

1 Introduced by: Councilmember Searcy

2
3 **CITY OF TAKOMA PARK, MARYLAND**

4
5 **RESOLUTION 2021-13**

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7 **RESCINDING RESOLUTIONS 2020-12 AND 2020-18 REGARDING**
8 **QUASI-JUDICIAL PROCEEDINGS BY THE CITY'S BOARDS,**
9 **COMMISSIONS AND COMMITTEES.**

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11 **WHEREAS,** since March of 2020, the COVID-19 pandemic has required the City to alter the
12 way in which it operates; and

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14 **WHEREAS,** on April 15, 2020, the Council adopted Resolution 2020-12, which suspended
15 quasi-judicial proceedings by the City's boards, commissions and committees
16 until thirty days after the expiration of the State of Emergency declared by
17 Governor Lawrence J. Hogan, Jr., due to the COVID-19 pandemic; and

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19 **WHEREAS,** on July 29, 2020, the Council adopted Resolution 2020-18 that modified
20 Resolution 2020-12 by permitting the City Manager to phase-in virtual quasi-
21 judicial proceedings when safety protocols and procedural legal requirements
22 could be met through training, increased staff capacity and the use of
23 technology; and

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25 **WHEREAS,** the Chief Judge of the Court of Appeals of Maryland began a phased reopening
26 of Maryland's Courts beginning June 5, 2020; and

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28 **WHEREAS,** since January of 2021, COVID-19 vaccinations have become widely available
29 to which residents of the City have availed themselves; and

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31 **WHEREAS,** on May 13, 2021, the Centers for Disease Control and Prevention released
32 guidance permitting fully vaccinated individuals to resume activities they
33 engaged in prior to the pandemic and announced that fully vaccinated
34 individuals are no longer required to wear masks, absent any law or rule to the
35 contrary; and

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37 **WHEREAS,** on May 14, 2021, Governor Larry J. Hogan, Jr., ended the statewide mask
38 mandate and lifted all capacity limits and restrictions, citing increased
39 vaccinations and decreased cases of COVID-19 across the State; and

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41 **WHEREAS,** although Governor Hogan renewed the State of Emergency on May 12, 2021,
42 it is the sense of the Council that City operations are returning to a level
43 commensurate with that which existed prior to the pandemic; and

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45 **WHEREAS,** the Council desires that the limitations of quasi-judicial proceedings be lifted;
46 and

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48 **WHEREAS,** over the past year, the Council has been reviewing committee structures and
49 processes and developing plans aimed at improving access and reducing
50 barriers to committee membership, including opportunities for hybrid and
51 virtual meetings, that Council intends to finalize and adopt later this year; and
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53 **WHEREAS,** the Council believes that the City’s boards, commissions and committees
54 should adapt their processes based on lessons learned during the pandemic, such
55 as the option of holding virtual or hybrid virtual/in-person hearings and
56 meetings.
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58 **NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF**
59 **TAKOMA PARK THAT** Resolutions 2020-12 and 2020-18 are rescinded.
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61 **AND, BE IT ADDITIONALLY RESOLVED THAT** the Council directs the City’s boards,
62 commissions and committees to adapt their processes based on lessons learned during the
63 pandemic, such as holding virtual or hybrid virtual/in-person hearings, and continue to provide
64 opportunities to attend meetings virtually or with a hybrid approach as needed or desired, to the
65 extent possible, taking into account any legal requirements relating to in-person proceedings.
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67 **THIS RESOLUTION, WHICH IS EFFECTIVE IMMEDIATELY, IS ADOPTED BY THE**
68 **COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND, THIS 9TH DAY OF**
69 **JUNE, 2021, BY ROLL-CALL VOTE AS FOLLOWS:**
70

71 **AYE:** Stewart, Kovar, Dyballa, Kostiuk, Seamens, Smith, Searcy
72 **NAY:** None
73 **ABSTAIN:** None
74 **ABSENT:** None