consider a waiver resolution 30 days prior to the formal consideration of such a resolution and that the Committee, upon receipt of such notice, shall provide the City Council with its considered advice; provided, however, that failure to provide such advice shall not prohibit the City Council from taking appropriate action after the 30-day notification period; and

c. The City Council shall hold a public hearing prior to the passage of a waiver resolution and no sooner than 30 days after the notification to the Committee of the City Council's intent to consider such a resolution.

2. The reasonableness of an alternative source shall be determined upon the consideration of the following factors:

a. The intent and purpose of this chapter;

b. Documented evidence establishing that the necessary good or service is vital to the health or safety of the residents or employees of the City, with the understanding that the absence of such evidence shall diminish the necessity for waiver;

c. The recommendations of the City Administrator and the Takoma Park Free Burma Committee;

d. The availability of goods or services from a firm not on the Takoma Park Free Burma list reasonably meeting the specifications or requirements of the necessary good or service;

e. Quantifiable substantial additional costs that would result from the use of a good or service of a firm not on the Takoma Park Free Burma list, provided that this factor shall not become the sole consideration. (Prior code § 3A-4)

Section 9.08.050 Exclusions.

A. Nothing in this chapter shall be interpreted, construed or applied to prevent the City Council or the City Administrator or his or her designee of the City, from acting to remedy, ameliorate or prevent an emergency situation presenting a clear and present danger to the public health, safety and general welfare, as defined in Section 2-6.1 of this Code, provided that should any such emergency situation require the purchase of products or services from or entry into a contract with a firm on the Takoma Park Free Burma list, then the City Administrator or his or her designee shall notify the Chairperson or his or her designee of the Takoma Park Free Burma Committee within 3 working days of the City's actions.

B. Nothing in this chapter shall be interpreted, construed or applied to supersede or bypass any procurement regulations, whether those regulations are legislative or administratively promulgated; provided, however, that no procurement regulations pertaining to the granting of any award, contract or purchase order shall alter or abrogate the intent or requirements of this chapter. (Prior code § 3A-5)

Section 9.08.060 Violations and penalties--Other remedies.

A. Any violation of this chapter shall be a Class B offense.

B. Without limitation or election against any other available remedy, the City or any of its citizens of any other aggrieved party may apply to a court of competent jurisdiction for an injunction enjoining any violation of this chapter. The court shall award attorney's fees and costs to any party who succeeds in obtaining an injunction hereunder. (Prior code § 3A-6)

Section 9.08.070 Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

"City Administrator" means the City Administrator of the City of Takoma Park or any authorized representative of the City Administrator.

"City" or "City of Takoma Park" means the City of Takoma Park, or any entity or official agent acting under the direction of the City Council of the City of Takoma Park.

"Military regime in Burma" (also known as "Myanmar") means any public or quasi-public entity sanctioned by the State Law and Order Restoration Council (known by the acronym "SLORC") operating within Burma, including, but not limited to, municipal, provincial or other governing bodies operating as proxy of SLORC, including all departments and agencies of such bodies, public utilities, public facilities or any national corporation in which the public sector of Burma has a financial interest or operational responsibilities.

"Person" means any individual, firm, partnership, corporation, association or any other organization or entity, however formed.

"Professional services" means personal services of members of a licensed or otherwise-recognized profession, including, but not limited to, accountants, architects, attorneys, auditors, engineers, medical practitioners, surveyors and the like.

"Services and goods" includes, but is not limited to any services, supplies, goods, vehicles, machinery or equipment.

"Takoma Park Free Burma List" shall be the most current list of all direct investment or employees in Burma as listed by the Investors Research Responsibility Center (IRRC). (Prior code § 3A-7)

Section 9.08.080 Notification.

A. Upon adoption of this chapter, the City Council shall forward a true copy of this chapter to the President of the United States, the Secretary of State, Nobel Peace Prize Laureate Aung San Suu Kyi and the Secretary-General of the United Nations and the Prime Minister of the National Coalition Government of the Union of Burma (NCGUB).

B. In addition, true copies of this chapter shall be sent to the Governor of the State of Maryland, to the United States Senators from Maryland, to the United States Representatives representing Takoma Park, to State Delegates and State Senators representing Takoma Park, to the County Executives of Montgomery and Prince George's Counties, and to the County Council members of the respective counties.

C. Finally, a true copy of this chapter shall be sent to the Ambassador of Burma (Myanmar) to the United States for conveyance to the military regime of Burma. (Prior code § 3A-8)

Section 9.08.090 Takoma Park Free Burma Committee.

A. Within 60 days of the effective date of this chapter, the Council shall appoint a 7-person nonpartisan Takoma Park Free Burma Committee to oversee implementation of and adherence to this Act. At least one Committee member should be Burmese origin.

B. Persons appointed to the Committee shall serve 2-year terms, except that 3 of the initial appointees as designated by the City Council shall serve one-year terms. Terms shall begin on April 1st and expire on March 31st. The Committee shall appoint its own Chair and establish its own bylaws, both subject to approval by the City 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 this chapter. The Committee shall inform appropriate legal authorities of suspected violation of this chapter.

2. The Committee may review any existing City contracts, awards, purchase orders and investments and may review proposed contracts, awards, purchase orders and investments to assure compliance with Section 9.08.040 of this chapter. If the Committee finds any contracts, awards, purchase orders or investments in violation of this chapter, it shall, in conjunction with the City Administrator, make recommendations to the City Council regarding the existence of reasonable alternatives.

3. The Committee shall, through a 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 chapter. In performing this task, the Committee shall cooperate with City staff and other interested community groups and individuals.

4. The Committee shall maintain a collection of current materials concerning the contemporary situation in Burma. From this information and from consultations with individuals and organizations involved in the debate regarding Burma, the Committee shall annually prepare and report to the City Council a list of firms with a direct investment or employees in Burma to guide the City, its officials, staff and agents in the implementation of Section 9.08.040 of this chapter.

5. Before a waiver of the provisions of Section 9.08.040 (A), (B) or (C) above pursuant to Section 9.08.040 (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 City Council pursuant to Section 9.08.040 (F). (Prior code § 3A-9)

Section 9.08.100 Contract stipulation.

A. Any person who enters into a contract with the City shall be required as a condition of such contract to certify that said person, and any of its parent or subsidiary entities does not provide services, goods or professional services to the military regime in Burma. This certification shall be required until the City Council determines that the people of Burma have become self-governing.

B. In making this determination, the City Council may consult, no less than 30 days in advance of making a determination that the people of Burma have become self-governing, with the representatives of the National Coalition Government of the Union of Burma (NCGUB), and the Free Burma Committee of Takoma Park, in addition to any other reliable persons the Council sees fit to contact.

C. The provisions of this section shall apply to renewals of existing contracts, as well as to new contracts. (Prior code § 3A-10)

CITY OF TAKOMA PARK, MARYLAND

**APPLICATION FOR APPOINTMENT / REAPPOINTMENT TO
CITY BOARD, COMMISSION, OR COMMITTEE**

Your Name:	
Name of Committee:	
Application for (check one): <input type="checkbox"/> Appointment <input type="checkbox"/> Reappointment	
Date of Application:	
Briefly explain your interest in serving on this committee:	
If you are applying for an initial appointment to the committee:	
1. Have you attended any meetings?	
2. Are you available to attend meetings at the scheduled time?	
FOR COLTA APPLICATIONS ONLY:	
<input type="checkbox"/> Landlord/Agent <input type="checkbox"/> Tenant <input type="checkbox"/> City Homeowner	
If you are a landlord or agent, please indicate the number of rental units you operate within the city limits of Takoma Park: <input type="text"/>	

INSTRUCTIONS

Please submit this form to: City Clerk, City of Takoma Park, 7500 Maple Avenue, Takoma Park, MD 20912; or by e-mail to Clerk@takomagov.org; or by fax to 301-270-8794.

After receiving your completed application, a City staff member will contact you to make arrangements for an interview with the City Council (if an interview is required). In preparation for the interview, City Councilmembers, the Committee Chair, and City staff members may receive a copy of your application and any attachments. Page 1 of the application (only), will be posted to the City web page.

Note that the information on page 2 and any attachments will NOT be posted to the web.

Your Name:	
Home Address (note that many committees require Takoma Park residency):	
Mailing Address (if different):	
Home Phone Number:	
Office Phone Number:	
Cell Phone Number:	
E-mail Address:	
Occupation:	
If you are requesting an appointment as a representative of an organization, provide the name of the organization:	
<i>The City Council has directed that applicants for appointment or reappointment to boards, commissions and committees must be current on all City fees and taxes, including property taxes, stormwater fees, rental license fees, refuse fees, Takoma Park library fines, and any other fines and penalties. If after review of your application, you are found to be in arrears, a staff member will contact you to give you the opportunity to pay prior to setting up an interview.</i>	
Are you current on all of the aforementioned taxes and fees? <input type="checkbox"/> Yes <input type="checkbox"/> No	
** PLEASE ATTACH A RESUME AND / OR ADDITIONAL STATEMENT OF QUALIFICATIONS.	
I certify that the information I have provided is true to the best of my knowledge, information, and belief.	
Signature	Date
<i>Staff Use Only: (Date Received: _____) (Ward _____)</i>	
<i>(Referred To: _____)</i>	

RESOLUTION NO. 2000 - 53
(Suspending Enforcement of the Takoma Park Free Burma Act)

WHEREAS, on June 19, 2000, a unanimous United States Supreme Court struck down a Massachusetts state law which barred the state from purchasing from companies doing business with Burma (hereinafter referred to as "Massachusetts Burma law") on the grounds that the Massachusetts state law was preempted by the act of Congress that imposed federal sanctions on Burma; and

WHEREAS, the United States Supreme Court opinion stated three principal reasons why the Massachusetts Burma law was in conflict with the federal Burma sanctions; first, that the Massachusetts state law was an obstacle to the congressional delegation of authority to the President to control economic sanctions against Burma; second, that the Massachusetts state law interfered with Congress's intent to limit economic pressure against Burma to a specific range of sanctions; and third, that the Massachusetts state law interfered with Congress's charge to the President that he speak for the United States in developing a comprehensive and multilateral strategy to promote democracy in Burma; and

WHEREAS, on October 28, 1996, the City Council enacted the Takoma Park Free Burma Act (which is codified as Chapter 3A of the *Takoma Park Code*); and

WHEREAS, the Takoma Park Free Burma Act includes selective purchasing provisions that prohibit the City of Takoma Park from contracting with and from purchasing goods and services from firms listed on the Takoma Park Free Burma list (*i.e.*, the most current list of all direct investment or employees in Burma as listed by the Investors Research Responsibility Center); and

WHEREAS, the selective purchasing provisions of the Takoma Park Free Burma Act have been, in effect, invalidated by the United States Supreme Court decision striking down the Massachusetts Burma law; and

WHEREAS, the City Council desires to suspend the selective purchasing provisions of the Takoma Park Free Burma Act until the United States Congress enacts legislation to withdraw the federal preemption or to explicitly allow local Burma laws to be enforced.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND THAT enforcement of the Takoma Park Free Burma Act (*Takoma Park Code*, Chapter 3A, Burma, Restricted Relations With) be and hereby is suspended.

THIS RESOLUTION IS ADOPTED THIS 23rd DAY OF OCTOBER, 2000.