

3843

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND
IN LEGISLATIVE SESSION

Tuesday, March 30, 1982 Rockville, Md.

The County Council for Montgomery County, Maryland, convened in Legislative Session in the Council Hearing Room, County Office Building, Rockville, Maryland, at 10:20 A.M. on Tuesday, March 30, 1982.

PRESENT

Neal Potter, President
Esther P. Gelman
Rose Crenca

Michael L. Gudis, Vice President
Ruth Spector
David L. Scull

ABSENT

Scott Fosler

The President in the Chair.

The Journals of March 9 and 16, 1982 were approved as amended.

INTRODUCTION OF BILLS:

There were no bills for introduction.

MEMORIALS AND PETITIONS:

There were no memorials or petitions to be presented.

CALL OF BILLS FOR FINAL READING:

Re: Enactment of Bill No. 2-82,
Recreation Advisory Boards

Bill No. 2-82, Recreation Advisory Boards, was called for final reading. The Council had before it for consideration Draft No. 3, dated March 23, 1982.

Upon motion of Councilwoman Crenca, duly seconded and without objection, the Council approved the following amendment to the bill:

Page 2, line 13, insert the following words at the end of the line:
unless serving on the Board in another capacity.

Upon motion of Councilman Gudis, duly seconded and without objection, the Council voted to waive the reading of the title and proceed to enactment.

Councilmembers Spector, Crenca, Gelman, Scull, Gudis and Potter voting in the affirmative and Councilman Fosler being absent, Bill No. 2-82, Recreation Advisory Boards, was enacted, as amended.

Re: Enactment of Bill No. 3-82,
Cost-of-Living Adjustment for
Senior-Level Employees

Bill No. 3-82, Cost-of-Living Adjustment for Senior-Level County Employees, was called for final reading.

Councilwoman Gelman noted that this bill has not been referred to a Council committee, nor has it been the subject of a worksession by the Council. She referred to a memorandum to the Council from Deputy Staff Director Spengler, dated March 24, 1982, reviewing the background and issues connected to Bill No. 3-82, and stated that he has prepared an excellent report that should be reviewed by a committee. She stated that she objects to the provision in Bill No. 3-82 which would have the Chief Administrative Officer gather information and make compensation decisions at his sole discretion. Councilwoman Gelman expressed the view that the formula proposed in the bill is too flexible and leaves too much to one person's discretion. She noted that the Council has been asking the Executive Branch for a comprehensive review of the pay plan for three years and has not gotten it yet. She noted that the pay comparability data which was presented by the Executive Branch shows that very few jurisdictions have employer-contribution deferred compensation plans, in contrast to the representations made by the Executive Branch when it recommended that the Council approve such a plan for senior-level employees.

President Potter stated that the pay plan is included in the operating budget and must be approved by the Council. If the Council does not like what is presented, it can approach it in a different way. He noted that Bill No. 3-82 would remain in effect for one year only; it is not a permanent arrangement.

Upon motion of Councilwoman Crenca, duly seconded, Councilmembers Potter, Gudis, Spector and Crenca voting in the affirmative, Councilwoman Gelman voting in the negative, Councilman Scull being temporarily absent and

Councilman Fosler being absent, the Council voted to waive the reading of the title of Bill No. 3-82 and proceed to enactment.

Councilwoman Gelman indicated that she would like to have a Council worksession on this bill before it is enacted.

Councilman Scull stated that at the appropriate time during the Council's budget deliberations he intends to recommend that the Council fund a cost-of-living increase for County employees in the amount of 50% of the Consumer Price Index (CPI), rather than 75%. He noted that implementation of this proposal would not require a legislative bill, and inquired as to the procedure to be used to give people an opportunity to comment on the proposal. He further noted that Mr. Spengler has pointed out that the County could save \$900,000 by freezing the maximum salary in all of the grades, not just grades 32 and above as proposed by Bill No. 3-82. This proposal would require legislation. Councilman Scull expressed the view that the Council should consider these proposals, and inquired as to the appropriate procedure.

A discussion was held concerning the procedures to be used to consider the foregoing proposals, including the need to readvertise Bill No. 3-82 if it is to be amended, the time necessary to prepare, introduce and advertise a new bill and the need to act prior to July 1, 1982. Members of the Council objected to the time that would have to be devoted to such an undertaking.

Councilwoman Gelman expressed the view that the material presented by Mr. Spengler has raised many new issues and she does not believe the Council should proceed before considering them thoroughly.

Councilman Scull stated that he does not object to the provisions of Bill No. 3-82. However, he believes that the decisions on the comparability studies and pay plans should come back to the Council. In addition, he believes that it would be inappropriate for the Council to forego its opportunity to address the major, long-range fiscal issues that have been presented to the Council. The Colman Report of a few years ago and material presented by Mr. Spengler indicate that the County's pay scale is higher than that of other jurisdictions. Perhaps it should be that way, but the Council should have an opportunity to discuss it as part of the budget process. Councilman Scull suggested that the Council not enact Bill No. 3-82 today, but introduce an amendment that would freeze the maximum salary in all of the grades and allow an extra two weeks for comment.

President Potter disagreed that the effect of this bill would be to make the pay plan an administrative matter. The law, which is being enacted by the Council, specifies the formula for FY 1983, and the Council is not giving up its authority to approve the pay plan. He expressed the view that comparability with other jurisdictions is not necessarily desirable; the question to be examined is whether the County is getting its money's worth. The quality of the workforce must be examined as well as the cost. He noted that he has expressed doubts about this subject in the past. With respect to Councilman Scull's proposal, he stated that that would be a major undertaking to be accomplished prior to May 15. He does not know that the Council has the time to devote to such a major issue.

Councilwoman Crenca expressed the view that the Council should enact Bill No. 3-82 today and then address the other issues that have been raised. She inquired as to whether the Council can reduce its salary also if it only funds a 50% of CPI cost-of-living increase for employees.

It was noted that the Council cannot affect its own salary but it could reduce the salary of the next County Council. Councilman Scull stated that individual Councilmembers can return the excess salary above a 50% of CPI cost-of-living increase to the County treasury. He intends to make such a recommendation. He noted that such a contribution would be a charitable deduction on one's income tax.

Councilwoman Gelman stated that she has not taken a position for or against Bill No. 3-82. She believes that it deserves in-depth study and analysis. Although it is late in the budget process, the Council was in this position last year and requested that the Executive study the matter and present a recommendation to the Council in time to be considered and implemented for FY 83. She expressed the view that this important matter is deserving of more attention than the Council is giving it.

Councilman Scull expressed the view that it would be very logical to consider a freeze on the maximum salary in grades 5 through 31 at the same time it is considering a freeze on the maximum salary in grades 32 through 39.

Councilman Scull moved, duly seconded, that the Council reconsider its motion to waive the reading of the title of Bill No. 3-82 and proceed to enactment.