

1. No Agenda

There is no agenda available for this meeting. Please view minutes.

2. Meeting Materials

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- 07 -- FLARE DEMONSTRATION.PDF.PDF
- 08 -- POLICE GRANTS.PDF.PDF
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Agenda Item No. 06

Date 03-13-2017



March 1, 2017

Kathy Foster
Cambridge City Commission
410 Academy St.
Cambridge, MD 21613

Dear Kathy,

This year the Relay For Life of Dorchester County will be held on May 19 at Cambridge South Dorchester High School from 6:00 PM until Midnight.

We would like to request that a variance to the city noise ordinance be granted for the period of the Relay For Life event, from 6:00 PM on May 19th until 1:00 AM on May 20th. Each year we have made this request and it has been granted. During the event a festival atmosphere will prevail with entertainment scheduled throughout the evening.

We appreciate the support that the City of Cambridge provides to the event each year.

Thank you for your consideration. If you need additional information please contact me at 410-726-1893 or mary.bellis@cancer.org.

Mary Bellis
Senior Community Manager, Relay For Life
American Cancer Society

stay well | get well | find cures | fight back | cancer.org | 1.800.227.2345

South Atlantic Division, Inc.
1315 Mt. Hermon Road, Suite D
410.749.1624 / 1.800.937.9696 f) 410.860.0832

Kathy Foster

From: nancy harvey <harveynl@hotmail.com> on behalf of nancy harvey <nnh4@cornell.edu>
Sent: Monday, March 06, 2017 10:22 PM
To: info
Subject: City Council

Cambridge Sail and Power Squadron
Nancy Harvey Commander
219 Killarney Road
Cambridge, MD 21613

March 6, 2017

Madam Mayor, and City Council Members,

Cambridge has a wonderful history of on the water activities, from our Watermen fishing, crabbing and tonging, to our visits of cruise ships. Cambridge is known as the best cruising destination on the Chesapeake, and many events are planned on the waterfront to celebrate our beautiful Choptank River.

Safe boating week is in May, just prior to Memorial Day. In order to help make boating in our area safer, Cambridge Sail and Power Squadron will hold a flare and fire extinguisher demonstration at the Cambridge Yacht Club on May 20th at 1 PM, with participation. This is important because there is no time to read instructions in the case of an emergency. All required agencies will be contacted, We are alerting the city and request a noise variance for that day.

A safeboating exhibit will be in the Cambridge Library during the month of May, with information and pamphlets available for children and adults. We would like to use the proclamation that the mayor issues each year for Safe Boating week in the display, so request that it be made available during April. Cambridge Sail and Power Squadron offers the required safe boating classes as well as free vessel safety checks for anyone in the area.

Should there be any questions, please contact Commander Nancy Harvey at 410 901 2501, or by email nnh4@cornell.edu. We celebrate Cambridge's maritime heritage and try to offer a presence and assistance at many of the on the water and beside the water events in Cambridge.

Thank You,
Nancy Harvey, Commander
Cambridge Sail and Power Squadron



City of Cambridge
Cambridge, Maryland

Proclamation

Proclamation by the Mayor of the City of Cambridge

- WHEREAS,** on average, 700 people die each year in boating-related accidents in the United States; approximately 71% of these are fatalities caused by drowning; and
- WHEREAS,** the vast majority of these accidents are caused by human error or poor judgment and not by the boat, equipment, or environmental factors; and
- WHEREAS,** a significant number of boaters who lose their lives by drowning each year would be alive today had they worn their life jackets; and
- WHEREAS,** today's life jackets are more comfortable, more attractive, and more wearable than styles of years past and deserve a fresh look by today's boating public.

Therefore, I, Victoria Jackson-Stanley, do hereby support the goals of the North American Safe Boating Campaign and proclaim May 20 to 26, 2017, as

National Safe Boating Week

and the start of the year-round effort to promote safe boating.

In Witness Thereof, I urge all those who boat to Wear It! and practice safe boating habits.

WITNESS MY HAND AND SEAL THIS 13th DAY OF MARCH 2017.

ATTEST:

Sandra Tripp-Jones
City Manager

Victoria Jackson-Stanley
Mayor

Council Agenda Report

Date: March 13, 2017

Prepared by: Chief Daniel Dvorak



Submitted by: Chief Daniel Dvorak

SUBJECT: Police Grants

Recommendation: That Council authorize the Police Department to apply for annually recurring grants as they open the application process.

Discussion: The Police Department receives grants on a regular annual basis from Dorchester County, State Highway Administration and Governor's Office on Crime Control and Prevention to reimburse the Department for officer overtime in very specific enforcement objectives. These grants include underage tobacco and alcohol enforcement, driving under the influence, distracted driving, school bus safety and gun violence. Amounts vary based on state funding and enforcement requirements. These grants totaled \$26,838 in FY17.

Fiscal Impact: The City incurs a cost of 7.65% for FICA and \$13.34 per \$100 for worker's compensation for each hour worked. This is included in our budget as an expected grant.

Approved:



Council Agenda Report

Date: March 13, 2017

Prepared by: Lisa Jones, Executive Assistant

Submitted by: Chief Daniel Dvorak 

SUBJECT: Appropriation of Drug Forfeiture Money for Cambridge Police Department

Recommendation: That Council approve the appropriation of \$1,500 from Drug Forfeiture funds and increase the Police Department budget by \$1,500 for evidence buy money.

Discussion: The Police Department has been working with the ATF (Bureau of Alcohol, Tobacco, Firearms and Explosives) in order to take weapons and drugs off the street. In order to accomplish this our undercover officers must make purchases of the aforementioned items to use as evidence in order to obtain warrants and convictions of the offenders. We have depleted the budgeted \$2,200 in our Evidence Buy Account. We request to transfer additional money from the Drug Forfeiture Account into the evidence buy account in order to continue our investigations into the drug and firearm trafficking in the City.

Fiscal Impact: \$1,500 decrease from the Drug Forfeiture Account.

Approved: 

Council Agenda Report

Date: March 13, 2017

Prepared by: George W. Hyde, PE, City Engineer

Submitted by: Oden C. Wheeler Jr., Director DPW

SUBJECT: Award of Contract for Sailwinds Wharf Rehabilitation

Recommendation: That Council

- A. Award the contract for the rehabilitation of the deteriorated wharf adjacent to Governor's Hall to Seaward Marine Corporation for the bid amount of \$5,195,232;
- B. Allow staff 45 days to explore potential cost saving ideas with the contractor related to the promenade and report back to Council before making a decision on completing the additional work related to the promenade.

Discussion:

On Thursday, February 16, bids were opened for reconstruction of the deteriorated wharf adjacent to Governor's Hall. Five (5) bids were received as follows:

Company	Base Bid	Add Alts.	Base Bid + Alts.
Hopkins Construction	\$4,503,025	\$682,000	\$5,185,025
Seaward Marine Corp.	\$5,188,508	\$699,660	\$5,888,168
Cianbro Corp.	\$5,244,362	\$733,517	\$5,977,879
Corman Marine Const.	\$5,992,499	\$828,800	\$6,821,299
McLean Contracting Co.	\$7,435,988	\$762,950	\$8,198,938

As part of the bid evaluation process, a meeting was held with the low bidder, Hopkins Construction, and it was determined that they had made a mistake in their bid and would not be able to complete the project for the price they had submitted. It was also determined that they had very little marine contracting experience. For these reasons, we considered their bid to be "non-responsible" and felt that it was in the City's best interest to move to the next low bidder. We then met with the second low bidder, Seaward Marine, and it was determined that they met all of the bid requirements. Attached is a copy of Seaward Marine's bid which provides a breakdown of the costs and gives a brief description of the six add alternates which are items that could be deferred and completed at a later date. Our recommendation is to award the base bid and Add Alternate #6 (demolition of the existing timber pier) at this time and to defer the other items until we have time to evaluate some value engineering ideas with the contractor. This will allow us to keep the project on schedule while we explore potential cost saving measures. We would then report back to Council in 30-45 days so that a final decision could be made about the additional items including the brick pavers, decorative lighting and landscaping.

Fiscal Impact:

The City has been awarded \$4 million in grant funds from the State of Maryland to go toward the design and construction of this project. To date, approximately \$300,000 of those grant funds have been expended for consultant services related to design and permitting. The City established a line of credit with 1880 Bank for project costs that will not be covered by grant funds. That amount is estimated to be \$1,700,000. The repayments on this draw down will be included in the proposed FY 2018 budget and are estimated to be \$140,000. Should the value engineering determine savings and/or Council approve add-ones for the Promenade, the repayment budget will be adjusted accordingly.

Approved by: Sandra Tripp-Jones, City Manager 

SUBMIT ORIGINAL AND ONE DUPLICATE SET OF BID FORMS

SAILWINDS PARK WHARF REHABILITATION

CONSTRUCTION BID FORM

PROJECT NO.: 17 - 05


TO: City of Cambridge
Dorchester County, Maryland
410 Academy Street
Cambridge, Maryland 21613

Pursuant to your request inviting Bids to be received until 1:30 p.m. local time, February 16, 2017, for "Sailwinds Park Wharf Rehabilitation", the undersigned hereby submits the following Bid:

"Minority Business Enterprises are Encouraged to Respond to this Solicitation Notice."

SAILWINDS PARK WHARF REHABILITATION BID

ITEM	DESCRIPTION	QUANT.	UNIT	UNIT PRICE	TOTAL PRICE
1	Mobilization / Demobilization / General Conditions	1	LS	---	\$ <u>152,360.00</u>
2	Erosion and Sediment Control	1	LS	---	\$ <u>19,040.00</u>
3	Site Demolition	1	LS	---	\$ <u>52,500.00</u>
4	Bulkhead and Anchor System Rehabilitation	1	LS	---	\$ <u>3,185,377.00</u>
5	Wharf Rehabilitation	1	LS	---	\$ <u>1,011,710.00</u>
6	Site and Utility Development	1	LS	---	\$ <u>579,759.00</u>
7	Stormwater Management Facilities	1	LS	---	\$ <u>111,300.00</u>



Sign For Identification

BF-1

REVISED 2/10/2017

ITEM	DESCRIPTION	QUANT.	UNIT	UNIT PRICE	TOTAL PRICE
8	Final Grading & Stabilization	1	LS	—	\$ <u>13,650.00</u>
9	Landscaping	1	LS	—	\$ <u>19,719.00</u>
10	Restoration of Graded and Disturbed Areas	1	LS	—	\$ <u>5,250.00</u>
11	Temporary Facilities	1	LS	—	\$ <u>30,421.00</u>
C-1	Contingent Item – Fixed Price Item – SWM Maintenance	1	LS	—	\$ <u>6,922.00</u>
C-2	Contingent Item – Unclassified Excavation below Paving and Storm Drain Sub-Grades	1	CY	\$ _____	\$ <u>138.00</u>
C-3	Contingent Item – Epoxy Coated Steel Pile	1	LF	\$ _____	\$ <u>57.00</u>
C-4	Contingent Item - Structural Fill	1	CY	\$ _____	\$ <u>55.00</u>
C-5	Contingent Item - Bio-Planter Media	1	CY	\$ _____	\$ <u>138.00</u>
C-6	Contingent Item - Temporary Seeding and Mulching	1	SY	\$ _____	\$ <u>7.00</u>

Michael Tran 

Sign For Identification

BF-2

REVISED 2/10/2017

ITEM	DESCRIPTION	QUANT.	UNIT	UNIT PRICE	TOTAL PRICE
C-7	Contingent Item – Reduce Epoxy Coated Pipe Pile Length	1	LF	\$ _____	\$ 48.00
C-6	Contingent Item – Increase Epoxy Coated Pipe Pile Length	1	LF	\$ _____	\$ 57.00

SAILWINDS PARK WHARF REHABILITATION
Items 1 to 11 & C-1 to C-8:

\$ 5,188,508.00

Add Alternatives:

The owner reserves the right to select or reject any, all or none of the alternates in any order.

ITEM	DESCRIPTION	QUANT.	UNIT	UNIT PRICE	TOTAL PRICE
ALT 1	Planter / Bio-Planter Landscape Plantings	1	LS	—	\$ 10,500.00
ALT 2	Paver and Asphalt Setting Bed	1	LS	—	\$ 385,972.00
ALT 3	Light Fixtures	1	LS	—	\$ 28,851.00
ALT 4	Sidewalks and Ramp at Governors Hall	1	LS	—	\$ 54,311.00
ALT 5	Fendering System	1	LS	—	\$ 213,302.00
ALT 6	Existing Timber Pier Demolition	1	LS	—	\$ 6,724.00

SAILWINDS PARK WHARF REHABILITATION
Alternate Items 1 to 6:

\$ 699,660.00

Michael Tran

Sign For Identification

BF-3

REVISED 2/10/2017

List of Minority Contractors, Subcontractors, and Vendors Used in Project.

<u>Name and Address of Minority Business Providing Goods or Service</u>	<u>MDOT MBE Certification # or Federal SBA Certification #</u>	<u>Nature of Goods or Services</u>	<u>Dollar Amount</u>
None			
Total Dollar Amount			

Bidder acknowledges receipt of the following:

Addenda received:
1 dated 1/9/17, 2 dated 1/20/17, 3 dated 1/30/17, 4 dated 2/3/17, 5 dated 2/10/17


Check here if no Addenda have been received.

This bidder, in compliance with the above-captioned Invitation for Bids has examined the plans, specifications and related documents, and the site of the proposed work, is familiar with all the conditions surrounding the construction of the proposed project including materials and supplies, and will construct the project in accordance with the contract documents.

Bidder agrees to perform all work described in the specifications and shown on the plans, for the prices set forth on the bid form.

Amounts are to be shown in figures in unit price and total price.

Within 10 days after receiving notice of acceptance of this bid, Bidder will execute the formal contract attached and deliver it, with performance and payment bonds as required by the Special Provisions. The bid security attached in the sum of five percent (5%) of the total bid amount becomes the property of the owner in the event the contract and bonds are not executed and delivered within the time set forth above, as liquidated damages for the delay and additional expense to the County caused thereby.



 Sign For Identification

BF-4

REVISED 2/10/2017


BID SUBMITTED BY:

Seaward Marine Corporation
Name of Company

1500 B Steel Street Chesapeake VA 23323
Address

757-558-3939
Telephone Number

757-558-4234
Facsimile Number

 President
Authorized Representative/Title
(Signature)

Michael Trautman / President
Authorized Representative/Title
(Print/Type)

mtrautman@seawardmarinecorp.com
E-mail Address

2/15/2017
Date


Sign For Identification

BF-5

REVISED 2/10/2017

Council Agenda Report

Date: March 13, 2017

Prepared by: Ginger Heatwole

Submitted by: Sandra Tripp-Jones

SUBJECT: Feral Cat Strategies

Recommendation: That Council receive a report on feral cat strategies.

Discussion: Staff has explored various options on containing the feral cat population. Three options have been looked into.

One option was to have in house animal control with paid staff. As staff mentioned in the January 22 council meeting, this is cost prohibitive.

A second option was to work with a third party vendor to trap feral cats. If a licensed third party vendor traps feral cats, the vendor is obligated to take the cats to a humane society. The problem is that Dorchester County does not have a humane society. So this option cannot be pursued.

A third option is to work alongside a nonprofit agency and assist them in their efforts to control the feral cat population. Snip Tuck, a 501c agency, will take trapped cats and spay or neuter them and return them to the area found. While this does not have an immediate effect on feral cat populations, it does long term.

Snip Tuck has indicated that they would like to work with us to help trap animals. Staff and Snip Tuck have discussed ways this could occur and paying for costs. After discussion, Snip Tuck has indicated they have received donations that would help to purchase traps (the biggest costs in capturing cats) and do not need fiscal support at this juncture.

As mentioned a key way to control the population is to spay and neuter cats. A resident would call Snip Tuck to inform them of a feral cat problem. Snip Tuck would provide them with a trap and training on catching the cats. Once caught, Snip Tuck will spay or neuter the cat and return the cat to where it was found. It is also vaccinated against rabies before being returned. If a resident is unable to trap animals do to special needs or age, volunteers can assist that resident.

In addition, Snip Tuck feels another key way to control the feral cat population would be to work with the City to provide education on feral cats to residents. There are volunteers within the Snip Tuck who are willing to take on this initiative. Representatives of Snip Tuck will present their ideas about a public education program.

Finally, as part of addressing the feral cat problem, Staff looked at ordinances specifically ordinances related to implied ownership of a feral cat if they are feeding the cat. Alley Cat

Allies, one of the largest feral cat associations in the country consulted with their staff attorney. He did not find any provisions that state if someone is feeding a cat, they are considered the owner or keeper. Based on the county definition of "owner," someone is considered an owner when they keep or harbor a dog or knowingly permit a dog to remain on or about any premises occupied by them. Cats are not mentioned.

Conclusion: Staff has not identified ways of removing feral cats but has concluded that long term reduction in the feral cat populations can be achieved through neutering and education that encourages that encourages the public to catch then for neutering and vaccination.

Fiscal Impact: None at this time except the cost of staff to work with Snip Tuck. The amount of time required is unknown at this time.

Approved: 

Council Agenda Report

Date: March 13, 2017

Prepared by: Sandra Tripp Jones

Submitted by: Sandra Tripp Jones

SUBJECT: Property Tax Increase

Recommendation: That Council schedule a public hearing on proposed property tax increase from .007989 to 008878 to maintain property tax revenues for current operating levels, to fund repair of 300 block of High Street, and to establish a project for housing blight removal in FY 2018.

Discussion:

On a rotating basis, every three years, the State of Maryland Department of Assessments reassesses property values. The City of Cambridge was reassessed to be effective Fiscal Year 2017. Assessed values went from 732,987,470 to 715,998,789 or a decrease of 2.3%.

Scenario 1

In order to maintain the same potential revenue of 5,855,837, the tax rate would have to change the constant yield (the property tax rate that, when applied to new assessments, will result in receiving the same revenue in the coming taxable year that was produced in the prior taxable year.)

Without increasing to the constant yield, the taxable revenue will decrease by approximately \$130,000. In order to keep the same revenue, the tax rate will increase .00019.

	Old rate	Without increase	Constant yield
	2017	2018	2018
Assessed Base	732,987,470.00	715,998,789.00	715,998,789.00
Tax Rate	0.007989	0.007989	0.008179
Taxable Revenue	5,855,836.90	5,720,114.33	5,856,154.10

Scenario 2

If the City were to generate an additional \$250,000 beyond the constant yield in property tax revenue, the tax rate would need to change from the constant yield of .008179 to .008528.

	Constant yield	Increase
	2018	2018
Assessed Base	715,998,789.00	715,998,789.00
Tax Rate	0.008179	0.008528
Taxable Revenue	5,856,154.10	6,106,037.67
Increase		249,883.58

For a house valued at \$200,000, this would mean increase beyond the constant yield (or last year's tax) of \$70 a year.

Scenario 3

If the City were to generate an additional \$500,000 beyond the constant yield in property tax revenue, the tax rate would need to change from the constant yield of .008179 to .008878.

	Constant yield	Increase
	2018	2018
Assessed Base	715,998,789.00	715,998,789.00
Tax Rate	0.008179	0.008878
Taxable Revenue	5,856,154.10	6,356,637.25
Increase		500,483.15

For a house valued at \$200,000, this would mean increase beyond the constant yield (or last year's tax) of \$140 a year.

Why Consider Increases?

Maintaining constant yield in property tax (\$130,000) will support maintenance of current services with no new cost to property owners, on average. An increase in property tax revenue of \$500,000 will provide new funds to apply to:

- 1) Funding repair of the 300 block of High Street over 2 years (\$250,000 per year – General Fund portion of total repair costs), and
- 2) Providing match funds (approximately \$250,000) for a grant application to establish a home rehabilitation program in the Pine Street Study Area where approximately 40% of houses surveyed are either blighted or at risk of blight. City Council has adopted a Council Goal to address blight and the City's Economic Development Plan identifies blighted housing as an impediment to economic development.

Fiscal Impact:

Approved:

Council Agenda Report

Date: March 13, 2017
Prepared by: Ginger Heatwole
Submitted by: Sandra Tripp Jones
SUBJECT: Health Care for Retirees

Recommendation: That Council A) transfer Medicare Eligible Retirees to a Medicare Supplement Part F plan with AARP which will be paid for by the City B) transfer Medicare Eligible Retirees to a Medicare Supplement Part D plan which will be paid for by the retiree and C) discontinue the premium required by retirees over 65

Discussion:

Retirees over 65- history

Medicare is provided to Americans over 65. Historically, Medicare would cover all hospital coverage except a \$1,316 deductible and coinsurance amounts (Part A) and nonhospital services except a \$166 deductible and 20% of covered charges (Part B). The City's insurance provides a supplement to this coverage as well covers the prescription coverage for Medicare Eligible Retirees. However, with the improved supplemental health insurance (Part F) and affordable prescription coverage (Part D), the availability of health care outside of our plan is easily obtainable and affordable.

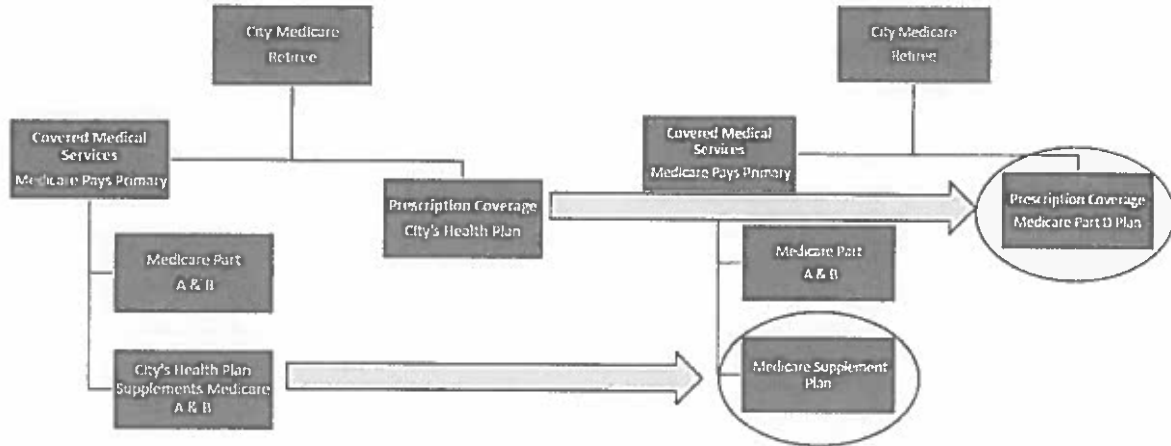
Looking at the past 3 years, Medicare Eligible Retirees health insurance has cost \$103,000 for FY2015, \$68,000 for FY2016 and \$40,000 so far this fiscal year for an average of \$80,000 a year. Of this costs, 25% is prescription costs which are rising around 8-10% per year.

New Plan

As the City looks to control costs, staff and McWilliams Financial Group are proposing a plan that models a policy similar to that Dorchester County adopted for the 2017 fiscal year effective January 1, 2017. The City will take Medicare Eligible Retirees off our plan and put them on the AARP supplement which the City would pay for. The retiree would obtain Supplemental Part D prescription insurance at their own costs. They would no longer pay a premium to the City. Retiree spouses would obtain their own plan. This plan is shown in the picture below.

Current Coverage

Proposed Change



Costs Savings to the City

On average, the AARP supplement would cost on average \$140-\$220/month (with little price increases projected.) Currently we have approximately 20 retirees, and we project a minimum average savings of \$30,000.

Retirees	20 people
Times average monthly costs	\$220
Times 12 months	12
<u>Total costs</u>	<u>\$50,000</u>
<u>Average current costs</u>	<u>\$80,000</u>
<u>Average savings</u>	<u>\$30,000</u>

An additional benefit would include taking the retirees out of our risk pool.

Cost Savings to the Retiree

The employee will no longer pay a premium. They will pay 100% of the Medicare Part D directly to a vendor. The average Part D costs \$33/month. The savings to a retiree will be around \$564 a year.

Current costs	\$80/mo.	\$960/yr.
New average costs	\$33/mo.	\$396/yr.
Average savings	<u>\$47/mo.</u>	<u>\$564/yr.</u>

A significant additional benefit is that the retiree will no longer have an annual prescription cap of \$2,500 which they have on the current City plan. This will directly effect at least two retirees currently on our plan.

Potential Cons to the New Policy

Overall the Supplement Plan F is comparable to the City's current retiree coverage. However, Co-Pays for prescriptions can vary between Medicare Part D plans and may not exactly match the City's current retiree prescription plan copays. Some plans will cost the retiree a little less in premiums; some a little more. Even if there is a small increase overall in premiums, overall they would still save money because of the savings from not paying a premium. In some cases, premiums will decrease.

Savings for Retiree Spouses

Spouses over 65 will be removed from our insurance. This would affect three spouses on the plan now. However mathematically, being on the City plan costs the spouse more than if they got their own coverage through AARP or other vendors.

Spouse premium with city	\$312/mo.	\$3,744/yr.
New average costs of supplemental Part D and Part F costs	\$210/mo.	\$2,520/yr.
Average savings	\$102/mo.	\$1,224/yr.

Putting it into place

We are proposing this go into effect on July 1st. McWilliams Financial Group and Oden Wheeler will meet with retirees to explain the process. McWilliams Financial Group, doctors, and pharmacists will work with the retirees to help them choose the best Supplement D plan. Starting July 1st, retirees will be removed from our plan and transferred to AARP's Supplement Part F and the City will pay this bill. AARP is an ideal vendor because they do list billing and will send the City one bill.

Fiscal Impact: The City will save \$30,000 on average each year without considering the rising costs of prescription costs. A retiree will save approximately \$564/year plus no longer have a prescription costs cap. A retiree and spouse together will save approximately \$1,788/year plus no longer have a prescription costs cap.

Approved: 

Council Agenda Report

Date: March 13, 2017

Prepared by: Ginger Heatwole

Submitted by: Sandra Tripp Jones

SUBJECT: Other Post-Employment Benefits for Retirees

Recommendation: That Council discontinue new retiree health insurance for new employees effective July 1, 2017.

Discussion:

Background

Health insurance for retirees was a historic framework of most governments and large companies. However, over the years, the health insurance environment has changed. The cost of health insurance has risen and continues to rise. Oversight agencies in an effort to recognize the costs of future health insurance for an employee when they retire (Other post-employment benefits or OPEB) have begun to require actuarial reports on these costs and require them to be recorded on the books of publically traded companies and now governments. The City began to record this costs on their books several years ago and currently has a liability of \$5.5 million dollars. Due to new guidance effective in FY18, OPEB costs will rise. With the next valuation, and even without considering the costs of new employees, the number will only continue to grow. Because of these regulations, publically traded companies have discontinued retiree's health insurance plans and governments are starting to do so as well.

Future Coverage

Staff is suggesting that Council discontinue new retiree health insurance for new employees. When considering this, it is important to consider whether health insurance will be available for employees when they retire especially if they retire in their early 50s. The Affordable Care Act (ACA) has provided affordable care for people today. But even with the uncertainty of how the ACA will change in future years, Maryland has been proactive in providing affordable health insurance. Health insurance is now affordable to those who retire at an early age.

The Numbers

McWilliams Financial Group has analyzed our health insurance census. 25% of our census is made up of retirees. However, they make up 25-40% of the costs in a given year. With LEOPS, the number of retirees under 65 will continue to grow and drive up the census number and costs.

Fiscal Impact: In terms of cash savings, we will not realize a saving for 20 years. However, our actuarial values for OPEB (see above) will begin to decrease. In addition, we are providing savings for the City and citizens 20 years for now.

Approved:

DRAFT RESPONSE

March 13, 2017

Open Meetings Compliance Board
c/o Attorney General's Office
200 St. Paul Place,
Baltimore, MD 21202
Email: opengov@oag.state.md.us

Attn: Janice Clark, Administrator

SUBJECT: Response to Open Meetings Complaint – Rideout Complaint 0222417

Dear Ms. Clark,

Commissioner Rideout's complaint concerns one meeting of the Cambridge City Council on Feb. 21, 2017 in which it went into closed session meeting. We recognize six (6) specific complaints. Note that the City Attorney was not present for the closed session meeting.

Complaints:

1. The agenda of the meeting containing the closed sessions did not start with an open meeting during which the motion to go into closed session would be announced prior to going into closed session.
2. Neither the agenda of the closed session nor a public statement during an open session adequately advise the public of the topics of discussion prior to going into closed session.
3. During the closed session, the Mayor requested the City Manager to advise everyone about the letter that Mr. Collison had sent to the Mayor, Commissioner Hanson and the City Manager that morning regarding termination of his contract. This letter was not consistent with the purpose of the meeting which was to review City Attorney proposals.
4. Mr. Rideout was not advised in advance that the letter would be brought into the Closed Session. Mr. Collison's contract, from which consideration of Mr. Collison's employment, Mr. Rideout has recused himself. Mr. Rideout was not given advance notice and thereby the opportunity to remove himself from the closed session.
5. The Mayor did not adjourn the closed session.
6. The Mayor did not return to open session to report on the closed session.

Response to each complaint.

1. Complaint: The agenda of the meeting containing the closed sessions did not start with an open meeting during which the motion to go into closed session would be announced prior to going into closed session.

Response: Commissioner Rideout is correct in his complaint. The practice of advance noticing and then going into an open session prior to considering a motion to go into closed session has been corrected going forward. See Attachments 1,2,and 3 – Agendas for City Council meeting of Feb. 27, 2017, March 7, 2017 and March 13, 2017.

2. Complaint: Neither the agenda of the closed session nor a public statement during an open session adequately advised the public of the topics of discussion prior to going into closed session.

Response: The subject shown on the agenda for the closed session was: personnel matters with a recommendation to consider a motion to go into closed session concerning a personnel matter: City Attorney proposals. We disagree that there was inadequate information about the topics of discussion. The planned topic of discussion was City Attorney proposals.

At the direction of the City Council, the City Manager issued an RFP for City Attorney services, which will likely lead to a contract with an individual attorney or firm to serve as the City Attorney.

Before the closed session, there should have been a written "closing statement" per Sect. 3-305(D) with three items.

- a. *Topic to be discussed - which was stated on the agenda: City Attorney proposals.*
- b. *Citation of the exception – which was stated on the agenda: Personnel matters.*
- c. *Reason for closing the meeting – which was not stated. It should have added: Consideration of hiring - by contract - individuals or firms that have submitted proposals for City Attorney.*

The failure to use a written closing statement will be avoided in the future by the City Manager with assistance of the City Attorney, drafting a closing statement including all three required items, to be read by the Mayor prior to asking for a motion to go into closed session, and incorporation of the written statement into the minutes of the Council meeting

3. Complaint: During the closed session, the Mayor requested the City Manager to advise everyone about the letter that Mr. Collison had sent to the Mayor, Commissioner Hanson and the City Manager that morning regarding termination of his contract. This letter was not consistent with the purpose of the meeting which was to review City Attorney proposals.

Response: It is correct that advising the Council of the contents of Mr. Collison's letter was not planned, nor were the content clearly apropos to the subject of the Closed Session. However, the letter did confirm that Mr. Collison did not intend to nor had he submitted a proposal, even though he was advised that he could do so. No actions or tentative actions concerning the letter were taken. The violation will be avoided in the future by the City Manager, Mayor, and City Council with assistance from the City Attorney being careful to limit discussion to the stated subject matter of closed sessions in the future.

4. Complaint: Comm. Rideout was not advised in advance that the letter would be brought into the Closed Session. Mr. Collison's contract, from which consideration of Mr. Collison's employment, Mr. Rideout has recused himself. Mr. Rideout was not given advance notice and thereby the opportunity to remove himself from the closed session.

Response: Comm. Rideout is correct that he should have been notified in advance of the meeting so that he could recuse himself. Reading the letter from Mr. Collison was not planned. Currently, it is normal practice, if a closed session or open session will be dealing with an issue from which the Mayor or a Commissioner has recused him or herself, that either the City Attorney or City Manager advises the individual in advance. However, we point out that sometimes during an open or closed session discussion on topic, a Commissioner, Mayor or staff person may realize that he or she has a conflict or potential conflict that was not anticipated prior to the meeting. In those cases, the individual would remove himself from the discussion and complete the appropriate recusal form. In the closed session subject to Commissioner Rideout's complaint, the letter from Mr. Collison was not anticipated but the contents were presented, and Mr. Rideout was not advised in advance. The violation will be avoided in the future by the City Manager and Mayor, with assistance of the City Attorney, being careful to advise Commissioners if there is to be discussion of a topic from which a Commissioner has recused him or herself.

5. Complaint: The Mayor did not adjourn the closed session.

Response: It is correct that the Mayor did not adjourn the meeting. Once three Commissioners left the room, the meeting was effectively ended due to lack of a quorum. No business was conducted after that point. The violation will be avoided in the future by the Mayor and City Manager, with the assistance of the City Attorney, being careful to adjourn meetings on votes of the majority present.

6. Complaint: The Mayor did not return to open session to report on the closed session.

Response: The Mayor did not return to open session immediately following the closed session. The report of the meeting was presented on February 27th - the next regular Council meeting - and is included in the meeting minutes of the February 27th meeting (draft attached). We believe that this conforms to the Open Meeting Act requirement that the report was made in the next open session – February 27th. See minutes of Feb. 27, 2017 meeting. Note that no reportable actions were taken in the closed session of Feb. 21, 2017.

Responding to this set of complaints has occasioned a closer reading and application of the Open Meetings Act (OMA) Manual. The required procedures for closed session can be expected to conform to the OMA in the future.

This response to Rideout Complaint 022417 was considered and approved by action of the City Council on March 13, 2017 by a vote of: _____.

Respectfully,

Respectfully,

Victoria Jackson-Stanley
Mayor

Sandra Tripp-Jones
City Manager

Attachments

1. Agenda of Meeting of Cambridge City Council Feb. 27, 2017
2. Agenda of Meeting of Cambridge City Council March 7, 2017
3. Agenda of Meeting of Cambridge City Council March 12, 2017
4. Minutes of Meeting of Cambridge City Council Feb. 27, 2017

City of Cambridge
Finance Committee Minutes
Feb 16, 2017

At MUC at 10.30am

Attended: Donald Sydnor, Ginger Heatwole, Dave Cannon, Sandra Tripp-Jones

- Grant program
 - Discussed grant programs and what this could look like in terms of timing and overall structure
 - Finance committee wants awards to be available to nonprofits as soon as possible in the fiscal year and would like an application process
- Field staff lowest wages
 - Discussed wage comparison survey. Overall we are about \$2000 lower than the average salary for lowest paid field staff. With about 24 employees and benefits this is about \$65,000 in costs

City of Cambridge
Finance Committee Minutes
March 2, 2017

At MUC at 10.30am

Attended: Donald Sydnor, Ginger Heatwole, Dave Cannon, Sandra Tripp-Jones, Odie Wheeler, Victoria Jackson-Stanley , Greg Olinde

- **1880Bank investment proposal**
 - Greg Olinde from 1880Bank shared an investment proposal to maximize interest through a sweep account. Finance Committee is in favor of this proposal and instructed staff to work with 1880Bank to set the sweep account up and to move most money to 1880Bank leaving some amount at all local banks
- **Council budget issues- tax rate**
 - Discussed what the effect of the constant yield and rate increases would look like in terms of revenue and how a tax rate increase could be used (key council goals - High Street and housing rehab were discussed)
- **Health insurance proposal**
 - Staff had asked LGIT for a self-insurance pooled health care proposal
 - The proposal came back starting at 100,000 higher than the current plan
 - The flexibility to change the plan would be decreased

Agenda Item No. 19

Date 03-13-2017

AGENDA
City of Cambridge
City Council Work Session
March 14, 2017
Public Safety Building - 8 Washington Street
Cambridge, MD 21613

Open the public for observation only.

11:00 am Mayor and Council convene in Work Session

1. Introductions
2. Discussion with Secretary Kenneth Holt, DHCD, about economic development in Cambridge, MD

Adjourn