

CHARTER RESOLUTION
OF THE MAYOR AND COUNCIL OF THE CITY OF COLLEGE PARK, TO
AMEND ARTICLE I, “GENERAL PROVISIONS”, BY ENACTING §C1-5,
“ATTENDANCE AT MEETINGS” TO AUTHORIZE THE MAYOR AND
COUNCILMEMBERS TO PARTICIPATE IN AND VOTE AT A MEETING
EITHER IN PERSON OR THROUGH REMOTE ELECTRONIC VISUAL AND
AUDIO, OR AUDIO, OR OTHER MEANS THAT PROVIDE THE ABILITY FOR
THE PUBLIC TO OBSERVE THE MEETING

A Charter Resolution of the Mayor and Council of the City of College Park, adopted pursuant to the authority of Article XI-E of the Constitution of Maryland and §4-301 *et seq.*, Local Government Article, Annotated Code of Maryland, as amended.

WHEREAS, various charter provisions, including §3-6, “Vacancies”, §6-2, “Quorum, presiding officer and voting requirements”, and §6-2, “Closed sessions” contain references with respect to the Mayor or Councilmembers being “present” or “absent” at meetings without specifically defining what it means to be present; and

WHEREAS, due to the limitations imposed by current pandemic emergency, the Mayor and Councilmembers, as well as the public, have attended meetings remotely, allowing the elected officials and the public to observe and participate by video and audio or telephone; and

WHEREAS, the Mayor and Council have determined that it is in the public interest to allow the Mayor and Councilmembers to be present and participate in, and to vote at, meetings by attending remotely through video and audio, or audio, or other means that provide the ability for the public to observe the meeting under certain circumstances; and

CAPS : Indicate matter added to existing law.

[Brackets] : Indicate matter deleted from law.

Asterisks * * * : Indicate matter remaining unchanged in existing law but not set forth in Resolution.

CAPS :Indicate matter added in amendment

[Brackets] :Indicate matter deleted in amendment

WHEREAS, the Mayor and Council have determined that it is in the public interest to promote greater access to meetings by making remote virtual attendance, as well as in person attendance, available to the public.

Section 1. NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of College Park that Article I, “General Provisions”, §C1-5, “Attendance at meetings” be enacted to read as follows:

§C1-5 ATTENDANCE AT MEETINGS.

EXCEPT AS OTHERWISE PROVIDED BY LAW, THE MAYOR AND COUNCILMEMBERS MAY BE PRESENT, ATTEND AND VOTE AT, AND BE COUNTED TOWARD A QUORUM FOR, A MEETING EITHER:

- a. IN PERSON AT THE DESIGNATED PUBLIC MEETING LOCATION,
OR
- b. THROUGH ELECTRONIC VISUAL AND AUDIO, OR AUDIO, OR OTHER MEANS THAT PROVIDE THE ABILITY FOR THE PUBLIC TO OBSERVE THE MEETING, FROM A REMOTE LOCATION, AS AUTHORIZED IN THE COUNCIL’S RULES AND PROCEDURES AND IN COMPLIANCE WITH OPEN MEETINGS ACT REQUIREMENTS.

Section 2. BE IT FURTHER RESOLVED by the Mayor and Council of the City of College Park that this Charter Resolution was introduced on the ____ day of February, 2021 and was considered for adoption after a public hearing. It is adopted as amended this _____ day of _____, 2021, after at least 21 days of prior public notice of the public hearing and shall be and become effective upon the fiftieth (50th) day after its passage by the City unless petitioned to referendum in accordance with §4-304 of the Local Government Article, Annotated Code of Maryland within forty (40)

days following its passage. A complete and exact copy of this Amended Charter Resolution shall be posted in the City offices located at 8400 Baltimore Avenue, Suite 375, College Park, Maryland for forty (40) days following its passage by the Mayor and Council and a fair summary of the Charter Resolution shall be published in a newspaper having general circulation in the City not less than four (4) times, at weekly intervals, also within the forty (40) day period following its adoption by the City.

Section 3. BE IT FURTHER RESOLVED that, within ten (10) days after the Charter Resolution hereby enacted becomes effective, either as herein provided or following referendum, the City Manager for the City of College Park shall send separately, by mail, bearing a postmark from the United States Postal Service, to the Department of Legislative Services, one copy of the following information concerning the Amended Charter Resolution: (i) the complete text of this Resolution; (ii) the date of referendum election, if any, held with respect thereto; (iii) the number of votes cast for and against this Resolution by the Council of the City of College Park or in the referendum; and (iv) the effective date of the Charter Resolution.

Section 4. BE IT FURTHER RESOLVED that the City Manager of the City of College Park be, and hereby is, specifically enjoined and instructed to carry out the provisions of Sections 2 and 3 as evidence of compliance herewith; and said City Manager shall cause to be affixed to the minutes of this meeting (i) an appropriate Certificate of Publication of the newspaper in which the fair summary of the Charter Resolution shall have been published; and (ii) shall further cause to be completed and executed the Municipal Charter or Annexation Resolution Registration Form.

Section 5: BE IT FURTHER RESOLVED that if any provision of this Charter Resolution or the application thereof to any person or circumstance is held invalid for any

reason, such invalidity shall not affect the other provisions or any other application of this Charter Resolution which can be given effect without the invalid provisions or application, and to this end, all the provisions of this Resolution and of the Charter are hereby declared to be severable.

INTRODUCED by the Mayor and Council of the City of College Park at a regular meeting on the ____ day of _____ 2021.

ADOPTED by the Mayor and Council of the City of College Park at a regular meeting on the _____ day of _____ 2021.

EFFECTIVE the _____ day of _____, 2021.

ATTEST:

CITY OF COLLEGE PARK,

Janeen S. Miller, CMC, City Clerk

By _____
Patrick L. Wojahn, Mayor

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:**

Suellen M. Ferguson, City Attorney