



City of Takoma Park

## City Manager Comments

### Report of April 29, 2020

#### *Information to Share*

#### **Award for Wolfgang Mergner**

I am so happy to see that Wolfgang Mergner has received the 2020 Neal Potter Path of Achievement Award. More information is on the Montgomery County announcement: <https://www.montgomerycountymd.gov/volunteercenter/awards/MontgomeryServesAwards2020Mergner.html> His work on City committees and efforts over the years have been tremendous, and his accomplishment in starting the Village of Takoma Park to help support seniors really has benefitted the Takoma Park community. Congratulations!

#### **Safety for Public Works Staff**

 <p><b>Public Works Department</b></p> <p><b>¡Ayúdenos a estar protegidos!</b></p> <p>La basura debe estar en bolsas plásticas bien cerradas, antes de tirarlas en su tacho de basura.</p> <p>Esto evita que haya basura suelta que pueda volarse del tacho o el camión y protege a nuestro personal de una posible contaminación.</p> <p>No deje basura suelta para la recolección, siempre use una bolsa de plástico para la basura.</p> 	 <p><b>Public Works Department</b></p> <p><b>Please Help Us Stay Safe!</b></p> <p>Trash items should be placed in plastic bags and tied closed, before placing them in your trash can.</p> <p>This keeps loose trash from blowing out of the can and truck and protects our staff from possible contamination.</p> <p>Please do not put loose trash out for collection – always use a plastic bag for the trash.</p> 
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Our wonderful Public Works crews are working hard in the community every day. We have taken a number of steps to help keep them safe from COVID-19 exposure while at work, but we really need our residents to help. In particular, we need residents to avoid putting loose trash in garbage cans. We have made stickers to help remind residents of this and we

want to get the word out across the community. Please put trash in plastic bags and tie them closed before placing them in trash cans.

Steps the City has taken to improve safety include:

- Ample supply of latex gloves so staff can use as many as they want
- Have always had uniforms and weekly laundry service; staff have 11 uniforms
- Glove disinfection stations have been established
- Goggles and regular face masks are provided
- Hazmat suits are available if staff wish to use
- Only one person allowed in a truck cab; sanitary wipes in the cabs
- Trucks parked in separate areas of the PW yard to facilitate social distancing

### **Safety for Police Staff**

Our Police officers are more at risk for COVID-19 than most City staff. They have had a number of incidents since the pandemic began that have required special care. Officers have responded to a number of deaths in homes, several fights, several persons having a mental health crisis who are intentionally hitting, spitting or coughing on officers, and have needed to disperse some large crowds inside and around buildings. Police Dispatch staff (often two people at a time) must work in a small room and are not easily able to wear masks in carrying out their duties. So far, we have had one police officer test positive for COVID-19 and are awaiting results on another officer. We are appropriately quarantining these officers and those who may have been in contact with them.

As with Public Works staff, we have taken a number of steps to keep Police staff safe, undertaken more frequent and deeper cleaning of the Dispatch space, and there are a number of special protocols the officers use in responding to calls for service.

Because of the COVID-19 hazard, we intend to provide hazard pay for many Police and Public Works staff. The pay is tiered and consistent with [OSHA](#) assessments of the danger of COVID-19 exposure from different kinds of work duties. This pay is not in the City Code or either Collective Bargaining Agreement and may be adjusted or ended at any time. This could result in approximately \$37,000 per month in hazard pay.

### **Public Information Act Legal Action**

The City Attorney recommended that the City suspend the requirement to provide a response to a Public Information Act request within 30 days. The City Attorney's recommendation is based on information conveyed to him regarding issues other local governments have encountered and one Public Information Act request that is currently pending in the City which cannot be addressed at present as a result of restrictions on employee activity due to the worldwide pandemic. The Maryland Municipal Attorney's Association and the Maryland Municipal League, recognizing that Public Information Act

Request response times are a statewide issue, worked with the Governor's Office of Legal Counsel to establish the process by which a suspension of time for something like the Public Information Act can occur. That process has been followed. The action taken by the City of Takoma Park is similar to that being taken by many local governments in Maryland under the special process set up by Maryland's Governor's Office pursuant to statutory authority granted to the Governor when there is a state of emergency.

City staff is committed to and values transparency. My staff and I always desire to respond to Public Information Act requests as quickly as possible. The City's Public Information Act action was taken to provide notice that some requests that cannot be done by staff working remotely may not be able to be accomplished during the pandemic and to ensure the City has a legal safe harbor when it cannot meet the statutorily required response times as a result of difficulties related to the pandemic.

There was never any desire by me or any staff to limit responses to requests for information or to delay such responses. City staff is, and has been, quickly responding to the inquiries we receive. City staff will continue to process Public Information Act requests and, if there is a need to take longer than the 30 day response time, information regarding that matter will be posted on the City Manager's page of the City's website where all actions taken under the City's Emergency [Ordinance 2020-04](#), are noted.

Once initially approved by the Governor's Office, the City Attorney asked me to sign the paperwork for filing, which I did. Unfortunately, the information about the action was not shared with the City Council before the action was finalized. I apologize for this. This was compounded by not having clear explanatory information on the website. That has now been corrected.

As always, we welcome requests for information and strive to provide the requested information promptly.

A Council Work Session on this Public Information Act Legal Action is scheduled for May 6, 2020. The City Attorney will be present at that meeting.

### **Washington Adventist Hospital Update**

Regional hospital use is fluid right now during the COVID-19 pandemic, as is information on how the Washington Adventist Hospital building plays into regional hospitalization surge efforts. Some construction work may take place at the hospital beginning later this week. Most discussions regarding use of the WAH building have been concerning non-COVID-19 patients. We continue to monitor the different plans that are being proposed as hospitalization needs change.

## **Police Tip Line is Not for Crimes in Progress**

The City of Takoma Park Police Department has an anonymous tip line. It is checked regularly, but it is NOT the way to report a crime or suspicious activity in progress. Your tips can be very helpful in solving crimes, so we encourage its use. But, if you need immediate response, please call our non-emergency number at 301-270-1100 or, for an emergency, call 911. To learn more about the tip line, please visit

<https://takomaparkmd.gov/government/police/services-and-programs/tip-411-program/>.

## **Pandemic Reopening Approaches**

Maryland, Virginia and the District of Columbia are all establishing task forces to develop metrics and plans for staged reopening as the pandemic eases. Metrics in the National Capital Region are continuing to increase and reopening is not imagined to begin even in part until the numbers begin to go down for 14 days. It is important to think of recovery as a faucet rather than an on/off switch. It may start as a trickle, increase, be reduced and increase again over time as health statistics are monitored. All three jurisdictions are referring to some or all of the following sources of current thinking, which many residents may find of interest:

### **Source Links:**

American Enterprise Institute (AEI):

[National Coronavirus Response A Road Map to Reopening](#)

Johns Hopkins University (JHU):

[Public Health Principles for a Phased Reopening During COVID-19](#)

National Governors Association (NGA):

[Roadmap to Recovery: A Public Health Guide for Governors](#)

White House Guidelines: [Opening Up America Again](#)

## **Waiver of Opportunity to Purchase**

The City has waived its opportunity to purchase the single-family home at 332 Lincoln Avenue under City Code Chapter 6.32 *Tenant Opportunity to Purchase*. The tenants have declined their opportunity to purchase.

## **Happy 30<sup>th</sup> Anniversary!**

Congratulations to Jean Kerr of our Housing staff who has worked for the City for 30 years! She is busier than ever during the pandemic, but we were able to have a small Zoom celebration to acknowledge her many years of service to the City of Takoma Park. Thank you, Jean!