



MAYOR AND COUNCIL

MEETING NO. 33-21
Monday, September 20, 2021 – 7:00 PM

AGENDA

Agenda item times are estimates only. Items may be considered at times other than those indicated.

Any person who requires assistance in order to attend a city meeting should call the ADA Coordinator at 240-314-8108.

Rockville City Hall is closed due to slowing down the spread of the coronavirus COVID-19 and continue practicing safe social distancing.

Viewing Mayor and Council Meetings

To support social distancing, the Mayor and Council are conducting meetings virtually. The virtual meetings can be viewed on Rockville 11, channel 11 on county cable, livestreamed at www.rockvillemd.gov/rockville11, and available a day after each meeting at www.rockvillemd.gov/videoondemand.

Participating in Community Forum & Public Hearings:

If you wish to submit comments in writing for Community Forum or Public Hearings:

- Please email the comments to mayorandcouncil@rockvillemd.gov by no later than 10:00 a.m. on the date of the meeting.
- All comments will be acknowledged by the Mayor and Council at the meeting and added to the agenda for public viewing on the website.

If you wish to participate virtually in Community Forum or Public Hearings during the live Mayor and Council meeting:

1. Send your **Name, Phone number, the Community Forum or Public Hearing Topic and Expected Method of Joining the Meeting (computer or phone)** to mayorandcouncil@rockvillemd.gov no later than **10:00 am on the day of the meeting**.
2. On the day of the meeting, you will receive a confirmation email with further details, and two Webex invitations: 1) Optional Webex Orientation Question and Answer Session and 2) Mayor & Council Meeting Invitation.
3. Plan to join the meeting no later than 6:40 p.m. (approximately 20 minutes before the actual meeting start time).
4. Read for <https://www.rockvillemd.gov/DocumentCenter/View/38725/Public-Meetings-on-Webex>
5. meeting tips and instructions on joining a Webex meeting (either by computer or phone).
6. If joining by computer, **Conduct a WebEx test:** <https://www.webex.com/test-meeting.html> prior to signing up to join the meeting to ensure your equipment will work as expected.
7. Participate (by phone or computer) in the optional Webex Orientation Question and Answer Session at 4 p.m. the day of the meeting, for an overview of the Webex tool, or to ask general process questions.

Participating in Mayor and Council Drop-In (Mayor Newton and Councilmember Pierzchala)

Drop-In Sessions will be held by phone on Monday, September 27 from 5:30-6:30 p.m. **Please sign up by 10 a.m. on the meeting day using the form at:** <https://www.rockvillemd.gov/formcenter/city-clerk-11/sign-up-for-dropin-meetings-227>

- 7:00 PM 1. **Convene**
2. **Pledge of Allegiance**
- 7:05 PM 3. **Boards and Commissions Appointments and Reappointments**
- A. **Boards and Commission Appointments and Reappointments**
- 7:10 PM 4. **Discussion and Recommendation for Mandatory COVID-19 Vaccination Requirement for City Employees, Volunteers, and Interns. Discussion and Instruction Regarding Validating Vaccination or Negative COVID Tests for Patrons Visiting City Facilities, Including the F. Scott Fitzgerald Theatre.**
- 8:10 PM 5. **Adjournment into Closed Session pursuant to Sections 3-305(b)(7) and 3-305(b)(8) of the General Provisions Article of the Annotated Code of Maryland to consult with counsel to obtain legal advice and consult with staff, consultants, or other individuals about potential litigation.**

The Mayor and Council Rules and Procedures and Operating Guidelines establish procedures and practices for Mayor and Council meetings, including public hearing procedures. They are available at: <http://www.rockvillemd.gov/mcguidelines>.



Mayor & Council Meeting Date: September 20, 2021
 Agenda Item Type: Appointments & Announcement of Vacancies
 Department: City Clerk/Director of Council Operations Office
 Responsible Staff: Judy Penny

Subject

Boards and Commission Appointments and Reappointments

Recommendation

The Mayor and Council will appoint and reappoint the following members to the Boards and Commissions.

Human Services Advisory Commission

Deborah Moore - Reappointment, as Consumer Representative, to serve a three-year term until September 1, 2024

Henry Elowitch - New Appointment to serve as an At-Large Representative for a three-years until September 1, 2024

Landlord-Tenant Affairs Commission

Ayodeji Rotimi - New Appointment to serve a three-years until September 1, 2024

Recreation and Parks Advisory Board

Elizabeth Fischer - Reappointment to serve a three-year term until June 1, 2024


 Sara Taylor-Furem, City Clerk/Director of Council Operations 9/15/2021



Mayor & Council Meeting Date: September 20, 2021
Agenda Item Type: Discussion and Instructions
Department: Human Resources
Responsible Staff: Colette Anthony

Subject

Discussion and Recommendation for Mandatory COVID-19 Vaccination Requirement for City Employees, Volunteers, and Interns. Discussion and Instruction Regarding Validating Vaccination or Negative COVID Tests for Patrons Visiting City Facilities, Including the F. Scott Fitzgerald Theatre.

Recommendation

Staff recommends that the Mayor and Council approve mandatory vaccination for all City employees, volunteers, and interns. Weekly COVID-19 testing will be allowed instead for employees, volunteers, and interns who are exempted from mandatory vaccination due to religious or medical reasons.

Discussion

Background

On August 23, 2021, the U.S. Food and Drug Administration (FDA) provided full approval of the Pfizer-BioNTech COVID-19 vaccine. Additionally, the FDA has issued emergency use authorization for the Moderna COVID-19 vaccine and Johnson and Johnson's Janssen COVID-19 vaccine.

COVID-19, including the highly contagious Delta variant, continues to pose a very serious health risk, especially to individuals who are not fully vaccinated, according to the Centers for Disease Control and Prevention (CDC), the Maryland Department of Health, and the Montgomery County Department of Health and Human Services. While the City has taken many steps to protect our employees and the community we serve, vaccination remains the most effective way to prevent transmission and severity of COVID-19 hospitalizations and deaths.

On Friday, September 10, 2021, an all-employees communication was sent, informing employees that as a condition of employment, all employees, including part-time and temporary employees, currently reporting to their City worksite, as well as employees working remotely, are required to (1) be fully vaccinated by October 8, 2021 or (2) begin the mandatory weekly COVID-19 testing protocol, submitting their weekly test results, starting October 8, 2021. Additionally, effective October 8, 2021, all new hires, interns, and volunteers will be required to show proof that they have received at least the first dose of a two-dose vaccine, or

the single dose of a one-dose vaccine, prior to starting work, an internship, or volunteering at the City. They must receive any additional vaccine doses in the appropriate timeframes to be considered fully vaccinated.

To prepare employees for the possibility of a vaccine mandate, the following sentence was included in the September 10, 2021 all-employees communication, **“while initially, employees will have the option of either being fully vaccinated or submitting weekly COVID-19 test results, the City is closely evaluating a move to implement a mandatory vaccine policy for all employees, as a term and condition of employment with the City of Rockville.”**

Although Montgomery County has a lower rate of COVID-19 hospitalizations and deaths compared to many counties in the state, and continues to trend lower nationally, we have seen a significant increase in hospitalizations and deaths across the state at a rate that causes much concern. On Monday, September 13, 2021 there were more than 800 hospitalizations and 13 deaths in the state of Maryland, compared to 281 hospitalizations and 0 deaths in a report provided at the August 2, 2021 Mayor and Council meeting. Due to the increase in COVID hospitalizations and deaths both regionally and statewide, staff is requesting that the Mayor and Council approve a more aggressive approach to combat this deadly virus.

In a recent survey conducted by the Metropolitan Washington Council of Governments, many government agencies indicated that they have implemented a vaccine requirement, allowing employees to submit to weekly testing if they do not show proof of being fully vaccinated. This is the same process that the City announced to our employees on September 10, 2021. However, the City of Bowie and many schools and universities have begun to require that all employees be vaccinated, only allowing the testing option when a religious or medical exemption has been approved. We have learned that both Baltimore, Baltimore County and a number of nearby municipalities, such as Gaithersburg and Takoma Park, are now considering stronger measures, such as mandatory vaccinations for their employees.

Staff is recommending that all current employees are fully vaccinated by **December 1, 2021** and only allow weekly testing for employees with approved religious and medical exemptions. Additionally, all new hires, volunteers, and interns must be fully vaccinated by **December 1, 2021**. New hires, volunteers, and interns with an approved religious or medical exemption will be allowed to submit to weekly testing.

During the September 20, 2021 Mayor and Council meeting, the discussion will also focus on patrons visiting City facilities, including the F. Scott Fitzgerald Theatre.

Mayor and Council History

This is the first discussion regarding mandatory COVID-19 vaccination, during a Mayor and Council meeting.

Next Steps

Upon approval by the Mayor and Council, staff will communicate with all stakeholders affected by this requirement, including employees, volunteers, interns, and patrons

Attachments

Attachment 4.a: Vaccination and Testing Requirements (DOCX)



Rob DiSpirito, City Manager

9/15/2021

Employee Vaccination and Testing Requirements – As of September 10, 2021

1. **City of Annapolis, MD:** Option of proof of full vaccination or submit weekly test results.
2. **City of Baltimore, MD:** Effective October 18, 2021, proof of full vaccination or submit weekly test results.
3. **City of Bowie, MD:** Effective September 23, 2021 all employees will be required to be vaccinated, except employees granted a religious or medical exemption.
4. **City of College Park, MD:** Option of proof of full vaccination or submit weekly test results
5. **City of Washington, DC:** Option of proof of full vaccination or submit weekly test results. Note: DC require contractors and vendors doing business with the City be vaccinated
6. **City of Fairfax, VA:** No proof of vaccination and no testing required.
7. **City of Manassas, VA:** Ask employees to voluntarily provide vaccination status.
8. **City of Manassas Park, VA:** No proof of vaccine required, and no testing required.
9. **City of Takoma Park, MD:** Ask employees to attest to their vaccination status. No testing requirement at this time.
10. **City of Vienna, VA:** No proof of vaccine required, and not testing required.
11. **Fairfax County, MD:** Effective September 24, 2021 all employees must show proof of vaccination or submit request for a medical or religious exemption. If do not provide proof of vaccination or have a religious or medical exemption, employee is subject to weekly testing, starting the week of October 11, 2021. All new hires are required to be fully vaccinated or receive a religious or medical exemption before they start work.
12. **ICMA:** Employees are still teleworking. At this time do not require employees to show proof of vaccination and no testing requirement.
13. **Metropolitan Washington Council of Governments:** Employees, interns, and contractors must be fully vaccinated by October 1, 2021. Any employee who is not fully vaccinated by October 1, 2021 will be required to test on a weekly basis.
14. **Loudoun County, VA:** No proof of vaccination and no testing required.
15. **Montgomery County, MD:** By September 18, 2021, all employees must show proof of vaccination or be subjected to weekly testing. Employees with an approved religious or medical exemption will be required to test on a weekly basis.
16. **Prince George's County, MD:** Effective October 4, 2021, all employees will be required to show proof of vaccination or be subjected to mandatory testing.
17. **Prince William County, VA:** No proof of vaccination and no testing required.