



CITY COUNCIL WORKSHOP MEETING AGENDA

VIRTUAL MEETING

WEDNESDAY, JUNE 2, 2021, 7:00 P.M.

This Agenda is subject to change. If this agenda is modified it will be reposted to the City of New Carrollton's website: www.newcarrolltonmd.gov. If you have any questions please contact the City Clerk at (301) 459-6100.

Items for Discussion

1. **Call to Order**
2. **Report of the Mayor and Administration**
3. **Council Questions/Council Announcements**
4. **FY 2022 Council Meeting Schedule**
5. **Council Meetings – Virtual vs. In-Person**
6. **Community Events (2021 National Night Out and 2021 Community Day)**
7. **Discussion of Council Rules and Procedures**
8. **Meeting Minutes**
 - a.) Council Workshop/Special Legislative Meeting Minutes (May 5, 2021)
 - b.) Council Workshop/Special Legislative Meeting Minutes (May 17, 2021)
 - c.) Council Legislative Meeting Minutes (May 19, 2021)
9. **Public Comment – (Residents' Concerns, Audience Participation and Phone Calls) When addressing the Council please state your name and address for the record.**
10. **Request for Future Agenda Items**
11. **Adjournment**

PLEASE NOTE: This meeting of the City of New Carrollton Council will be a virtual meeting. Anyone interested in listening to the meeting will be able to by calling the following number: **301-715-8592 with code 920 5776 5116**. You do not need a participant code. If you want to join the meeting via the Computer click on the link Zoom Meeting <https://zoom.us/j/92057765116> Meeting ID: 920 5776 5116. If you have comments for the Council please email them to City Clerk Doug Barber at dbarber@newcarrolltonmd.gov by 3:00 p.m. the day of the meeting.



CITY OF NEW CARROLLTON

6016 PRINCESS GARDEN PARKWAY • NEW CARROLLTON, MARYLAND 20784-2898
Phone (301) 459-6100 Fax (301) 459-8172

MEMORANDUM

TO: City Council of New Carrollton
FROM: Doug Barber, City Clerk
DATE: May 25, 2021
RE: FY 2022 Council Meeting Schedule

FY 2022 Council Meeting Schedule:

Attached is the proposed FY 2022 Council Meeting Schedule for the City Council's consideration.

The proposed FY 2022 Council Meeting Schedule will be presented for adoption at the Council Legislative Meeting scheduled for Wednesday, June 16, 2021.



FY 2022 COUNCIL WORKSHOP & COUNCIL MEETING SCHEDULE

- Workshops are held on the first (1st) Wednesday and third (3rd) Monday of every month
- Council Meetings are held on the (3rd) Wednesday of the month

(Please Note: There are only two meetings held in the following months: July, August, and December)

July 2021

Monday, July 19th, Workshop Meeting

Wednesday, July 21st, Council Meeting

August 2021

Monday, August 16th, Workshop Meeting

Wednesday, August 18th, Council Meeting

September 2021

Wednesday, September 1st, Workshop Meeting

Monday, September 13th, Workshop Meeting

Wednesday, September 15th, Council Meeting

October 2021

Wednesday, October 6th, Workshop Meeting

Monday, October 18th, Workshop Meeting

Wednesday October 20th, Council Meeting

Maryland Municipal League –Annual Fall Conference (October 10, 2021 - October 12, 2021)

November 2021

Wednesday, November 3rd, Workshop Meeting

Monday, November 15th, Workshop Meeting

Wednesday, November 17th, Council Meeting

December 2021

Monday, December 13th, Workshop Meeting

Wednesday, December 15th, Council Meeting

January 2022

Friday, December 31, 2021 City Office's Closed in observance of (Saturday, January 1st – New Year Day Holiday

Wednesday, January 5th, Workshop Meeting

Monday, January 17th – Martin Luther King Holiday (City Office's Closed)

Tuesday, January 18th, Workshop Meeting

Wednesday, January 19th, Council Meeting

February 2022

Wednesday, February 2nd, Workshop Meeting

Tuesday, February 14th, Workshop Meeting

Wednesday, February 16th, Council Meeting

Monday, February 21st – President's Day Holiday (City Office's Closed)

March 2022

Wednesday, March 2nd, Workshop Meeting

Monday, March 14th, Workshop Meeting

Wednesday, March 16th, Council Meeting

April 2022

Wednesday, April 6th, Workshop Meeting

Monday, April 18th, Workshop Meeting

Wednesday, April 20th, Council Meeting

May 2021

Wednesday, May 4th, Workshop Meeting

Monday, May 16th, Workshop Meeting

Wednesday, May 18th, Council Meeting

June 2022

Wednesday, June 1st, Workshop Meeting/Special Council Meeting

Monday, June 13th, Workshop Meeting

Wednesday, June 15th, Council Meeting

Maryland Municipal League Convention – June 2022 (TBD)**July 2022**

Monday, July 18th, Workshop Meeting

Wednesday, July 20th, Council Meeting

Events 2021:

Spring Festival – Cancelled due to COVID-19)

National Night Out – Tuesday, August 3, 2021 (5:00 pm – 8:00 pm)

Community Day – Saturday, September 25, 2021 (12:00 Noon – 6:00 pm)

Halloween Trick or Treat – Sunday, October 31, 2021 (6:00 pm – 9:00 pm)

Shredding Event – Saturday, November 13, 2021 (9:00 am – 12:00 Noon)

Events 2022:

Spring Festival – Saturday, April 9, 2021 (10:00 am – 3:00 pm)

National Night Out – Tuesday, August 2, 2022 (5:00 pm – 8:00 pm)

Community Day – Saturday, September 24, 2022 (12:00 Noon – 6:00 pm)

Halloween Trick or Treat – Monday, October 31, 2022 (6:00 pm – 9:00 pm)

Shredding Event – Saturday, November 12, 2022 (9:00 am – 12:00 Noon)

2021 Official City Holidays:

City Offices Will be CLOSED on the Following Holidays:

- New Year's Day – Friday, January 1
- Martin Luther King's Birthday – Monday, January 18
- President's Day – Monday, February 15
- Memorial Day – Monday, May 31
- Independence Day – Sunday, July 4 (Will be closed on Monday, July 5th in observance of Independence Day)
- Labor Day – Monday, September 6
- Veteran's Day – Thursday, November 11
- Thanksgiving Day – Thursday, November 25
- Day After Thanksgiving – Friday, November 26
- Christmas Day – Saturday, December 25 (Will be closed on Friday, December 24 in observance of Christmas Holiday)

2022 Official City Holidays:

City Offices Will be CLOSED on the Following Holidays:

- New Year's Day – Saturday, January 1 (Will be closed on Friday, December 31 in observance of New Year's Day Holiday)
- Martin Luther King's Birthday – Monday, January 17
- President's Day – Monday, February 21
- Memorial Day – Monday, May 30
- Independence Day – Monday, July 4
- Labor Day – Monday, September 5
- Veteran's Day – Friday, November 11
- Thanksgiving Day – Thursday, November 24
- Day After Thanksgiving – Friday, November 25
- Christmas Day – Sunday, December 25 (Will be closed on Monday, December 26 in observance of Christmas Holiday)



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Phone (301) 459-6100 Fax (301) 459-8172

MEMORANDUM

TO: City Council of New Carrollton
FROM: Doug Barber, City Clerk/David G. Rice, Chief of Police
DATE: May 26, 2021
RE: Community Events (2021 National Night Out and 2021 Community Day)

Community Events (2021 National Night Out and 2021 Community Day)

The City of New Carrollton is moving forward with the planning of the 2021 National Night Out scheduled for Tuesday, August 3, 2021.

The City of New Carrollton is also moving forward with the planning of the 2021 Community Day scheduled for Saturday, September 25, 2021.

We are excited to be bringing these community events back to the community this year. We will follow all proper guidelines to ensure the safety of our residents and staff at the events.



Resolution 21-01
Adopting Rules of Procedure for the City Council of New Carrollton

Effective: September 16, 2020

**A RESOLUTION
OF THE CITY COUNCIL OF NEW CARROLLTON ADOPTING
RULES OF PROCEDURE FOR THE CITY COUNCIL OF NEW CARROLLTON**

WHEREAS, the Charter of the City of New Carrollton, § C-8 “Council meetings” requires that the City Council adopt rules and regulations consistent with the City Charter “for its own government while in session;” and

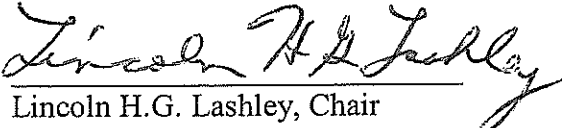
WHEREAS, the Administration prepared Rules of Procedure for the City Council’s consideration, which are attached hereto as Exhibit A; and

WHEREAS the City Council has reviewed the proposed Rules of Procedure and desires to adopt the Rules to govern its conduct while in session.

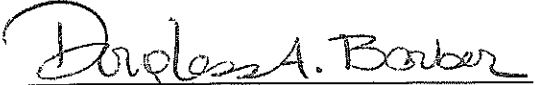
NOW, THEREFORE, BE IT HEREBY RESOLVED, by the City Council of New Carrollton, that the Rules of Procedure for the City Council of New Carrollton attached hereto as Exhibit A are hereby adopted.

ADOPTED AND ENACTED BY THE CITY COUNCIL OF NEW CARROLLTON THIS 16th DAY OF SEPTEMBER 2020.

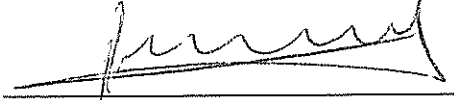
[SEAL]


Lincoln H.G. Lashley, Chair
City Council

ATTEST:


Douglass A. Barber, MMC, City Clerk

APPROVED:


Phelecia E. Nembhard, Mayor

Date: September 16, 2020

Rules of Procedure for the City Council of New Carrollton

I. Authority

These rules are adopted pursuant to the authority provided in §C-8 of the Charter of the City of New Carrollton.

II. Council Meetings

A. Open Meetings

1. All meetings of the Mayor and City Council shall be open to the public, except when such meetings are held in closed session pursuant to the provisions of the Maryland Open Meetings Act (Md. General Provisions Code Ann., Title 3 Open Meetings Act) or the Mayor and/or City Council are performing a function to which the Maryland Open Meetings Act does not apply. Notice of all meetings shall be provided as set forth herein and as required by the Maryland Open Meetings Act.

2. The City Council shall meet the third Wednesday of each month in City Hall (a.k.a the New Carrollton Municipal Center) located at 6016 Princess Garden Parkway, New Carrollton, Maryland or some other place of convenience in the City. In accordance with §C-8 of the City of New Carrollton Charter, the meeting on the third Wednesday of the month shall be referred to as the regular meeting of the Council. The Council shall meet at such other times and locations as may be required to conduct the business of the City. The City Council may meet by teleconference under very limited situations as set forth hereinafter. City Council meetings shall start at 7:00 p.m., unless otherwise noted.

3. Special meetings of the Mayor and City Council shall be called by the City Clerk upon request of the Mayor or a majority of the members of the Council. A statement that a special meeting will be held, together with the date, time and location, as well as the purpose of the meeting, shall be posted conspicuously at the City Municipal Center as soon as is practicable upon scheduling of the meeting. Failure to post such notice shall not invalidate any action taken at such meeting.

B. Quorum

Three Councilmembers present at any meeting shall constitute a quorum for the transaction of business. A member of the City Council may attend a meeting of the Council, and be considered present for voting, through electronic communication, as more fully explained in Section V.F. below.

C. Public Comments

Public comments are permitted at the end of each regular meeting of the City Council. Advance sign-up is not required unless noted on the agenda. At their turn, speakers who wish to

address the Council should come to the podium and state their name and address for the record. Comments are limited to three minutes each. If a speaker believes that their public comments need to extend more than three minutes and that the additional information cannot be provided in written form, the person may request that the Council Chair give them permission for an additional one or two minutes. To ensure that everyone who wants to comment has the time to do so, members of the public are expected to only speak once during public comments. Speakers may not cede their time to another person. If the Council determines that it would be in the best interest of Council to hear from a speaker a second time, the Council has the authority to request that the speaker return to the podium to provide additional information requested by the Council.

If a person is not present at a regular meeting of the City Council, yet would like to participate in Public Comments, the person may call in to a phone number provided by the City and may speak via telephone during the call-in time at the end of the meeting. When recognized, the person shall state their name and address before speaking to the issue regarding which they called. The time limits established in the prior paragraph for those speaking to the Council in person shall apply to call in persons as well.

D. Chairperson

The Chairperson of the City Council, or in their temporary absence, the Vice Chairperson, shall preside at all meetings of the City Council. In the absence of the Chairperson and Vice Chairperson, a Councilmember other than the Mayor Pro Tem and Alternate Treasurer will act as presiding officer during meetings of the Council. Hereinafter, the person presiding at a meeting, whether it be the Chairperson, Vice Chairperson, or Councilmember, shall be referred to as the presiding officer. At the appointed hour of the meeting, the presiding officer shall take their seat and immediately call the members of the City Council to order. A silent roll call shall be performed by the City Clerk, who shall enter in the minutes of the meeting the names of the members present. The presiding officer shall preserve order and decorum at all meetings of the Council. The presiding officer shall state every question before the Council, announce the decision of the Council on all subjects and decide all questions of order.

III. Duties and Privileges of Members

A. Right of floor

Before speaking on any matter, a member shall seek the floor by addressing the presiding officer. When recognized by the presiding officer, a member shall confine themselves to the question under debate, avoid personalities, and refrain from impugning the motives of any other member's argument or vote. No Councilmember shall interrupt another Councilmember in debate without their consent, or unless it is to call the person to order, and to obtain such consent, they shall first address the presiding officer. If a member, while speaking, is called to order, the member shall cease speaking until the question of order is determined, and, if in order, the member shall be permitted to proceed. Councilmembers shall not raise personal matters pertaining to alleged

improper performance or conduct of any city employee or Councilmember etc., at a public Council meeting.

B. Right of appeal

Any Councilmember may appeal to the Council a ruling on a decision of the presiding officer. The member making the appeal may briefly state their reason for appeal, and the presiding officer may briefly explain their ruling, but there shall be no debate on the appeal. The presiding officer shall then put the question: "Shall the decision of the Chair be sustained?" If a majority of the members present vote "YES," the ruling of the Chair is sustained; otherwise, it is overruled.

C. Voting

Every member present, when a question is put, shall vote "Yea," "Nay," or "Abstain." When abstaining, a member shall state the reason therefor. Unless a member of Council states that they are not voting, their silence shall be recorded as an affirmative vote.

D. Disorderly conduct or violation of rules by Councilmembers

If a Councilmember indulges in any language or conduct unbecoming to their office, the person shall be called to order by the presiding officer and in such case; the offending member shall lose the floor and not proceed without the approval of the majority of the members present. The Council may, by vote of not less than four members expel the member from a meeting for disorderly conduct or a violation of Council rules.

E. Behavior of attendees at Council meetings

Attendees of Council meetings and those speaking during audience participation and phone calls will conduct themselves in a professional manner at all times during meetings of the City Council. If any confusion or disorder arises, the presiding officer may, upon their own initiative or upon the request of any Councilmember enforce order. If the offending person or persons are a spectator, he/she or they may be ejected from the meeting. If any member of the Council objects to the ruling of the presiding officer, he/she shall have the right to appeal to the council as provided herein.

IV. Council Procedure

A. Order of Business

The business of all Regular meetings of the Council shall be transacted in the following order; provided, however, that the Chair or presiding official may take any item of business out of order unless objected to by a majority of the Councilmembers.

1. Call to Order
2. Pledge of Allegiance
3. Workshop Discussion Items
4. Approval of the Minutes (Or Consent Agenda – for things such as minutes, proclamations, letters from Council, with each item listed thereunder)
5. Council Questions and Council Announcements
6. Additions to the Agenda by the Council
7. Old Business
8. New Business
9. Public Comment
10. Adjournment

Provided that the City Clerk has previously furnished each Councilmember with a copy of the minutes of a prior meeting, the minutes may be approved without reading them.

B. Agenda

1. The City Clerk and the Council Chair shall prepare the Agenda for each meeting of the City Council. Pursuant to the Maryland Open Meetings Act, § 3-302.1. Before meeting in open session, the City Council is required to make available to the public an agenda that contains known items of business or topics to be discussed during that portion of any meeting that is open and indicating whether the Council expects to close any portion of the meeting. If the agenda has been determined at the time notice of an open meeting is provided, the Council shall make the agenda available at that time. If an agenda has not been determined at the time the Council gives notice of a meeting, the Council shall make the agenda available as soon as practicable after the agenda has been determined, but no later than 24 hours before the meeting. The City Council shall make the agenda available as is required by the Maryland Open Meetings Act, § 3-302.1(d). Accordingly, at least three business days prior to each meeting, the Chair or presiding official shall approve the agenda and ensure that each member of the Council and the Mayor receive a copy of the agenda for the forthcoming meeting. Nothing in the Maryland Open Meetings Act prohibits the City Council from altering an agenda after the agenda has been made available to the public. Accordingly, if it becomes necessary to add an item to an agenda after the City Clerk and the Council Chair have set the agenda, an item may be added with the concurrence of the City Clerk and the Chair or at the written request of two Councilmembers, one of which may be the Chair. At each regular meeting of Council, the Chair shall request agenda items from the Council for the next month's meeting, or a future meeting if additional time is required to properly prepare the item for Council's consideration.

2. If the City Council is unable to comply with the provisions of subsection 1 above because the meeting was scheduled in response to an emergency, a natural disaster, or any other unanticipated situation, the City Council shall make available an agenda of the meeting as soon as possible, but no later than within a reasonable time after the meeting occurs.

3. Modifications to the agenda may be made as follows:

- a. At the request of two or more members of the Council, an item shall be placed on the agenda for consideration at a meeting.
- b. Upon commencement of a Council meeting, upon a motion duly made and seconded, and upon the affirmative vote of at least a majority of the members of the Council, an item may be removed from a meeting agenda.

C. Introduction and passage of ordinances and resolutions

1. Ordinances and resolutions shall be introduced by the Council only in written form.

2. All ordinances except ordinances making appropriations and ordinances codifying or rearranging existing ordinances or enacting a code of ordinances, shall be confined to one subject, and the subject or subjects of all ordinances shall be clearly expressed in their title. Ordinances making appropriations shall be confined to the subject of appropriations.

3. Each ordinance may be introduced on its first reading by a member of the Council and seconded by another Councilmember. Each ordinance may be enacted on its second reading. No ordinance, other than an emergency ordinance, shall be passed until it has been read or summarized on two separate days. Any reading of an ordinance shall be by title only, unless a majority of the Council requires a full reading.

4. Except as otherwise required by State law, the affirmative vote of a majority of the Council shall be required for adoption of an ordinance or resolution. State law requires that actions involving the spending of funds for other than the budgeted purpose require an affirmative vote of two-thirds of the entire Council (four votes). The "Yeas," "Nays" and abstentions shall be taken upon the passage of all ordinances and resolutions and be entered in the minutes of the proceedings.

5. Proposed legislation shall contain a brief statement setting forth its budgetary impact.

6. Copies of all ordinances and resolutions shall be prepared for distribution to all members of the Council, Mayor, City Administrative Officer and the City Clerk at the meetings where the ordinance or resolutions are introduced. Whenever any member of the Council is absent from such meetings, the City Clerk shall arrange to have copies delivered to him/her.

7. If the Council so desires, any pending ordinance or resolution may be referred to the Mayor, any member of the Council, a standing or special committee, the City Solicitor, or the City Administrative Officer for study, recommendations, redrafting etc.

8. The Council may hold scheduled public hearings on regular meeting nights or at another time in order to accept public comments on an ordinance or other issue. Public hearings

are generally scheduled at the beginning of a regular meeting. Speakers may be asked to sign up to speak at a public hearing. Comments will be limited to three minutes each.

Requests to show visual or audiovisual materials during a public hearing must be submitted to the City Clerk at least 24 hours in advance of a meeting. If the request is approved, the digital file or link to the file must be emailed to the City Clerk no later than noon the day of the meeting. Flash drives (thumb drives) are not permitted for use at the meeting. This process shall apply to any requests to show visual or audiovisual materials at a Council meeting.

D. Emergency ordinances

An emergency ordinance may be declared by a four-fifths vote of the City Council¹ (as provided for in §C-10 “General powers of Council” of the City of New Carrollton Charter). An emergency ordinance shall become effective on the date specified in the ordinance, but no ordinance shall become effective until approved by the Mayor or passed over his or her veto by the Council.

E. Precedence of Motions

When a question is before the Council, no motion shall be entertained except; (a) to fix the hour of adjournment; (b) to adjourn; (c) to postpone to a certain time; (d) for the previous question; (e) to refer; (f) to amend or (g) to postpone indefinitely. These motions shall have precedence in the order indicated. Any such motion, except a motion to amend, to postpone to a certain time, to refer, and to postpone indefinitely shall be put to a vote without debate.

F. Motions out of the regular order

The presiding officer at any time shall permit a member to introduce an agenda item out of the regular order.

G. Motion to adjourn--when not in order--not debatable

A motion to adjourn shall be in order at any time, except as follows: (a) when repeated without intervening business or discussion; (b) when made as an interruption of a member while speaking; (c) when the previous question has been ordered; and (d) while a vote is being taken. A motion to adjourn is not debatable.

H. Motion to table (postpone)

A motion to table (postpone) shall preclude all amendments or debate on the subject under consideration. If the motion shall prevail, the consideration of the subject may be resumed at any time by a majority vote under new business at a subsequent meeting.

¹ A four-fifths vote of the City Council means a vote by four members.

I. Previous question

When the previous question is moved and seconded by another member, it shall be put as follows: "Shall the main question now be put?" There shall be no further amendment or debate; however, pending amendment shall be put in his or her order before the main question. If the question, "Shall the main question now be put" and approved by a majority of the members present, the main question shall then be voted upon. If the question were decided in the negative, then the main question remains before the Council.

J. Division of question

If a question contains two or more divisible propositions, the presiding officer upon request of a member, may divide the same.

K. Motion to Amend

A motion to amend a main motion, seeks to amend, alter or change, in some way, a main motion that is presently pending before the Mayor and Council. When the Council is ready to vote on a motion that has been subject to an amendment, the Council shall first vote on the amendment and, if the amendment passes, then the Council will proceed to vote on the motion as amended. In the event that the amendment does not carry, then the Council will consider and vote on the main motion.

L. Reconsideration

After the decision on any question, any member who voted with the majority may move to reconsider any action at the same or the next succeeding meeting. A motion to reconsider shall require the approval of at least three (3) members of the Council. A meeting closed pursuant to the Maryland Open Meetings Act shall not be considered in determining the "next succeeding meeting" for purposes of this section. After a motion for reconsideration has once been acted upon, no other motion for reconsideration thereof shall be made without unanimous consent of all members of the Council.

M. Procedure in absence of rule

In the absence of a rule to govern a point of procedure, the practice approved of in Robert's Rules of Order Newly Revised (1990 Edition), as amended, shall prevail.

V. Miscellaneous

A. Suspension of rules

Any provision of these rules not governed by the City Charter, State Law, or City Ordinance may be suspended for a particular purpose, such as to allow debate on a motion that is non-debatable or to permit some other type of action that is not otherwise permitted by these Rules of Procedure, at any meeting of the Council by a vote of not less than four (4) members of the Council. If vacancies on the Council occur that result in only three (3) or four (4) members sitting as the Council, then three votes shall be required to suspend the rules.

B. Report of Mayor and City Council

The report is to be used to present any items or fact of interest by the City Council, report current or future events, and to permit the Mayor and Administrative Staff to report on conditions in and on the City or Departments. Answers may be given to the constituent questions from previous meetings or correspondence, accept and read committee reports, make presentations and give awards. Neither committee appointment announcements nor decision on any issue is to be made during the report. The Council shall require a report from the Mayor and City Departments by Friday before the Council meeting. The Council may want to add to the Mayor and/or Department's agenda(s) before the meeting on Monday for discussion of items not included.

C. Use of handheld electronic devices

The Mayor and Councilmembers shall give their full time and attention to the business before them; therefore, no use of an electronic device by the Mayor or a Councilmember is permitted during any Council meeting. All electronic devices must be turned off or put in silent mode by everyone upon entering the City Council Chamber or any council hearing location, and not be used during the meeting. Any person, whether it be a member of City staff, the Mayor, a Councilmember or someone attending the meeting, who violates this rule shall be asked to leave the chamber by the presiding officer. Some devices may interfere with the council audio system.

D. Video Recording

Council meetings will ordinarily be recorded by the City. These recordings may become part of the permanent record of Council proceedings. Meetings will be simultaneously cablecast on the City of New Carrollton cable channel and archived online. Copies are available upon request from the City, if costs are paid by the requestor.

E. ADA Notice

The City of New Carrollton is committed to ensuring that individuals with disabilities are able to fully participate in public meetings. Anyone with a disability who wishes to receive

auxiliary services or accommodations at a Council meeting should contact the City Clerk at city@newcarrolltonmd.gov at least 48 hours in advance.

F. Special Rules for Electronic Participation by Members of the City Council

Electronic participation by Councilmembers is for the benefit of the City and not an individual councilmember. Accordingly, electronic participation shall be the exception, not the rule, and shall be limited to twice a year per councilmember. Electronic participation should be limited to times when an agenda item is time sensitive and a quorum of the Council cannot be obtained without a Councilmember participating electronically, an agenda item is highly important and the Councilmember cannot be physically present, and when it is important that all councilmembers participate in a decision and a councilmember cannot be physically present. In the event that one of these aforementioned situations presents itself, and a councilmember has already participated in a Council meeting electronically twice that year, the presiding officer may authorize the Councilmember to attend electronically one additional time. A member of the City Council may attend a meeting of the Council through electronic communication as set forth below.

1. Prior to the Meeting: The Councilmember shall give notice to the Council Chair and City Clerk of his/her desire to attend a meeting from a remote location, provide good cause for the request and indicate from where the member will participate. Notice should be provided one week in advance when practicable. Upon receipt of notice, the City Clerk will confirm that the City TV staff is able to manage the request. Once confirmation has been received, the City Clerk will note the remote participation on the City Council agenda. Emergency requests due to illness, unexpected travel for work, or similar unforeseen circumstances will be accommodated when possible.

2. During the Meeting: The Council Chair will announce the member's remote participation at the beginning of the meeting. During roll call, the Councilmember shall respond that he or she is present. If the Councilmember attending electronically leaves the meeting, the person shall announce the departure unless the meeting has been paused for a break or has been adjourned. After a break, the Council Chair will confirm that the Councilmember is still present at the meeting. The Councilmember attending electronically shall ask for recognition from the Council Chair if he or she desires to speak. When a Councilmember is attending electronically, all votes taken during the meeting shall be by roll call. The vote of the remote participant must be audible.

3. Limitations: Remote participation is only available when the Councilmember participating electronically has been provided a copy of all materials before the Council during the meeting and has reviewed the materials. Remote participation will be limited by the technology available. No more than one member may participate remotely in a meeting unless a second member is needed in order to achieve a quorum. Requests shall be accommodated in the order that they are received. If the remote connection fails or the participating member cannot hear the proceedings or be heard by all those present, the Councilmember shall depart the meeting until the connection can be properly restored. In this event, the Council Chair will announce the departure

and, when applicable, the Councilmember's subsequent rejoining at the meeting. Electronic participation is always contingent upon the ability of staff to make arrangements for the voice of the remote participant to be heard by all persons at the meeting and for the remote participant to hear all Councilmembers in attendance.

Notwithstanding the limitations mentioned above, in the event of an emergency such as an act of God, natural disaster or health emergency, that prohibits the Council from being able to gather together for a meeting, the entire Council may participate in Council meetings electronically, provided, however, that every member is provided the materials that are the subject of discussion at the meeting, public notice of the meeting is provided and the public is given an opportunity to participate electronically. An executive order of the president of the United States or the governor of the State of Maryland shall also qualify as an emergency under this provision.

G. Closed (executive) Sessions:

The Maryland Open Meetings Act permits the City Council to discuss certain topics confidentially in closed session. Preserving the confidentiality of closed session discussions promotes effective dialogue among Councilmembers. If a person is concerned that what is discussed in an executive session may be disclosed afterwards, the person may not freely participate in the discussion. Furthermore, information can be presented out of context. The City Council, therefore, imposes a duty on every Councilmember, the mayor and staff attending a closed meeting to maintain their confidence on any city business and/or information pertaining to the City of which the person has knowledge as a result of attending a closed meeting. In the event of any closed session, no member of the City Council, mayor, employee of the City, or any other person present during a closed session of the City Council, shall disclose to any person the content or substance of any discussion or action which took place during the closed session, unless a majority of the City Council shall authorize such disclosure in accordance with Md. General Provisions Code Annotated, §3-306(c)(4)(iii). An employee or appointee found to have violated this section shall be subject to disciplinary action, including leave without pay. A member of any City board or committee found to have violated this section shall be removed from office immediately. A City Councilmember or mayor found to have violated this section shall be subject to public censure by the City Council and any further action authorized under City Code, Chapter 12, §12-5.

Adopted by the City Council by Resolution 21-01 at the Council Legislative Meeting of September 16, 2020.