



SILBER, PERLMAN,
SIGMAN & TILEV, P.A.

March 13, 2019

VIA MAIL AND EMAIL TO charnette.robinson@comcast.net

Charnette I. Robinson
3506 Perry St.
Mount Rainier, MD 20712

Re: Public Information Act request dated February 15, 2019

Dear Ms. Robinson:

The City of Mount Rainier (“City”) has received your letter dated February 15, 2019, requesting various records regarding all Mount Rainier elected officials, the City Manager, Directors, and Ethics Commission members. We have deemed your letter to constitute a request for records under the Maryland Public Information Act (PIA).

I will address each of your specific requests in turn.

1. *Documentation of criminal background checks conducted for all of the aforementioned persons serving in these positions.*

To the extent such records exist, they constitute confidential personnel records that are not subject to disclosure under section 4-311 of the General Provisions Article of the *Maryland Code*.

2. *Documentation of United States Citizen Status for all elected persons serving on the Mount Rainier City Council, and any revision to the Charter that may effect [sic] this provision.*

To the extent records reflecting the United States citizenship status of City officials and employees exist, they constitute confidential personnel records that are not subject to disclosure under section 4-311 of the General Provisions Article of the *Maryland Code*. It is unclear what “provision” you are referring to in your request for “revisions to the Charter that may effect [sic] this provision.” However, if you are seeking Resolution 1-2016, which included a Charter amendment allowing noncitizens to vote, it is published on the City’s web site.

3. *Documentation of valid driver’s permits for all serving in the aforementioned positions.*

To the extent such records exist, they constitute confidential personnel records that are not subject to disclosure under section 4-311 of the General Provisions Article of the *Maryland*

Code and contain personal information of public employees that is not subject to disclosure under section 4-331 of the General Provisions Article of the *Maryland Code*.

4. *Documentation of Financial Disclosure Statements for all persons serving in the aforesaid positions.*

Pursuant to sections 6(e) and 7(e) of Chapter 1D of the *Mount Rainier Code*, to the extent such records exist, they are available for inspection and copying during regular business hours at City Hall.

5. *Documentation of US Security Clearance (Top/Secret) for all members serving in the aforementioned elected positions, even if not required by Charter.*

The City has no responsive records.

There is no fee for this response. Assuming that the PIA applies to your request for Financial Disclosure Statements, your request for a fee waiver is denied because you have not demonstrated an inability to pay the cost of responding to your request and the City is not aware of broad public interest or demand for the information you are seeking. Accordingly, you will be responsible for copying fees should you wish to make copies of any Financial Disclosure Statements.

If you consider any part of your request for inspection to have been improperly denied, you are hereby informed that you may pursue judicial review of the denial under *Md. Code Ann.*, GP §4-362. You also have the option to file a complaint with the Public Information Act Compliance Board concerning the amount of the fee charged, *see Md. Code Ann.*, GP §4-1A-01 *et seq.* and may also refer any concerns about this decision to the Public Access Ombudsman.

Very truly yours,


Kenneth Sigman
City Attorney
City of Mount Rainier