

TOWN OF FOREST HEIGHTS, MARYLAND
TOWN WORK SESSION MEETING
VIRTUAL MEETING | MONDAY, MARCH 1, 2021 | 7:30PM
AGENDA

Call to Order 7:30PM

Roll Call Council:

1. Habeeb-Ullah Muhammad, Mayor	<input type="checkbox"/> Present	<input type="checkbox"/> Absent
2. Calvin Washington, Council President -- Ward I	<input type="checkbox"/> Present	<input type="checkbox"/> Absent
3. Robert Barnes, Councilman -- Ward I	<input type="checkbox"/> Present	<input type="checkbox"/> Absent
4. Clifton Atkinson, Councilman – Ward II	<input type="checkbox"/> Present	<input type="checkbox"/> Absent
5. Johnathon Kennedy II, Councilman – Ward II	<input type="checkbox"/> Present	<input type="checkbox"/> Absent
6. Taunya Hines, Councilwoman – Ward III	<input type="checkbox"/> Present	<input type="checkbox"/> Absent
7. Paula Noble, Councilwoman – Ward III	<input type="checkbox"/> Present	<input type="checkbox"/> Absent

I. Moment of Silence

II. Pledge of Allegiance to the Flag of the United States of America

III. Approval of Agenda

a. Minutes from February 24, 2021

IV. Public Period (limit 2 minutes)

V. Reports from Staff

- a. Treasurer (Mrs. Vaughn)
- b. Public Works Director (Mr. Vaughn)
- c. Town Lobbyist, Greenwill Consulting (Ms. Ortiz)
- d. Code Enforcement (Mr. Hawkins)
- e. Ombudsman (Lt. Govan)
- f. Police Chief (Chief Rease)
- g. Town Administrator (Mr. Robinson)

VI. Councilmember/Mayor Report

- a. Ward I
- b. Ward II
- c. Ward II

VII. Legislation

- a. **RESOLUTION 04-21:** A RESOLUTION TO APPROVE AMENDMENT NO. 3 TO THE CUSTOMER AGREEMENT BETWEEN THE TOWN OF FOREST HEIGHTS (THE "TOWN") AND SENSYS GATSO USA, INC. AND GENERALLY RELATING TO CONTRACTUAL SERVICES FOR SPEED MONITORING AND RED-LIGHT SYSTEMS
- b. **RESOLUTION 05-21:** RESOLUTION: A RESOLUTION ENDING COVID-19 HAZARD PAY FOR ESSENTIAL OR DESIGNATED PERSONNEL OF THE TOWN OF FOREST HEIGHTS
- c. **RESOLUTION 06-21:** A RESOLUTION TO APPROVE A CONTRACT TO PROVIDE CONSTRUCTION MANAGEMENT SERVICES FOR A NEW POLICE DEPARTMENT BUILDING LOCATED AT 606 MODOC LANE, APPROVE A CONTRACT TO DEMOLISH THE EXISTING STRUCTURE, APPROVE A SOLE SOURCE CONTRACT WITH MODULAR GENIUS, AND DELEGATE CERTAIN CONTINGENCY FUNDING AND CHANGE ORDER OBLIGATION AUTHORITY TO COMPLETE THE PROJECT TO THE MAYOR FOR THE CONSTRUCTION OF A NEW MODULAR POLICE BUILDING
- d. **RESOLUTION 07-21:** FOR THE 2021 TOWN CANDIDATE DEBATES

VIII. NEW BUSINESS

IX. ADJOURNMENT

Zoom Special Meeting:

Topic: Town Work Session Meeting

Time: Monday, March 1, 2021 7:30 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/86008316885>

Meeting ID: 86008316885

One tap mobile

+13017158592,,86008316885# US (Washington DC)

Dial by your location +1 301 715 8592 US (Washington DC)

Meeting ID: 86008316885

**Town of Forest Heights
Town Meeting- 8:00 PM
Wednesday, February 17, 2021
Meeting Minutes
Public Hearing**

Call to Order:

Roll Call: CM Washington, CM Kennedy II, CW Noble, CW Hines, CM Barnes, CM Atkinson, Mayor Muhammad present. Quorum established

Moment of Silence:

Pledge of Allegiance:

Approval of Agenda: Motion by CM Washington to approve the agenda; seconded by CW Hines; all in favor; motion passed.

Approval of Consent Agenda: Motion by CM Washington to approve the consent agenda; seconded by CW Hines; all in favor; motion passed.

Presentation by Lieutenant Marcus Jones on 606 Modoc Lane: Lt. Jones has been designated for the project manager for the 606 Modoc project. The committee found that adequate project management was not provided in the past for the project. From 2013-2021, the town has spent approximately \$551,167.51. This included general contracting, architectural services, third party inspection and utility. \$226,845 of the sum was grant funding. MEA for the solar panels granted 13,845.00. The committee consists of the Town Administrator, the Chief of Police, Lt Jones, Lt. for Patrol Operations, the Director of Public Works, the Town Treasurer, and CM Kennedy II. The committee proposes a two-story modular solution with detached garage and residential blending. Amenities to include breakroom, kitchenettes, 4 showers, locker rooms, conference rooms, fitness center, operations center, mechanical garage, and interview room. Current buildout has future expansions for Public Works and Police. The current facilities are not adequate, and the building has sat vacant, so it is not up to code. The goal is to have a building where multiple departments can run central operations. The committee recommends demolishing the existing structure. Bids were placed out. Nehemiah Management was the most responsive bidder for construction management. The Dirt Express Company was the most responsive for demolition services. They also have a recycling program to re-use existing parts of the structure, primarily for organizations such as Habitat for Humanity. The projected costs for Nehemiah Management are \$100,900. The Dirt Express is \$59,800. Modular Genius (planning of police structures, single source) is \$1.4 million. General services are budgeted at \$173,651 for sitework and amenities. The total projected costs would be \$1.8 million. The committee is proposing to fund the project through the speed camera revenue, rather than resident taxes. Lt. Jones said that the temporary building is small and less advanced compared to 6000 square building for the proposed project. CM Kennedy II urged the Council to act quickly to prevent the structure sitting too long.

Public Hearing: Charter Amendment Resolution 02-2021: A Charter Amendment Resolution of the Mayor and Council of the Town of Forest Heights, Maryland expedited pursuant to gubernatorial emergency order, amending Sections 33-18 (The Mayor; Powers, and Duties) and 33-38 (Registration, Nominations and Elections; Regulation and Control) of the Charter of the Town of Forest Heights, Maryland to authorize and allow the Mayor and Council during a declared civil emergency to amend or modify by proclamation and subsequent resolution the manner of voting and casting of ballots and other procedures and requirements pertaining to the conduct of elections previously established by charter or ordinance code and generally related to registration, nominations, and municipal elections.

Discussion: Theresa Brownson asked how the charter amendment resolution would affect the current election. The Town Clerk responded that absentee ballots would function as mail-in ballots. They do not need a reason to request it. A ballot will be sent out. When submitting, the ballot envelope must be signed and returned. There will also be a ballot drop box available from Monday-Friday 8:30 AM-6:00 PM and on one Saturday from 8:00 AM -4:00 PM. In-person voting will still be available on the 10th. Ballots must be received before March 10 at 8:00 PM. Postmarks will not be accepted. The Town Clerk recommended calling the office to make sure they had received it if they plan to send it through the mail.

CW Noble asked how the community will be notified. The Town Clerk said that special newsletters have been going out, more will go out. They have newsstands, the town website, social media in Facebook, Nextdoor, the Post Office, and an electronic message board placed outside of the Municipal Building.

Legislation

Charter Amendment Resolution 02-2021: A Charter Amendment Resolution of the Mayor and Council of the Town of Forest Heights, Maryland expedited pursuant to gubernatorial emergency order, amending Sections 33-18 (The Mayor; Powers, and Duties) and 33-38 (Registration, Nominations and Elections; Regulation and Control) of the Charter of the Town of Forest Heights, Maryland to authorize and allow the Mayor and Council during a declared civil emergency to amend or modify by proclamation and subsequent resolution the manner of voting and casting of ballots and other procedures and requirements pertaining to the conduct of elections previously

established by charter or ordinance code and generally related to registration, nominations, and municipal elections. Motion by CM Washington to waive the full reading; seconded by CW Hines; all in favor; motion by CM Washington to adopt Charter Amendment Resolution 02-2021; seconded by CW Hines; discussion; CW Noble asked how many days after the election was the posting. The Town Attorney said that the post date was the last day it was posted in a public place. The Charter Amendment Resolution would be posted for longer. The Charter Amendment Resolution allows the Mayor to modify the requirements for an election and uses the Governor's powers to abbreviate the time it takes to pass a charter amendment. This allows latitude during the COVID-19 pandemic. CW Noble commented that it could have been done months ago. The Mayor replied that every citizen will receive the information. The Town Attorney responded to CW Noble, stating that the Governor's order went in place last March. However, the pandemic has been up and down as to how critical it would be. This affected when the Charter Amendment Resolution was ordered. He mentioned that the staff has time to get the word out about the election changes. Vote; (7 yes; 0 no) motion passed.

Public Period: Theresa Brownson wanted to see the answers in public period in the meeting minutes, not just to the person who asked the question. She also wanted to see the community involved in the committees that decided things like 606 Modoc Lane. She stated that speed camera money belongs to the town, and that police should not have the sole decision making for its spending.

New Business: CM Barnes asked if the Town has any way of tracking when an individual comes into the office. He also commented on the 606 presentation. He asked who oversaw giving permits. Lt. Jones that the committee would be going over the permits, and that he had been speaking with DPIE and starting application processes with them.

CW Noble asked will the second floor of the proposed 606 Modoc Building be ADA compliant. Lt. Jones said that there are 2 proposals. There can be an elevator shaft installed. If not, then the floors will mirror each other. ADA compliance is mandatory for both floors.

Meeting Adjourned: 8:54 PM.

**Town of Forest Heights
Treasurer's Report
February 24, 2021**

Bank Acct
Balance

02/23/21

TD Bank General Fund	225,722.27
TD Bank Rainy Day Fund	160,132.40
TD Bank Speed Camera	3,680,297.86
TD Bank Municipal Money Market	213,664.59
	<hr/> 4,279,817.12 <hr/>

General Fund Highlights:

1. Real Estate Tax distribution - \$25,001.47
2. MD Dept of Planning Grant distribution - \$5,900.00
3. MD Local Impact Grant distribution - \$120,000.00
4. Utility / Real Personal Property payments - \$6,255.66
5. Comcast Franchise Fee - \$3, 966.73
6. Home Serve Utility Line Program Royalty payment - \$2,025.56

The Town of Forest Heights

Department of Public Works

Larry D. Vaughn, Director

February 25, 2021

Town Appearance:

- Maintenance and upkeep of the Community Park next to Henry's
- Daily Trash pickup on both sides of the town
- Monthly inspection of the Tot Lot
- Patching of potholes
- Reporting of Street light outages
- Leaf Pick up
- Cleaning storm drains and curbs of leaves and grass
- Cutting/removal of fallen trees
- Maintaining the Pet Waste Stations
- Monitoring of the Bigbelly Trash Compactors

Town Infrastructure:

- **N. Huron Drive**
 - David Cox (DPIE) ESC inspector failed sidewalk inspection due to cracks in two (2) sidewalk panels. Panels will have to be replaced at town's cost. A heavy, fully loaded truck drove over the sidewalk to access the park area and cracked two (2) sidewalk panels. At this time I am unable to determine who is responsible. So far, PGCPD and the NCPPC both say that it was not done by them. Also, the access area will need to be fenced off so that no one will be able to drive on the curb and sidewalk again.
 - Pepco removed guy wire in front of # 209 in order to come into ADA compliance, however there is another guy wire to be removed as well.
 - Crosswalks at N. Huron Dr. & Seneca Dr. has been completed
 - Sink hole in front of 5614 Arapahoe Dr. scheduled for repair on 2/25/21
 - It has been recommended that the formal cleaning of the pervious sidewalk wait until early Spring (late February or early March).
 - Attend weekly conference call meetings
 - Participate in all onsite meetings
- **Sachem Drive – Hill:**
 - ROE permission letters were given to residents and returned
 - Tree (clearing) Grubbing, fence and concrete removal started 2-23-21
 - Portion of Sachem Dr. has been closed until work has been completed. Sections from Delaware Dr. to Tecumseh Dr. with street closed and detour signs.
 - Mr. Al-Awar sent a "Schedule of Values" for the "Erosion and Stabilization" project on the hill on Sachem Dr.

The Town of Forest Heights

Department of Public Works

Larry D. Vaughn, Director

- Received the results from Drastic Measures, who conducted a boundary survey on the town's property (p.49 & P.51), located on Talbert Dr. / Audrey La.
- Prepared RFP's for Cree Dr. and Blackhawk Lane and Speed humps
- Both parties, Goode Trash & TOFH, working together for a better solution to eliminate the excess trash in the streets. This is an ongoing effort. There are still a number of complaints coming in from the town's residents.
- Received a draft of "TOFH Preliminary Stormwater Management Study" from Emily Clifton (LID) which shows possible BMP's for TOFH Storm Water Management issues.
- New Town sign has been installed and powered by Weisman Electric and Kerley Signs

➤ **Cree Drive**

- Prepared RFP for "Cree Drive Drainage Improvements and Road Repair"
The pavement is heavily distressed/cracked due to a number of overlays and groundwater run-off. Residents have sent in numerous complaints about Cree Dr., this has not been overlooked or forgotten. There have been a number of inspections performed pertaining to Cree Dr. Government agencies, Contractors, WSSC, as well as Engineering Firms have looked at the cause of the breakdown of the pavement. The water has been tested by PG Department of the Environment to try to determine its origin. It is still to be determined. It is believed that approx. 50% of the water source may be coming from the homeowner. It's not in the best interest of the street to repair one or two areas, as the water has not ceased to flow. To repair Cree Drive, it will be a very intensive and expensive venture.

➤ **Rolph Drive**

- The Pervious Concrete Sidewalk has started faulting and cracking. Mr. Drew Parks (Z-Con Concrete) came out to inspect the sidewalk. He has provided the town with a cost estimate (\$8,319.61) to clean and repair the sidewalk.
- I received an email from Jenni Woolworth (AD Marble) recently, She states "Our opinion is that the sidewalk settling is a result of the underground water flow saturating and shifting the backfill that was placed above the drainage system and below the pervious sidewalk. The saturation of the backfill due to underground water flow is unavoidable."

The Town of Forest Heights

Department of Public Works

Larry D. Vaughn, Director

Building Infrastructure:

- Locks have replaced on both, front entrance and rear entrance to the Police Dept.
- The Town Hall building is being cleaned and sanitized daily by DPW
- DPW prepared "Voter Absentee" ballot box

Equipment Maintenance

- Large Leaf Vac was repaired by Byrd Tractor
- Ford F-250 Dump Truck repaired by Norris Auto

Other Areas:

- WSSC preparing to repair a water main on the property of 5807 Blackhawk Dr., discussing the removal of 9" hickory tree. Whether it is in the ROW or on the resident's property.
- Answering Resident Communication
- Making/receiving phone calls, follow ups and meetings with contractors and vendors daily
- Two employees of DPW are studying for the "Maryland Department of the Environment's erosion and sediment control training course" (green card)
- Working with Neighborhood Design Center for a NFWF preliminary grant award for community forestry

GREENWILL

– Government Relations –

February 26th, 2020

The Town of Forest Heights – February Briefing

Below are several topics we wish to brief the Board on, at Monday's meeting, March 1st, 2020. The information covers committee updates from February, Forest Heights initiatives, as well as new and continuing issues/initiatives that we are currently hearing out of Annapolis.

February 2020 Committee Hearings/Initiatives

- HBCU Bill
- Sports Wagering & Gaming – Workgroups & Hearing
 - Sports Betting is projected to bring in a substantial amount of revenue to the state. This may result in additional casino funds once implemented.
- Judiciary – Police Reform

Forest Heights Initiatives

- 100k increase in Casino Grant - Due to timing and budgetary constraints as a result of COVID, Senator Patterson has redirected the legislative request of \$100K in additional casino grant funding to a bond.
- Bond Bill for Cree Drive – Greenwill has been working with the town to collect data for bond bill for submission to Senator Patterson's office. We have completed and submitted Bond Bill fact sheet and are awaiting the bond bill hearing date.
- Weekly bill tracking sheets are submitted to the Town administrator every Monday.

CODE ENFORCEMENT REPORT FEBRUARY 2021

Date	Violation Type	Amount	Location	Status
2/2/2021	Rental Permit	\$75.00	113 Iroquois way	paid
2/2/2021	C Building Permit	\$249.72	5804 Black hawk Dr	paid
2/8/2021	Notice of Violation	\$500.00	5506 Shawnee Dr	pending
2/10/2021	Civil Citation	\$500.00	9 Tecumseh Dr	pending
2/16/2021	Notice of Violation	\$200.00	801 Quade Street	pending
2/17/2021	Notice of Violation	\$500.00	5911 Ottawa St	pending
2/19/2021	business license	\$300.00	5515 Livingston Rd	paid
2/23/2021	vacant property reg	\$500.00	5605 Miles Dr	pending
2/23/2021	vacant property reg	\$500.00	5811 Sachment Dr	pending
2/23/2021	vacant property reg	\$500.00	5707 Sachment Dr	pending
2/23/2021	vacant property reg	\$500.00	107 Fox Way	pending
2/23/2021	vacant property reg	\$500.00	5802 Arapahoe Dr	pending
2/23/2021	vacant property reg	\$500.00	5612 Shawnee Dr	pending
2/23/2021	vacant property reg	\$500.00	6001 Terrall Drive	pending
2/23/2021	vacant property reg	\$500.00	207 Seneca Dr	pending
2/23/2021	vacant property reg	\$500.00	121 Onondaga Dr	pending
2/23/2021	vacant property reg	\$500.00	5701 Ottawa St	pending
2/24/2021	Notice of Violation	\$200.00	2 Seneca Drive	pending
2/24/2021	Notice of Violation	\$200.00	5610 Shawnee	pending
Total		\$7,724.72		

FOREST HEIGHTS POLICE DEPARTMENT FEBRUARY REPORT

Incident Type		PLEASE DON'T FORGET TO LOCK YOUR
911 DISCONNECT	14	CAR DOORS!!!!!!!!!!!!!!
ACCIDENT	4	
ARMED PERSON	1	Do not leave a running car unattended. It
CHECK WELFARE	3	is a crime
CHECK WELFARE COMBINED	2	
DEATH REPORT	2	
DEPT ACCIDENT PD	1	
DISORDERLY	7	
DOMESTIC	5	Fortitude Honor Peacemaker Devoted
DWI DRIVER	1	
FRAUD	1	
HIGHWAY ACCIDENT COMBINED	1	STATISTICAL REPORT
HIT AND RUN	2	Parking Citations Issued 9
INJURED PERSON	1	Arrest 14
MISC POLICE INCIDENT	1	Impounds-35
NOTIFICATION	6	
PREMISE CHECK	1	
RESIDENTIAL ALARM	80	
STOLEN VEH	2	
SUSPICIOUS AUTO	1	
SUSPICIOUS OCC AUTO	2	
SUSPICIOUS PERSON	6	
THEFT FROM AUTO J O	1	
THEFT REPORT	1	
THREATS COMPLAINT	1	
TRAFFIC COMPLAINT	1	
TRESPASSING COMPL	5	
UNKNOWN TROUBLE	1	
VEHICLE ACCIDENT COMBINED	2	
Total Calls -->	160	

Town Council Work Session Report For 3.1.21 (Town Administrator)

Status of COVID-19 Vaccinations Available for Certain Town Employees (Continuity of Government)

As members of the Town Council, during the past few weeks someone on the staff may have contacted you to schedule a COVID-19 vaccination. This opportunity is made available by Prince George's County and its Phase 1 vaccination efforts.

The County has reached out to municipalities to establish lists of "Continuity of Government" employees who are now eligible as part of the Phase 1 group. Continuity of Government employees are defined as any employees considered critical for the operation and delivery of municipal services. This includes members of the executive staff, department staff that provide or maintain critical functions such as law enforcement and public works and town council members.

As I previously reported to you by email, in early February I submitted Council Member's names to the County to be scheduled for a vaccination. (see my February 5th email)

If you have not been contacted by email directly from the County to schedule a date to be vaccinated, it is because of the County ran short of vaccines and is awaiting additional vaccines from the State government.

Please contact my office if you are waiting to hear from the County but, have not yet been contacted. I can be reached at 301-792-1760.

I will reach out to all Councilmembers again and keep you updated as I receive more information.

Forest Heights Police Department Begins 24-Hour Patrol Coverage

As you know, the Forest Heights Police Department has grown significantly of late in terms of personnel, vehicles and needed safety and support equipment.

Over the last few months, Police Chief Rease has filled several positions including the hiring of supervisory Police Lieutenants as part of his plan to provide management and leadership to sustain efficient and effective operations, as well as realize the goal of providing 24-hour police protection for Forest Heights.

On February 24th, the police department began 24-hour patrol coverage throughout the town. This is a milestone for Forest Heights that has been in the making for quite some time and a goal of Mayor since the beginning of her tenure.

The Police Department has also recently moved into new, temporary office space located at 606 Modoc Lane. You are encouraged to visit the new space for a tour if interested!

For more information, please contact the Police Chief.

Recent Personnel Action

-On February 24th, **Lt Bernard Jones** tendered his resignation from the Forest Heights Police Department. He has accepted a position with the Federal Government as a special agent.

We appreciate his service to the town and wish him the best in his future endeavors!

-On February 9th, **Police Clerk Tessie Hoffmann** tendered her resignation from the Forest Heights Police Department.

We wish her the best in her future endeavors!

Emergency Procurement to Fix Sinkhole on Arapahoe Drive

Per the provisions of Town Code Section 20.4(a)(5)(II) "Emergency Purchases", on February 24th the Mayor instituted her powers of emergency procurement to enter into a contract with Pavement Corporation to repair a sinkhole on the street in front of 5614 Arapahoe Drive. The procurement for \$5,443.00, was authorized with the required signatures of two Town Councilmembers and the Mayor, in keeping with the goal of avoiding substantial loss or further damage to town property and to protect the health, safety and welfare of the general public from imminent harm. For further details please contact the Town Administrator.

National View Project Forum & Follow-Up Regarding Mayors' Support Letter

On February 24th at 7:00pm the Mayor and Town Council held a virtual Public Forum to brief the citizens on the proposed National View (formerly Harbor View) mixed use development proposal. The proposed project site is located on a large tract of land adjacent to the Oxon Hill Farm.

After the presentation by the developer and property owner Petra Development, and during the question and answer period involving the public, one of the questions/comments stated by a citizen revolved around a letter of support for the project that was submitted by the Mayor to the County. Called into question is whether the Town Council was in support of the letter and

made aware of it being sent on behalf of Forest Heights. Several members of the Council also engaged in this conversation.

For the record, the Town Council was part of the discussion to provide a letter of support for this project, as it was discussed on several occasions and documented during previous Council meetings and conversations with staff. In fact, the discussion of a letter can be found documented in the following attachments:

1. Please see the attached Meeting Minutes for the Monday, December 4, 2019 Council Work Session in which the developer initially announced and presented the project, and subsequently requested a letter of support from the Town Council for the project.
2. Please see the attached Meeting Minutes for the Monday, January 6, 2020 Council Work Session in which I (staff) under "New Business" reminded the Council of the need to consider scheduling a meeting with the developer and perhaps a neutral third party so the Town Council could learn more about the project. In this report, I included mentioned of the request from Petra Development for a letter of support from the Town.
3. Please see the attached copy of my Town Council Work Session Report dated January 6, 2020 in which I discussed a pre-annexation agreement & letter of support for the project that was drafted by Petra Development and presented to the Town Council for approval.
4. Please see the attached copy of my Town Council Work Session Report dated April 6, 2020 in which the Council was informed of the support letter being sent to the County with the Mayor's signature. **A copy of the letter was attached to that report and is again included for your review as an attachment to this document.** It should be noted that no objection was raised or entered into the record at that time by any councilmember.

I would also like to mention that some time ago, a straw vote was taken by councilmembers during a discussion of the project to determine consensus for project support. At least one Councilmember said he recalled this straw vote during the February 24th Forum. If memory serves me, the straw vote concluded with consensus to support the project.

The support letter the Mayor sent to Prince George's County is in no way binding with respect to the Town Council and the proposed project. And, of course the Council is free to support or not support the project. However, it is clear that historically the Council has expressed no objection on the record to the support letter in question but, has ample opportunity to do so if desired.

I hope this information sheds some light on the chronology of the Council's involvement and exposure concerning this matter.

If I can answer any other questions you have, please let me know. I can be reached at 301-792-1760.

**Town of Forest Heights
Council Work Session-7:30 PM
Monday, December 4, 2019
Municipal Building
Meeting Minutes**

Call to Order: -7:30 pm

Roll Call: CM Barnes, CM Kennedy II, CW Hines, Mayor Muhammad present. CM Washington, CW Noble, CW Mann absent.

Moment of Silence:

Pledge of Allegiance:

Approval of Agenda: Motion by CW Hines to approve the agenda; seconded by CM Kennedy II; all in favor; motion passed.

Approval of Meeting Minutes from November 20, 2019: Motion by CM Kennedy II to approve the November 20, 2019 minutes; seconded by CW Hines; all in favor; motion passed.

Presentation by Tracy Stutter and Eli Morrnick of Petra Development: Mr. Morrnick announced a proposal to develop mixed-use properties on the southwest edge of a residential area in the Town of Forest Heights, which would include senior housing, affordable housing, and retail/commercial space. Ms. Stutter described the steps needed to rezone the property. The properties are currently zoned R-55 (One-Family Detached Residential) and R-R (Rural Residential). Petra put in a rezoning application. The sector plan passed by the Town in 2014 needs to be amended to reflect the zoning change, and the proposal needs a master plan conformance to move forward. They are requesting that the Council move forward with the amendment to the 2014 sector plan, a letter of support for the Planning Board and County Council, and the Town Council to pass a resolution supporting the development. A Road Waiver would also be needed to build an access road, as well as a tax abatement.

Public Period-- None

Staff Reports

Treasurer's Report: Status report of the Town's finances for the month of November 2019 were distributed to the Town Council.

Public Works Report: Public Works is working with Fort Myer Construction and SHA (State Highway Administration) on infrastructure for North Huron Drive. The Department met with District Three of SHA concerning the ownership of Sachem Hill. That matter has been turned over to the Town Attorney and ownership is still being determined. Benches for the Community Gathering Space will be put up within the week. A contract has been signed for maintenance work for Rolph Drive. Public Works employees will also receive training on tree boxes. Mr. Lary Vaughn announced Mr. Dunkley as the new Building Custodian. Mr. Vaughn is in the process of obtaining an erosion control certificate from SHA.

Circuit Rider's Report: Mr. Stanley Mosley described the progress of a grant for robotic cameras that would tie into a Horizon television station, for the purpose of having a public access show. He is working with Pepco to see about payment of LED lights in Town Hall.

Chief of Police Report: Status report for the month of November 2019 were distributed to the Town Council.

Code Enforcement Report: Officer Joseph Hawkins reported that the Code Enforcement software is up and running and automates the process for issuing forms. A portal will be put up on the website for visitors to have access to forms.

Town Administrator's Report: Mr. Robinson stated that the asbestos removal in the Municipal Building will take place on December 16, 17, and 18. The building will be closed during this time.

Council Reports

Ward I -- None

Ward II -- None

Ward III: CW Hines announced the Town Tree Lighting on Friday, December 6 at 6pm, and the Children's Holiday Party on Saturday, December 21 from 2-5pm.

Mayor's Report: Mayor Muhammad asked everyone to make new Town employees feel welcome. The Town Clerk added the Senior Gala announcement on Saturday, December 14 from 4-8pm, and the Christmas Basket Giveaway on December 20th.

Legislation

Resolution 68-19 A Resolution for the adoption of an amendment to the Town's Employee Handbook regarding the take-home vehicle program; and generally relating to the authorization and use of vehicles and other transportation; introduced by CM Barnes; motion by CM Barnes to waive the full reading; seconded by CM Barnes; all in favor; motion passed; discussion; CM Barnes requested a deletion of page 4, paragraph 4 on long-term use, stating that he felt no Town employee should take home vehicles and wanted to change the language as to who could authorize it; Attorney Best noted that the policy would be silent on long-term vehicle use.

Resolution 69-19: A Resolution of the Mayor and Council of the Town of Forest Heights, Maryland, to approve the employment and appointment of Officer Antoine Williams as a full-time police officer to serve within the Forest Heights Police Department; introduced by Mayor Muhammad; motion by CW Hines to waive the full reading; seconded by CM Kennedy II; all in favor; discussion; Chief Anthony Rease stated that Williams originally came as a reserve officer, and has been part-time since August.

Resolution 70-19: A Resolution to authorize the mayor to distribute a Christmas bonus to the Town employees; introduced by Mayor Muhammad; motion by CW Hines to waive the full reading; seconded by CM Kennedy II; discussion.

New Business: CW Hines asked about participating in Adopt-A Tree along Maryland 210 next year. Chief Anthony Rease announced that Target donated \$200 gift cards to each child participating in the Town's Shop with a Cop program set for December 13th. The FHPD will also be participating in the county Shop with a Cop on Saturday, December 14th. He also stated that the Police Department will be doing a Santa Run in Town on Christmas Eve at 7PM. and will bring gifts to any children outside.

Meeting Adjourned: 8:44pm.

**Town of Forest Heights
Council Work Session - 7:30 PM
Monday, January 6, 2020
Municipal Building
Meeting Minutes**

Call to Order: 7:33 PM

Roll Call: CM Barnes, CM Washington, CM Kennedy II, CW Noble, CW Hines, Mayor Muhammad present; quorum established.

Pledge of Allegiance:

Moment of Silence:

Approval of Agenda: Motion by CW Hines to approve the agenda; seconded by CM Kennedy II; all in favor. Motion by CM Washington to approve the concept agenda; seconded by CW Hines.

Public Period:

Ms. Cynthia Mann asked what in the Town Charter prompted her removal from the Town Council and why she had not gotten a hearing. Attorney Kevin Best replied that the removal was done under Article 35 under the Declaration of Rights of the Constitution of Maryland, and that hearings were not required under cases of holding dual offices of trust. Under Maryland law, the first office is relinquished upon accepting of a second position.

Mrs. Lynn Smith-Barnes asked if there was a grant that paid any employee or council salary.

Staff Reports

Treasurer's Report: Status report of the Town's finances for the month of December 2019 were distributed to the Town Council and can be picked up at the clerk office.

Public Works Report: CM Kennedy II asked if all Public Works employees had been present for the demonstration for the installation of tree boxes; Mr. Vaughn stated everyone but him had been present.

- CW Noble asked if the contract with Fort Meyer Construction was a done deal for the North Huron Drive; Mr. Vaughn stated yes and that the public hearing would be held on Tuesday, January 7, 2020.
- Status report from Public Works Department were distributed to the Town Council and can be picked up at the clerk office.

Circuit Rider: CM Kennedy II asked about the status of the light grant. Mr. Stanley Mosley stated that Pepco would be visiting and preparing statements on the efficacy of the project.

- Status report from Circuit Rider were distributed to the Town Council and can be picked up at the clerk office.

Chief of Police: Status report from Police Department were distributed to the Town Council and can be picked up at the clerk office.

Code Enforcement: Status report from Code Enforcement Department were distributed to the Town Council and can be picked up at the clerk office.

Ombudsman's Report: Status report from Ombudsman's were distributed to the Town Council and can be picked up at the clerk office.

Town Administrator's Report: CW Noble asked about the timeframe for building security. Mr. Robinson answered that the new security measures are scheduled be installed January 16, and that the Town would ask for approval to finish the floor first.

- Status report from Town Administrator were distributed to the Town Council and can be picked up at the clerk office.

Ward Reports

Ward I:

Ward II: CM Kennedy II thanked those involved for all the December functions.

Ward III: CW Hines thanked the volunteers, staff and her family for all the help in putting on the Tree Lighting, Gala, and Children's Holiday Party.

Mayor's Report: Mayor Muhammad announced elections for Councilmembers for Wards I, II and III in March 2020. Nomination forms for the election are available in the Administrative Office. There will be a public hearing on North Huron Drive sidewalk construction on Tuesday, January 7, at 7:00 PM.

Legislation

Resolution 68-19 A Resolution for the adoption of an amendment to the Town Employee Handbook regarding the take home vehicle program; and generally relating to the authorization for the use of vehicles; motion by CM Washington to waive the full reading seconded by CW Hines; all in favor; discussion.

Resolution 01-20 A Resolution to appoint a successor to fill the vacancy of the office in Ward II; motion by CM Kennedy II to waive the full reading; seconded by CW Hines; motion passed; full reading; the council will appoint a Council seat if it is declared vacant or vacated less than 15 months before the next election; Mr. Clifton Atkinson is nominated to be appointed to fill the vacancy of the Council seat vacated by Cynthia Mann; motion by CM Kennedy

II to adopt Resolution 01-20; seconded by CW Hines; motion by CW Hines to amend Resolution 01-20 that Teresa Brownson also be considered; no second; amendment fails; discussion; vote (4) yes; (2) no; motion passed.

Swearing-in of Mr. Clifton Atkinson

Resolution 03-20: A Resolution to approve a contract for the purchase and replacing the floor in the hall lobby; motion by CM Washington to waive the full reading; seconded by CM Kennedy II; motion by CM Kennedy to adopt Resolution 03-20; seconded by CM Washington; discussion; the cost would be approximately \$2,300. Motion by CM Kennedy II to amend Resolution 03-20 to change the cost to be \$2,200 by foregoing additional customization costs; seconded by CM Washington; all in favor; motion passed; vote; (7) yes; (0) no; motion passed.

Resolution 04-20: A Resolution of the Town of Forest Heights approving an agreement with Comcast Business relating to internet for surveillance cameras; introduced by Council President Washington; motion by CM Kennedy II to waive the full reading; CM Washington seconded; all in favor; motion by CM Washington to adopt Resolution 04-20; seconded by CM Kennedy II; discussion; Chief Anthony Rease explained that this was to get the surveillance camera located on Comanche Drive to be operational, Comcast stated it was feasible for them to do so. Vote; (7) yes; (0) no; motion passed.

New Business

CW Noble proposed doing an event in honor of Sue McGinnis, the first female black mayor, as part of Black History Month in February. Town Administrator Mr. Robinson reminded the council about the Petra development project and pre-annexation agreement. He wanted to see when a preliminary meeting might be able to be held, and whether the Council wished to have a third party for a potential Q&A session with Petra. Petra would need to have a letter of approval from the Town so that they could move forward with Prince George's County. CW Noble stated she would like to have a third party so that the Council could make informed decisions with the community's well being in mind. CM Washington proposed setting a meeting in February to start the process.

Closed Session: Motion by CM Washington to go into closed session; seconded by CM Kennedy II; all in favor; motion passed- 9:43 PM.

FORM OF STATEMENT FOR CLOSING A MEETING

Location: <u>Town of Forest Heights, Maryland</u>	Date: <u>January 6, 2020</u>	Time: <u>9:40 p.m.</u>		
	YES	NO	ABSTAIN	ABSENT
Vote to Close Session:				
Mayor Habeeb-Ullah Muhammad	[X]	[]	[]	[]
Councilman Calvin Washington	[X]	[]	[]	[]
Councilman Robert Barnes	[X]	[]	[]	[]
Councilman Clifton Atkinson	[X]	[]	[]	[]
Councilman Jonathon Kennedy II	[X]	[]	[]	[]
Councilwoman Paula Noble	[X]	[]	[]	[]
Councilwoman Taunya Hines	[X]	[]	[]	[]

STATUTORY AUTHORITY TO CLOSE SESSION

State Government Article Section 10-508(a):

1. [] To discuss:
 - (i) The appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation or performance evaluation of appointees, employees, or officials over whom the Town has jurisdiction; or
7. [] To consult with counsel to obtain legal advice on a legal matter.

Motion by CM Kennedy to exit closed session; seconded by CW Hines.

Back in Session at 10:30pm.

Persons attending closed session: CM Washington, CM Barnes, CM Atkinson, CM Kennedy II, CW Hines, CW Noble, Attorney Kevin Best, Town Administrator Linwood Robinson, Town Clerk Sherletta Hawkins, Chief Rease, Mayor Muhammad, Officer Mr. Best.

- Mayor Muhammad restated the reasons of the closed session to the public, including
- Citation #1 Hiring of 1 police officer.
- Citation # 7 606 Modoc.

Resolution 02-20 A Resolution to approve the employment and appointment of Deon Best as a police officers; motion by CM Washington to waive the full reading; seconded by CM Kennedy II; all in favor; motion by CM Kennedy to adopt Resolution 02-20; seconded by CM Washington; closed session discussion; vote; (7) yes; (0) no; motion passed.

Meeting Adjourned 11:00 p.m.

Town Council Work Session Report For 1.6.20 (Town Administrator)

Linwood Robinson

North Huron Drive Sidewalk Project Set to Begin

On February 22, 2019 the North Huron Drive Sidewalk Project (Safe Routes to School) was put out for advertisement to seek bids for a construction firm to build a sidewalk along the street. This is an important public safety project because it will provide for safe pedestrian traffic along North Huron Drive where no sidewalks currently exist. And perhaps most notable, students in the neighborhood will be able to walk to and from Forest Heights Elementary School without competing with cars on the roadway.

A contract has been signed by the Town and local firm Fort Myer Construction Corporation and a pre-construction meeting involving all parties took place in late 2019.

A meeting to brief the residents along North Huron Drive and answer any questions they have before the start of construction will take place at Town Hall on Tuesday, January 7th at 7PM.

The projected start date of construction is January 27th.

New Town Hall building Security Measures

Several months ago, the Town Council approved a Resolution to upgrade and install new security measures for the Town Hall building. The project includes the installation of a lobby partition wall with controlled public access at the front door of the building, as well as reinforcement of other points of entrance at Town Hall.

Installation of this project is scheduled for January 16th.

Petra Development Pre-Annexation Agreement

As you are aware, Petra, a development firm in the Washington, DC area has been working with the Town towards the development of a proposed mixed-use project, "Harbor View". The project would be constructed on land that is primarily within the existing town limits. But, portions of the project are proposed for property that is not in Forest Heights. The project proposal includes the annexation of that adjacent land into the Town.

To that end, the developer has drafted a Pre-Annexation Agreement and Letter of Support and has requested Town approval of both documents. Copies of both documents were provided to the Town Council in December. The Pre-Annexation Agreement includes input provided by our Town Attorney which represent the Town's best interests.

Essentially, this agreement would connect the successful approval of Petra's Plans by the County, to the Town beginning the process of annexing the portion of their property that is not yet within the town limits. There are other related fees and stipulations contained within as well.

At the December meeting, upon recommendation of the staff, the Town Council expressed interest in holding a forum to discuss and address any issues or questions associated with the Pre-Annexation Agreement. This document has very important ramifications related to many future aspects of project development.

*Staff would like to establish a date for the forum during the January 6th Work Session.

Recent Personnel Actions

Antoine Williams, a part-time Forest Heights police officer recently resigned from the force effective December 16, 2019. Officer Williams made a notable impact during his service with us which included helping to significantly enhance our Code Enforcement efforts. He served the Town of Forest Heights with distinction. We wish him all the best in his future endeavors!

Town Administrator Town Council Report for April 6, 2020

Coronavirus Update

Below is a list of the actions and precautions taken by Mayor Muhammad to help the employee staff and the general public avoid exposure and combat the Coronavirus.

1. All mass social gatherings have been cancelled at Town Hall effective 3.12.20 until further notice.
2. Town Hall building is closed to the general public and staff effective 3.16.20 until further notice. (only essential staff has access to building)
3. Town Council meetings and other municipal gatherings will be held remotely by teleconference until further notice.
4. Daily sanitizing and wipe-down of common areas in Town Hall building currently taking place to minimize exposure to Coronavirus. (on-going)
5. Hands-free paper towel and soap dispensers have been installed in all Town Hall bathrooms.
6. Daily monitoring and coordinating with State and County authorities with respect to the dissemination of **unified** information to citizens is taking place through staff, Town Website, webinars, social media, etc. (this minimizes rumors and erroneous information passed on to the public.)
7. Teleworking protocol has been implemented for all non-essential Town employees until further notice.
8. Prior to closing Town Hall building to staff, Department supervisors were on alert for their employees who might show symptoms of the virus; sent those employees home/to doctor immediately.
9. Hospitals known (as of 3.10.20) to be available for virus testing and treatment: Southern Maryland Hospital, Holy Cross Hospital, Anne Arundel Medical Center.
10. Police Chief has mandated a temporary "Response Mode" policy for Forest Heights Police Officers. (i.e. minimum self-initiated policing activities unless extremely necessary until further notice to limit officer exposure to virus.)
11. Police Chief has developed and implemented a Coronavirus Response & Exposure Plan for his officers.
12. Coronavirus precautionary and update information is constantly added to Town Website and social media to keep citizens up to date concerning outbreak issues.
13. Town of Forest Heights has joined "Connections", which is an on-line community of (MML) Maryland municipalities that share daily Coronavirus information, ideas and best practices to learn from and help each other.
14. The Mayor has posted her "Message from Mayor Muhammad" to the public regarding the Coronavirus on the Town website and social media.
15. Staff is taking this opportunity to update the Town Continuity of Operations Plan (COOP), particularly as it relates to pandemic events.

16. Contact phone numbers for Town Hall department representatives have been posted on doors at Town Hall and on Town website to allow citizen access to staff if needed while the building is closed.

Please contact me at 301-792-1760 or lrobinson@forestheightsmd.gov if you have questions about the above information.

Harbor View Project Support Letter

At the request of Petra Development and on behalf of the Town, Mayor Muhammad recently submitted a letter of support for the proposed Harbor View mixed use development project to Prince George's County. The letter was sent to be included as testimony in support of the project at the Joint Public Hearing of the Prince George's County Planning Board and District Council originally scheduled for March 23rd. Although this meeting was postponed due to the Coronavirus outbreak, the support letter has been included in the record for a future hearing when it takes place.

For your information and review, said letter is attached at the end of my report.

Please let me know if you have any questions.

New Forest Heights Police Officers on Board

In conjunction with Council Resolutions 14-20 and 15-20 passed by the Town Council at the March 18th regular meeting, the Town of Forest Heights Police Department has hired two new police officers:

1. Officer Christian Suite is a 25-year old male living in New Carrollton Maryland. He graduated from the Prince George's County Police Academy in 2017 and has worked as a Deputy Sheriff and Sheriff Cadet before joining the Forest Heights Police Department. Mr. Suite has an Associate Degree in Criminal Justice from Prince George's Community College and has completed undergraduate course work in Criminal Justice at the University of Baltimore.

2. Officer Ocie Miller is a 25-year old male residing in Capital Heights, Maryland. He is currently enrolled in the Arundel Community College Municipal Police Academy where he will receive his Associates Degree in Criminal Justice and entry level Police Academy Certificate of Completion.
Mr. Miller also has extensive experience with the Marlow Heights, Maryland Special Police where he rose to the rank of Sergeant.

Both gentlemen are welcomed additions to the Police Department!



Town of Forest Heights

5508 ARAPAHOE DRIVE
FOREST HEIGHTS, MARYLAND 20745-1998
(301) 839-1030
Fax (301) 839-9236

Habeeb-Ullah Muhammad
Mayor

COUNCIL MEMBERS

Calvin Washington – Ward I
Robert O. Barnes – Ward I
Jonathon Kennedy II – Ward II
Clifton Atkinson – Ward II
Taunya Hines – Ward III
Paula Noble – Ward III

March 25, 2020

Mr. Todd M. Turner
Chairman, Prince George's County Council
14741 Governor Oden Bowie Drive, 2nd Floor
Upper Marlboro, MD 20772

Ms. Elizabeth M. Hewlett
Chairman, Prince George's County Planning Board
Maryland-National Capital Park & Planning Commission
14741 Governor Oden Bowie Drive, 4th Floor
Upper Marlboro, MD 20772

Re: Harbor View Rezone Request

Dear Chairman Turner and Chairman Hewlett:

I write to voice the Town of Forest Heights' enthusiastic support for the rezoning of the properties that make up Harbor View LLC's development site for the proposed "Harbor View". As you may know, the developer, Harbor View LLC, now owns two significant properties, one of which is located in the Town of Forest Heights (the "Town"), and the other adjacent property, formerly owned by the Butler family, which is not within the Town limits. These properties are currently zoned R-55 and R-R. The developer is seeking to rezone the site to a high-density, transit-oriented, mixed -use zone. We support their efforts.

As you may know, the Town is more or less bounded to the North by Audrey Lane, to the East by Livingston Road, to the South by Oxon Hill Road, and to the West by Oxon Creek and federal lands known as the Oxon Hill Children's Farm. Forest Heights is uniquely situated geographically to take advantage of the existing transportation networks close to the Town limits. The Washington, DC city limits, southern Prince George's County and Virginia are all located minutes away. The proposed Harbor View development site is also situated geographically to take advantage of these transportation networks. This 20.1 +/- acre development site is

located just north of the Capital Beltway, directly across from the MGM and right next to the Oxon Hill Children's Farm.

The development of this important site checks many boxes for the Town. As you may know, the Town worked closely with the Maryland-National Capital Park & Planning Commission (M-NCPPC) as they drafted the 2014 Eastover-Forest Heights-Glassmanor Sector Plan and Sectional Map Amendment which was published. At that time, this site was under the private ownership of two families, and therefore, the land was not taken into consideration as we worked on the Sector Plan.

At this time, the Town recognizes the need to update the Sector Plan. An update would allow the Town to effectively take advantage of an opportunity that has been presented by the Harbor View developers which will greatly enhance the lives of our residents. Harbor View will address many needs of the Town, and bring much-needed services, amenities, retail and commercial options to our Town residents. One noteworthy feature of their plans is to build a 3,000 square foot police substation. Our police force needs this, as they are now operating out of limited office space, and at a time when the Town is currently growing its police department and moving towards 24-hour patrol coverage within the next few months.

Historically, the Town of Forest Heights has had an interest in seeing these properties developed and we have been approached by developers in the past. As you can see on the Town's attached annexation map, the southern portion of the site that formerly was owned by the Butler Family, is sandwiched between properties that the Town has already annexed. We strongly support the developer's request to rezone this site to accommodate the conceptual plans that they have presented to the Town. We believe the developer shares the Town's vision regarding creating true sustainable communities and their development plans reflect responsible initiatives to implement green techniques, such as vegetative green roofs, community gardens, and use of pervious materials where appropriate. They also understand the importance of health and wellness and are implementing and connecting walking trails and other amenities to advance the health of residents who will live, work and play there. Neighboring residents will also be able to walk safely from this development site along a connecting trail that leads across the Beltway to the National Harbor and beyond.

As much as we support Smart Growth, our Town's relative lack of an economic base has been a Smart Growth barrier. Forest Heights has accomplished quite a bit in terms of Smart Growth using grant monies and partnerships with other public and private sector organizations. However, virtually our entire tax base and related revenue is dependent upon the collection of residential property tax. Granting this rezoning will allow the Town to significantly broaden its tax base, and the development of these properties is crucial to this effort. For our town, Harbor View's proposed mix of residential, retail and commercial development represents a once-in-a-generation economic development opportunity. The proposed development will result in a necessary increase in the Town's housing options, attracting the kind of commercial and retail business mix that the Town seeks for its residents.

Further, rezoning the Harbor View site will go a long way in relieving our residents of the heavy tax burden they endure. The Town consists of very little retail or commercial properties and they make up approximately five percent of the total land use. There is also a lack of sit-down restaurants and upscale brand name retailers within the Town limits. In fact, the Town exists in a "food desert". There are approximately 15 retail establishments offering services to the residents of the town. With such a small number of retail establishments, the primary tax base in the town is derived by way of residential tax collection. This is a barrier to our economic competitiveness. Also, the fact that 95% of the land in the Town is residential does not allow for much redevelopment because the existing neighborhoods are already established.

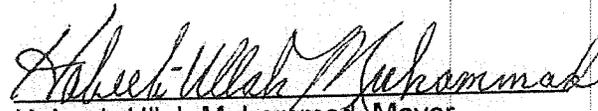
We also want our seniors to be able to "age in place" so that it will not be necessary for them to leave the community as the aging process progresses. Relieving some of the tax burden from the backs of our residents will allow our seniors to stay in their community as they age. I would also like to point out that the senior population demographic is significant within the Town and there is currently no senior housing, assisted living or elderly care facilities located inside the town limits. Under the Town's current Sustainable Plan, the Town highly supports future development that includes a senior housing and senior lifestyle component, which Harbor View proposes to offer.

The Town of Forest Heights hereby requests that the M-NCPPC and Council move this important project forward. The first step is the rezoning.

Thank you for your attention to this matter. I would welcome the opportunity to discuss this matter with you further. If you have any questions, please contact me at 301-839-1030.

Sincerely,

THE TOWN OF FOREST HEIGHTS:


Habeeb-Ullah Muhammad, Mayor

cc: Mrs. Monique Anderson-Walker
Prince George's County Council

Ms. Donna Brown
Clerk of the Prince George's County Council

THE TOWN OF FOREST HEIGHTS
RESOLUTION 04-21

A RESOLUTION TO APPROVE AMENDMENT NO. 3 TO THE CUSTOMER AGREEMENT BETWEEN THE TOWN OF FOREST HEIGHTS (THE "TOWN") AND SENSYS GATSO USA, INC. AND GENERALLY RELATING TO CONTRACTUAL SERVICES FOR SPEED MONITORING AND RED-LIGHT SYSTEMS

Introduced By: Mayor Habeeb-Ullah Muhammad

WHEREAS, the Charter, Section 33-90 authorizes the Mayor and Council to pass certain legislation of a non-permanent or administrative nature by formal resolution in lieu of ordinance; and

WHEREAS, the Charter, Section 33-63 authorizes the Mayor and Council to enter into all purchases and contracts on behalf of the Town; and

WHEREAS, on January 9, 2017, Resolution 01-17 was approved authorizing the Mayor to enter into a Customer Agreement with Gatso USA, Inc. for the operation of speed cameras in Town, to replace the previous vendor; and

WHEREAS, on February 21, 2018, Resolution 12-18 was approved authorizing the Mayor to enter into Amendment No. 1 to Customer Agreement with Gatso USA, Inc. to allow Gatso USA, Inc. to coordinate contested ticket hearings with the court and arrange docketing, and to allow the Town's debt collection agency instead of Gatso USA, Inc. to take responsibility for flagging registrations of delinquent accounts; and

WHEREAS, on or about September 19, 2018, the Mayor and Council approved Ordinance 03-18 which included approval of Amendment No. 2 to the Customer Agreement between the Town and Sensys Gatso USA to enhance the Town's traffic and parking systems by including two (2) red light cameras and two (2) parking enforcement tablets and to provide associated back-end processing services in addition to the Town's existing speed camera program services; and

WHEREAS, the FHPD has decided to move in a different direction concerning parking enforcement; and

WHEREAS, the Mayor and Town Council finds that it is in the best interest of the Town to hereby again amend the existing contract with the current vendor and enter into a third amended service agreement with Gatso USA, Inc. primarily in order to (i) reflect the desire of the parties to remove the provision of a parking program to the existing speed enforcement contract with Gatso and (ii) modify the contract term and fee structure; and

WHEREAS, the parties desire to approve an Amendment No. 3 to the Customer Agreement with Gatso USA, Inc. in accordance with the terms and conditions as set forth therein.

**Amendment No. 3 to
Customer Agreement**

This Amendment No. 3 (“Third Amendment”), effective November 2, 2020 (“Third Amendment Effective Date”), is made by and between **SENSYS GATSO USA, INC.**, (“Gatso”) and **THE TOWN OF FOREST HEIGHTS** (the “Town”), and amends the “Customer Agreement For Automated Speed Enforcement Program Services,” with an effective date of January 30, 2017, as amended effective November 1, 2017 and October 1, 2018 (“Agreement”). All capitalized terms used and not otherwise defined in this Third Amendment shall have the meanings set forth in the Agreement.

WHEREAS, the parties mutually agree that Gatso will no longer be required to provide two (2) parking enforcement tablets; and

WHEREAS, the parties mutually agree that Gatso will no longer pay for the purchase of a police cruiser.

NOW, THEREFORE, in consideration of the mutual covenants and conditions set forth in the Agreement, and other good and valuable consideration, the receipt and sufficiency of which are hereby mutually acknowledged, the parties agree to amend the Agreement as follows:

1. Amend the second WHEREAS clause of the Agreement such that the defined term “System” refers to “the hardware and software to provide and implement automated traffic enforcement programs pursuant to this Agreement.”
2. Section 1.1 of the Agreement is hereby deleted in its entirety and replaced with the following:
 - 2.1 **Initial Term; Extensions.** The Agreement shall continue for a period of three (3) years following the Third Amendment Effective Date (the “Initial Term”). Upon expiration of the Initial Term, the Agreement will automatically renew for three (3) subsequent (1) year terms (each a “Renewal Term” and, collectively with the Initial Term, the “Term”), unless either party provides a written notice to terminate not later than sixty (60) days prior to expiration of the then-current Initial Term or Renewal Term. Renewal Terms may be subject to renewal pricing which shall be mutually agreed upon by the parties no less than sixty (60) days prior to the expiration of the then-current Initial Term or Renewal Term.
2. Delete Section 2.1.1 in its entirety and replace with the following:
 - 2.1.1 (a) A “Per Speed Camera Fee” of \$1,000 for each Fixed Location Speed Enforcement unit and Mobile Speed Enforcement unit, each as defined in Section 3.2, per month; and
 - (b) A “Plate Lookup Fee” equal to \$10.00 per license plate look-up for detected speed violations.
3. Delete Sections 2.1.5 through 2.1.8 in their entirety.
4. Delete the third through fifth sentences of Section 2.2.1 as amended and replace with the following:

Twice per calendar month Gatso shall deduct: (a) half of the Per Speed Camera Fees, described in Section 2.1.1(a); (b) half of the Per Handheld Camera Fees described in Section 2.1.3, (c) all Plate

Lookup Fees incurred (as described in Section 2.1.1(b), and (d) all Per Paid Red Light Citation Fees (as described in Section 2.1.4) incurred, from these gross funds and the net amount shall be transferred from the Master Account, as defined in Section 3.14, to the Town. In the event that gross funds received from violation payments do not exceed monthly services fees, the balance of any such monthly services fee will roll over to next sweep period.

5. Delete the first sentence of Section 3.2 in its entirety and replace with the following:

The System provided by Gatso to the Town shall include: (a) at least three (3) fixed location speed enforcement cameras (each a "Fixed Location Speed Enforcement unit,") or mobile/trailer mounted, with self-sustaining power sources of generators, speed enforcement cameras (each a "Mobile Speed Enforcement unit"); (b) two (2) red light cameras (each a "Red Light Camera"); and (c) one (1) DragonCam portable photo-laser speed enforcement systems (each a "Handheld Speed Enforcement unit"); each to be installed or deployed as set forth herein and as determined by the Town based on community safety, traffic and parking needs.

6. Delete Section 3.11(b) in its entirety.
7. Delete Section 3.12(b) in its entirety.
8. Delete Section 4.6 in its entirety.
9. Delete the first clause of Section 5.2, and replace with the following: EXCEPT FOR AMOUNTS PAYABLE WITH RESPECT TO THE INDEMNIFICATION OBLIGATIONS SET FORTH IN SECTION 5.1 OR THE LIQUIDATED DAMAGES PROVISIONS SET FORTH IN SECTION 5.3.
10. Delete Exhibit B in its entirety.

This Third Amendment constitutes the entire agreement and understanding concerning the subject matter addressed herein, and supersedes and replaces all prior negotiations and all agreements proposed or otherwise, whether written or oral, concerning the subject matter hereof. Each party expressly acknowledges that they have not relied on any representations, oral or otherwise, in signing this Third Amendment, except for those expressly stated herein.

Except as amended hereby, the Agreement shall remain unchanged and in full force and effect.

[Signature Page Follows]

IN WITNESS WHEREOF, the parties hereto have caused this Third Amendment to be executed by their respective authorized representatives as of the Third Amendment Effective Date.

AGREED TO:
SENSYS GATSO USA, INC.

By: _____

Name: Andrew Noble

Title: President

Date: _____

AGREED TO:
THE TOWN OF FOREST HEIGHTS

By: _____

Name: _____

Title: _____

Date: _____

The Town of Forest Heights

Legislative Note

for Resolution 04-2021

(Approving Amend. No. 3 to Sensys Gatso USA, Inc. Contract)

Date of Town Meeting: 3/17/21

Purpose of Ord./Res.: To approve by Resolution the third amendment to the Gatso Speed Camera contract. Due to the non-performance or inapplicability of several items placed in the contract by Amend. No. 2, the contract needs to be revised.

Background: The Town operates speed cameras at three major sites in Town and issues violations processed through a vendor. Sensys Gatso USA, Inc. is the current vendor and has been since 2017. The vendor contract with the Town has been previously amended twice.

Changes to be made to Contract by Amend. No. 3: The contract was last amended in 2018 to expand the speed camera system provided to refer also to “hardware and software to provide and implement automated traffic and parking enforcement programs.” However, the parking systems referenced in Amend No. 2 have not materialized due to no fault of the parties. The FHPD has decided to use other vendors. Amendment No. 2 also changed the name of the vendor to Sensys Gatso USA, Inc. The following more significant changes to the contract are proposed by Amendment No. 3:

1. The Term of the Contract changes from beginning on January 30, 2017 and ending on that date three (3) years following delivery of a new police vehicle, to a period of three (3) years following the Third Amendment Effective Date (the “Initial Term”) and upon expiration of the Initial Term, the Agreement will automatically renew for three (3) subsequent (1) year terms (each a “Renewal Term” and, collectively with the Initial Term, the “Term”), unless either party provides a written notice to terminate not later than sixty (60) days prior to expiration of the then-current Initial Term or Renewal Term. Renewal Terms may be subject to renewal pricing which shall be mutually agreed upon by the parties no less than sixty (60) days prior to the expiration of the then-current Initial Term or Renewal Term.
2. The Compensation paid to Gatso under Amendment No. 2 ranged from \$3,000 to \$5,000 for each Fixed Location Speed Enforcement unit and Mobile Enforcement unit. Amend. No. 3 will Replace Section 2.1.1 in its entirety and replace with the following: 2.1.1 (a) A “Per Speed Camera Fee” of \$1,000 for each Fixed Location Speed Enforcement unit and Mobile Speed Enforcement unit, each as defined in Section 3.2, per month; and (b) A “Plate Lookup Fee” equal to \$10.00 per license plate look-up for detected speed violations.
3. The Fee payments made by Gatso to the Town under 2.2.1. will be slightly altered in three sentences in said paragraph which will change as follows: Delete the third through fifth sentences of Section 2.2.1 as amended and replace with the following: Twice per calendar

month Gatso shall deduct: (a) half of the Per Speed Camera Fees, described in Section 2.1.1(a); (b) half of the Per Handheld Camera Fees described in Section 2.1.3, (c) all Plate Lookup Fees incurred (as described in Section 2.1.1(b), and (d) all Per Paid Red Light Citation Fees (as described in Section 2.1.4) incurred, from these gross funds and the net amount shall be transferred from the Master Account, as defined in Section 3.14, to the Town. In the event that gross funds received from violation payments do not exceed monthly services fees, the balance of any such monthly services fee will roll over to next sweep period.

4. The Enforcement System will slightly change as provided by Gatso that is described in the scope of work paragraphs will be altered by Amend. No. 3 to be: The System provided by Gatso to the Town shall include: (a) at least three (3) fixed location speed enforcement cameras (each a “Fixed Location Speed Enforcement unit,”) or mobile/trailer mounted, with self-sustaining power sources of generators, speed enforcement cameras (each a “Mobile Speed Enforcement unit”); (b) two (2) red light cameras (each a “Red Light Camera”); and (c) one (1) DragonCam portable photo-laser speed enforcement systems (each a “Handheld Speed Enforcement unit”); each to be installed or deployed as set forth herein and as determined by the Town based on community safety, traffic and parking needs.

The Town of Forest Heights

Legislative Note

for Resolution 04-2021

(Approving Amend. No. 3 to Sensys Gatso USA, Inc. Contract)

Date of Town Meeting: 3/17/21

Purpose of Ord./Res.: To approve by Resolution the third amendment to the Gatso Speed Camera contract. Due to the non-performance or inapplicability of several items placed in the contract by Amend. No. 2, the contract needs to be revised.

Background: The Town operates speed cameras at three major sites in Town and issues violations processed through a vendor. Sensys Gatso USA, Inc. is the current vendor and has been since 2017. The vendor contract with the Town has been previously amended twice.

Changes to be made to Contract by Amend. No. 3: The contract was last amended in 2018 to expand the speed camera system provided to refer also to “hardware and software to provide and implement automated traffic and parking enforcement programs.” However, the parking systems referenced in Amend No. 2 have not materialized due to no fault of the parties. The FHPD has decided to use other vendors. Amendment No. 2 also changed the name of the vendor to Sensys Gatso USA, Inc. The following more significant changes to the contract are proposed by Amendment No. 3:

1. The Term of the Contract changes from beginning on January 30, 2017 and ending on that date three (3) years following delivery of a new police vehicle, to a period of three (3) years following the Third Amendment Effective Date (the “Initial Term”) and upon expiration of the Initial Term, the Agreement will automatically renew for three (3) subsequent (1) year terms (each a “Renewal Term” and, collectively with the Initial Term, the “Term”), unless either party provides a written notice to terminate not later than sixty (60) days prior to expiration of the then-current Initial Term or Renewal Term. Renewal Terms may be subject to renewal pricing which shall be mutually agreed upon by the parties no less than sixty (60) days prior to the expiration of the then-current Initial Term or Renewal Term.
2. The Compensation paid to Gatso under Amendment No. 2 ranged from \$3,000 to \$5,000 for each Fixed Location Speed Enforcement unit and Mobile Enforcement unit. Amend. No. 3 will Replace Section 2.1.1 in its entirety and replace with the following: 2.1.1 (a) A “Per Speed Camera Fee” of \$1,000 for each Fixed Location Speed Enforcement unit and Mobile Speed Enforcement unit, each as defined in Section 3.2, per month; and (b) A “Plate Lookup Fee” equal to \$10.00 per license plate look-up for detected speed violations.
3. The Fee payments made by Gatso to the Town under 2.2.1. will be slightly altered in three sentences in said paragraph which will change as follows: Delete the third through fifth sentences of Section 2.2.1 as amended and replace with the following: Twice per calendar

month Gatso shall deduct: (a) half of the Per Speed Camera Fees, described in Section 2.1.1(a); (b) half of the Per Handheld Camera Fees described in Section 2.1.3, (c) all Plate Lookup Fees incurred (as described in Section 2.1.1(b), and (d) all Per Paid Red Light Citation Fees (as described in Section 2.1.4) incurred, from these gross funds and the net amount shall be transferred from the Master Account, as defined in Section 3.14, to the Town. In the event that gross funds received from violation payments do not exceed monthly services fees, the balance of any such monthly services fee will roll over to next sweep period.

4. The Enforcement System will slightly change as provided by Gatso that is described in the scope of work paragraphs will be altered by Amend. No. 3 to be: The System provided by Gatso to the Town shall include: (a) at least three (3) fixed location speed enforcement cameras (each a “Fixed Location Speed Enforcement unit,”) or mobile/trailer mounted, with self-sustaining power sources of generators, speed enforcement cameras (each a “Mobile Speed Enforcement unit”); (b) two (2) red light cameras (each a “Red Light Camera”); and (c) one (1) DragonCam portable photo-laser speed enforcement systems (each a “Handheld Speed Enforcement unit”); each to be installed or deployed as set forth herein and as determined by the Town based on community safety, traffic and parking needs.

RESOLUTION 05-21
THE TOWN OF FOREST HEIGHTS

A RESOLUTION ENDING COVID-19 HAZARD PAY FOR ESSENTIAL OR DESIGNATED
PERSONNEL OF THE TOWN OF FOREST HEIGHTS

Introduced By: Mayor Habeeb-Ullah Muhammad

WHEREAS, the Governor, as of March 5, 2020 and thereafter, issued orders initially declaring a state of emergency and catastrophic health emergency for the epidemic known as COVID-19; and

WHEREAS, the Mayor of the Town of Forest Heights, as of April 5, 2020 issued a proclamation initially declaring the existence of a local emergency thereby requiring the public to observe certain social distancing behaviors and closing the town offices and the municipal building to the public except for essential police operations, and ordering most of the remaining staff to telework; and

WHEREAS, the Town Council on May 2, 2020 approved a Resolution 23-20 extending the Mayor's Local Emergency Order beyond 30 days and throughout the same duration as the Governor's State-declared health emergency or until such time as the Mayor or the Council sees fit to terminate said order; and

WHEREAS, on May 6, 2020, the County Executive wrote the Mayor stating that under the United States Department of Treasury, Coronavirus Aid, Relief, and Economic Security (CARES) Act, Prince George's County, Maryland, received a direct allocation from the Coronavirus Relief Fund (CRF) to cover necessary expenditures directly related to the Coronavirus Disease 2019 (COVID-19), and that the County will allocate \$15 million of its CRF funding to its 27 municipalities on a per capita basis and that the Town's share would be \$157,000; and

WHEREAS, on May 20, 2020, the Mayor and Council passed Resolution 24-20 further modifying the Mayor's emergency order dated April 5, 2020, as ratified and extended in duration by the Council through Resolution 23-20 and further increased the compensation for certain essential Town employees deployed during the declared COVID-19 emergency; and

WHEREAS, Resolution 24-20 approved and authorized special compensation or hazardous duty for (i) public works and public safety employee positions whose compensation was eligible for reimbursement under the CARES Act, as listed on Exhibit 1 of said resolution and to be paid retroactively and proactively commencing as of March 17, 2020, and (ii) administrative employee positions whose compensation was not eligible for reimbursement under the CARES Act, as listed on Exhibit 1 of said resolution, to be paid retroactively and proactively throughout the duration of the declared local civil emergency to said designated

essential employees until such time as the Mayor terminated the emergency period as subject to subsequent review and approval or unilateral termination by the Council; and

WHEREAS, Section 2.9 of the Town Code, as amended, authorizes the Mayor to issue orders lasting for up to 30 days modifying employee salaries and designating certain essential employees for a given emergency, including allowing for both retroactive and prospective adjustments to employee compensation provided that a state or local emergency has been declared and in effect during any modification period, and further for the hiring of any additional employees as deemed necessary for the purpose of meeting the emergency; and

WHEREAS, Subsection 2.9.B of the Town Code, authorizes the Town Council by resolution to modify or reject an emergency order of the Mayor, and if the Council modifies or rejects the order, said modification or rejection shall be prospective only, and shall not affect any actions taken prior to the modification or rejection of the order; and

WHEREAS, the Town Council from time to time may adopt an employee salary compensation plan.

NOW THEREFORE BE IT RESOLVED, that the Town Council hereby orders the cessation and ending of the \$2 per hour hazard pay differential sometimes known as “Hazardous Duty Pay” due to the pandemic and previously substantially made possible by CRF funding previously made available until the end of the 2020 calendar year and the Town’s General Fund for Police officers, Public Works and Administrative employees which shall be stopped at the commencement of the next pay period following the passage of this Resolution.

AND BE IT FURTHER RESOLVED that the Mayor is authorized to sign this Resolution on behalf of the Council; and

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon passage.

PASSED this ___ day of March 2021.

APPROVED: By Resolution of the Town Council of The Town of Forest Heights, Maryland

ROLL CALL VOTE

YEA/NAY/ABSTAIN/ABSENT

MUHAMMAD

KENNEDY II

NOBLE

BARNES

HINES

The Town of Forest Heights

Resolution 05-21

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WASHINGTON
ATKINSON

ATTEST:

THE TOWN OF FOREST HEIGHTS,
MARYLAND

Sherletta Hawkins, Town Clerk

By: _____
Habeeb-Ullah Muhammad, Mayor

By: _____
Calvin Washington, Council President

CERTIFICATION

I, hereby certify, as the duly appointed Town Clerk of the Town of Forest Heights, Maryland, that on the __ day of March 2021 with ____Aye votes and _____ Nay votes the aforesaid Resolution __-21 passed.

Sherletta Hawkins, Town Clerk

RESOLUTION 06-2021

THE TOWN OF FOREST HEIGHTS, MARYLAND

A RESOLUTION TO APPROVE A CONTRACT TO PROVIDE CONSTRUCTION MANAGEMENT SERVICES FOR A NEW POLICE DEPARTMENT BUILDING LOCATED AT 606 MODOC LANE, APPROVE A CONTRACT TO DEMOLISH THE EXISTING STRUCTURE, APPROVE A SOLE SOURCE CONTRACT WITH MODULAR GENIUS, AND DELEGATE CERTAIN CONTINGENCY FUNDING AND CHANGE ORDER OBLIGATION AUTHORITY TO COMPLETE THE PROJECT TO THE MAYOR FOR THE CONSTRUCTION OF A NEW MODULAR POLICE BUILDING

Introduced By: Mayor Muhammad

WHEREAS, the Town Council has authority to approve contracts and procurements pursuant to the Town Charter, Section 33.63, and Town Code 20.4; and

WHEREAS, the Town Charter, § 33-63(f) authorizes the Town to forego the normal procurement process through cooperative purchasing in certain cases where another government entity or association has already made a competitive purchase of said item and, provided that such local government or association has adopted procurement regulations that are comparable to those enacted by the Town, the Mayor and Council may, without soliciting bids, purchase the item in question at the bid price from the successful bidder, if the Mayor and Council determines that the bid price is competitive, and

WHEREAS, the Town Charter, § 33-63(g) further authorizes the Mayor and Council by a two-thirds vote to waive the competitive bidding requirements of said Charter section for good cause shown for sole source procurements of unique products and services, and that written findings as to the basis of such waiver shall be placed in the journal of the Council's proceedings, and

WHEREAS, the Town Ordinance Code, § 20.4(a)(6) states that upon written findings entered into the journal, the Mayor and Council may exempt the purchase of a good or service from competitive selection processes when the purchase qualifies as a sole source procurement as a result of several circumstances including: (i) One vendor is the only one qualified or eligible or is quite obviously the most qualified or eligible to provide the good or service or (ii) the procurement is of such a specialized nature or related to a specific geographic location that only a single source, by virtue of experience, expertise, proximity, or ownership of intellectual property rights, and could most satisfactorily provide the good or service, and

WHEREAS, the Town, in March of 2013, purchased certain real property developed with a house, and attached garage located at 606 Modoc Lane adjacent to and abutting the municipal building parcel (Parcel E), and the Town has implemented plans to renovate said property for a Town police station, and a public works office; and

RESOLUTION 06-2021

THE TOWN OF FOREST HEIGHTS, MARYLAND

WHEREAS, the Mayor and Town Council find that the existing prior approved project for the Police Department building located at 606 Modoc Lane has made no substantial progress towards completion and that a new project committee has been formed known henceforth as the Modoc Lane Project Committee to coordinate the completion of said building (the "Project") with Police Lt. Marcus Jones serving as committee project manager; and

WHEREAS, the Town has spent significant money in an attempt to complete this project over the years (i.e., approximately \$500,000.00) but, because of an inability to secure an adequate project construction and management firm and other related project management issues, the project remains incomplete; and

WHEREAS, due to the length of time the building has sat unoccupied, it has been determined that the renovation needed to finish the project in its current state would be too costly versus new building construction considering the remaining construction that is required, as well as the repairs and upgrades necessary to bring the structure up to Code and ADA standards; and

WHEREAS, it has also been determined that the existing building is obsolete in terms of design, office space square footage requirements and functionality and is no longer suited for the needs of the public, and the Police Department and,

WHEREAS, upon reasoned deliberation and recommendation from the Modoc Lane Project Committee, the Mayor and Town Council find it in the best interest of health, safety and welfare of the Town and consistent with its fiduciary responsibilities to completely raze the existing structure located at 606 Modoc Lane and construct a new structure in its place.

NOW THEREFORE BE IT RESOLVED, that subject to the terms and conditions of the contract to be entered into between the parties as authorized by this Resolution, Nehemiah Management located at 8787 Branch Avenue, Suite #27, Clinton, Maryland 20735 has been awarded the construction management contract through competitive bid for the new Police Departments building located at 606 Modoc Lane.

AND, BE IT FURTHER RESOLVED, that subject to the terms and conditions of the contract to be entered into between the parties as authorized by this Resolution, The Dirt Express Company located at P.O. Box 186, Glen Burnie, Maryland 21060 has been awarded the demolition services contract through competitive bid for the new Police Departments building located at 606 Modoc Lane.

AND, BE IT FURTHER RESOLVED, that Modular Genius, Inc. is hereby considered to be quite obviously the most qualified and eligible vendor to provide this service and goods; and, the procurement is of such a specialized nature and related to a specific geographic location that only a single-source is reasonably available by virtue of experience, expertise, and proximity per the stipulations contained within Town Code Section 20.4 (6) (I) and (II).

RESOLUTION 06-2021

THE TOWN OF FOREST HEIGHTS, MARYLAND

AND, BE IT FURTHER RESOLVED, that subject to the terms and conditions of the contract to be entered into between the parties as authorized by this Resolution, Modular Genius a Maryland Corporation in good standing located at 1201 South Mountain Road, Joppa, Maryland 21085 has been awarded the turn-key permanent modular construction contract through sole source procurement for the new Police Department building located at 606 Modoc Lane.

AND, BE IT FURTHER RESOLVED, the Town authorizes said contracts for construction management, construction, and demolition services and to be appropriated and paid from Line Item 8038 – Modoc Building of the FY 2021 Budget; and

AND, BE IT FURTHER RESOLVED, that the Mayor and Town Council of the Town of Forest Heights, Maryland hereby authorize, and approve a contract to be executed by the Mayor on behalf of the Town (the “Contract #1”), and attached hereto and incorporated by reference herein as Exhibit A, for the above-described construction management services thereby purchasing services and material at a total cost of \$100,900.

AND, BE IT FURTHER RESOLVED, that the Mayor and Town Council of the Town of Forest Heights, Maryland hereby authorize, and approve a contract to be executed by the Mayor on behalf of the Town (the “Proposal #1”), and attached hereto and incorporated by reference herein as Exhibit B, for the above-described demolition services thereby purchasing services and material at a total cost of \$59,800.

AND, BE IT FURTHER RESOLVED, that the Mayor and Town Council of the Town of Forest Heights, Maryland hereby authorize, and approve a contract to be executed by the Mayor on behalf of the Town (the “Contract #2”), and attached hereto and incorporated by reference herein as Exhibit C, for the above-described 2-story modular building construction services thereby purchasing services and material at a cost not to exceed \$1,465,649.00.

AND, BE IT FURTHER RESOLVED, that the Mayor and Town Council of the Town of Forest Heights, Maryland hereby authorizes, delegates and approves the use and expenditure of contingency funding for this Project in the form of change orders to contracts and additional payment obligations of the Town to be entered into and executed by the Mayor on behalf of the Town after recommendation from the Project Committee, for the above-described 2-story modular building construction services thereby purchasing services and material in an amount not to exceed \$173,651.00.

AND, BE IT FURTHER RESOLVED, that the Mayor and Town Council of the Town of Forest Heights, Maryland hereby authorize, and approve the Mayor on behalf of the Town to execute and approve the above-described contracts and any other related instrument or document necessary to carry out the intent of this Resolution except that any change order or cumulation of change orders for this Project exceeding the above-referenced contingency allocation of \$173,651.00 shall be approved by the Town Council.

RESOLUTION 06-2021

THE TOWN OF FOREST HEIGHTS, MARYLAND

AND, BE IT FURTHER RESOLVED, that prior to the Mayor signing the approved proposal or contract of Nehemiah Management, The Dirt Express Company, and Modular Genius, said companies shall provide a certificate of good standing and proof of insurance and written assurances holding harmless and indemnifying the Town, to the satisfaction of the Town Administrator, and that the Contractor shall agree by signing a release and waiver that it will provide and maintain at all times during the term of the applicable agreement, or any other contract that it has with the Town, such insurance coverage (e.g., Commercial General Liability, Business Automobile Liability, and Workers' Compensation) to adequately protect the Town or as otherwise required by law and that the Contractor shall cover any claim that may arise while engaged in work under any agreement with the Town; and

AND, BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon passage.

PASSED this ___ day of March 2021.

APPROVED: By resolution of the Town Council of the Town of Forest Heights, Maryland

<u>ROLL CALL VOTE</u>	<u>YEA/NAY/ABSTAIN/ABSENT</u>
MUHAMMAD	_____
KENNEDY II	_____
ATKINSON	_____
BARNES	_____
HINES	_____
WASHINGTON	_____
NOBLE	_____

ATTEST:

THE TOWN OF FOREST HEIGHTS,
MARYLAND

Sherletta Hawkins, Town Clerk

By: _____
Habeeb-Ullah Muhammad, Mayor

By: _____
Calvin Washington, Council President

RESOLUTION 06-2021

THE TOWN OF FOREST HEIGHTS, MARYLAND

CERTIFICATION

I, hereby certify, as the duly appointed Town Clerk of the Town of Forest Heights, Maryland, that on the ___ of March 2021 with ___ Aye votes and ___ Nay vote the aforesaid Resolution ___-21 passed.

Sherletta Hawkins, Town Clerk

[Exhibits A, B, & C- Project Contracts

The Dirt Express Company

P.O. Box 186

Glen Burnie, MD 21060

Proposal for Town of Forest Heights Demolition Services

RFP2021-02

February 8th, 2021

Contact Person: Dana Thompson

Phone: 410-528-8470

Email: dthompson@dirtextpressco.com

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1. Company Profile
2. Experience
3. References
4. Specific Project Approach
5. Proposed Staff
6. Fee Structure
7. Business License

The Dirt Express Company
P.O. Box 186
Glen Burnie, Maryland 21060
Phone: (410) 528-8470 Fax: (443) 388-9428

February 8, 2021

Sherletta Hawkins, Town Clerk
Town of Forest Heights
5508 Arapahoe Drive
Forest Heights, MD 20745

Re: Town of Forest Heights Public Safety Center

Dear Ms. Hawkins,

I am writing in response to your request for Demolition Services. Having visited the site and familiarized myself with the existing conditions, I offer my proposal.

Company Profile

First, I would like to introduce my company to you. My company was established in February of 1988. Since that time, we have been providing site work and demolition services. Our preferred scope of work involves clearing and grubbing of trees, installation of sediment controls, removal and disposal of structures, placing of structural fill and furnishing and fine grading topsoil. In 2010, we sought the Disadvantaged Business Entity certification with the Maryland Department of Transportation. Our business has remained eligible and has had its certification renewed each term ever since that time. Our gross revenues are usually within the range of 1,500,000.00 to \$2,500,000.00 per year.

Our offices are located at 2036 Hollins Ferry Road, Baltimore, MD 21230. Our equipment storage yard is located at 402 Arundel Corporation Road in Glen Burnie, MD 21060. Our company currently employs 10 people. Our personnel are equipment operators, truck drivers, foreman and laborers. As a part of a small company, none of us have a narrow job description. We work together to accomplish our projects.

As the owner, I evaluate the projects that are advertised and determine whether I believe they are a good fit for us. We seem to be most suited for municipal projects. We are accustomed to working within detailed specifications and meeting the owner's objectives.

Experience

We have completed a number of project for municipal entities which involve demolition. I realize that you are most interested in activities performed over the last two years, but due to our involvement in a large Synthetic Turf Field Construction, we did not bid many demolition projects in that time period. I would like to offer what I feel are most similar references and hopefully they will demonstrate our long standing history of completing this type of work.

Demolition of residence located at 610 Old Waugh Chapel Road, Odenton, MD 21113
Anne Arundel County
Department of Public Works
2662 Riva Road, MS 7301
Annapolis, MD 21401
Proposal C206563

This project was completed in June of 2019. The contract value of this project was \$22,830.00. This project was the demolition of a single family residence including the disconnection and abandonment of existing utilities. We also provided topsoil, seeding and mulching to stabilize the site. The program manager for this project was Alejandro Anvari. He can be reached at pwanva00@aacounty.org. Or his office number is 410-222-7556.

Razing of Former Rudisill Property
Department of General Services
Patapsco Valley State Park
P-888-180-310

Our warranty was just closed out during the fall of 2020 for this project. The total value of this project was \$78,940.00. This project was located in a state park. We had to install a temporary bridge crossing in order to gain access to the site with equipment. We were also responsible for asbestos abatement and well abandonment in addition to the demolition. My company was the prime contractor and self-performed the demolition of the structure.

We had two primary contacts who managed this project and could be contacted for a reference regarding our performance. First, our project inspector for the Department of General Services Ron Reichert. He can be reached at ron.reichert@maryland.gov or by phone at 443-388-1201. Or Jovito Pacaanas from Department of Natural Resources who represented the owner. He can be reached at jovitao.pacaanas@maryland.gov or at 443-458-2320.

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SHA Project #GA646B32
Demolition of structure in right of way
12676 National Pike
Grantsville, MD 21536

A & I was the prime contractor for this job. It was the requirement of State Highway that the abatement contractor be the responsible party. We were the demolition contractor of record. The total value of our portion of this project was \$37,400.00. We demolished a residence, removed the basement completely and backfilled the void. This project was completed in 2018. The project manager whom we worked for was Mike Kemen. He can be reached at mike@aandiinc.com. Or at 443-463-5436.

References

I am offering other contract references that will confirm our company's responsiveness and competency. Please note that these persons are not related to our demolition activities but rather our larger value projects that include site demolition, excavation and structural filling. Current projects:

University of Maryland Retriever Activities Center Renovation
Kyle Weir
kweir@quandel.com
717-678-0048

Garrison Forest Veterans Cemetery
Spoils removal
Leland Barksdale
Leland.barksdale@maryland.gov
410-363-6090

Additional references are available upon request

Specific Project Approach

We will receive a Purchase Order or agreement with the Town confirming the acceptance of our proposal. We will provide the Town with the required Insurance certificates as per the documents. We will confirm that the Town has obtained all of the proper permits that will allow us to begin. We will contact Miss Utility. We will coordinate with Lt. Jones to determine if there are any events at the Town Hall that need to be considered with regard to accessing the site with our equipment. We will remove salvageable building materials for recycling, reuse or repurposing for the benefit of other projects. Items that we noted are electrical boxes, HVAC systems, timbers, multiple styles of wiring, insulation and gutter materials to name a few. We will utilize an excavator with a grapple attachment to demolish the structures.

We will demolish the structures in such a way as to segregate the debris. It is always our goal to enhance recycling and reduce the amount of waste that is landfilled. We will have hoses available, if necessary to reduce dust, to connect to the meter provided by the Town at the fire hydrant. While working, we will make every effort to contain the debris within the footprint of the structures.

We will utilize the basement area of the primary structure to assist with containment. We will load roll-off containers (owned and controlled by our company) as we have accumulated like kind loads of brick, concrete and wood to leave the site. Once mobilized, we plan to continue work weather permitting until project completion.

Our proposal includes the following scope of work:

Removal and disposal of existing sidewalks including the former pool area,

Removal and disposal of small bushes, a brick pillar in front and chain link fencing across the back of the property

Removal and disposal of all concrete steps connected to the residence on all sides

Demolition removal and disposal of the garage, enclosed walkway and original residence including all concrete below grade meaning the basement walls and floor slabs. It is understood that these cannot be broken to remain in place, but must be removed completely. A specific elevation has not been established to use as the final grade.

We will furnish and place backfill material to tie into surrounding grades and create positive drainage toward the rear of the property. Material will be tracked in with machinery and tamped with the bucket of excavator. No specific compaction device will be utilized. We will make one application of seed and straw only, but it is understood that since it is out of planting season, there will likely be sparse growth.

Please note that it is our intent to perform all of the work associated with the project with our own forces.

Proposed Staff

Project Manager	Dana Thompson	30 years experience
Superintendent/operator	Terry Mullan	40 years experience
Truck driver	Jeff Rogers	30 years experience
Truck driver	Donald Fink	10 years experience

Fee Structure

Our customary bid submission is a lump sum proposal which includes all of the items identified in the scope of work. No unit prices were requested, we will provide costs for additional items or unit prices if you anticipate adding tasks.

Our Lump Sum Price for the work described in the manner described is

Fifty-nine Thousand Eight Hundred Dollars Even - \$59,800.00

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Please note that our company is in good standing with the Maryland Department of Assessments and Taxation. Our number is #D02499986. Please see a copy of our current Maryland Business License enclosed.

Our payment terms are net 30 days. We will meet with the Town representative and agree on a percentage of completion of our work before finalizing an invoice for payment in the event the work goes beyond one billing cycle. Since we are in an inclement weather pattern and do not have a start date at this time, I am suggesting a 60 calendar day completion time frame from the Notice to Proceed. We do not anticipate utilizing all of this time, but prefer planning for the worst scenario.

Exclusions are:

- Provision or installation of any sediment controls
(there are no drawings indicating requirements)
- Evenings, weekend and holiday work hours
- Provision of fencing of any kind
- Maintenance of traffic or pedestrian signage or controls
- Liquidated damages
- Handling of any hazardous materials
- Acquisition of permits or payment of fees associated with their issuance
- Generation of site plans or drawings
- Multiple mobilizations, demolition in phases
- Removal and disposal of trees along the east border of the property
- Undercutting or replacement of unsuitable fill encountered after removal of slabs
- Removal and disposal of existing buried debris if encountered
- Geotechnical testing or services of any kind
- Provision or placement of topsoil
- Importing or placement of stone
- Permanent seeding
- Warranty for growth of grass on disturbed area
- Repair or replacement of unmarked or unidentified utilities
- Abandonment or relocation of any existing utilities.

I hope that we can be of service to you. Please do not hesitate to contact me if you have any questions or require any clarifications regarding this proposal. Also, please advise if you are aware of additional items which require pricing.

Cordially,

Dana Thompson

90 County

State of Maryland License

02605934

02258008

04317397



DIRT EXPRESS CO INC
PO BX 186
GLEN BURNIE MD 21061

DIRT EXPRESS CO INC
405 7TH AVENUE NE
GLEN BURNIE MD 21061

20

CODE	UNIT	TYPE OF LICENSE	NO OF LIC	COST
77	015	CONSTRUCTION FIRM (NOT FOR HOME IMPROVEMENT)	1	15.00

DATE OF ISSUE
MO DAY YR
03/24/2020

MONTHS PAID
12

ISSUING FEES	2.00		
TOTAL	17.00	AMOUNT PAID	17.00

THIS LICENSE MUST BE PUBLICLY DISPLAYED
AND EXPIRES ON **APRIL 30, 2021**

ISSUED BY
SCOTT A. POYER, CLERK OF CIRCUIT COURT
8 CHURCH CIRCLE, ROOM H-101
ANNAPOLIS, MARYLAND 21401 (410)222-1434

LST



Nehemiah Management

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Town of Forest Heights Public Safety Center

RFP 2021-01

Construction Management Services

February 5, 2021

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- **Proposed Staff**
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787 Branch Ave #27
Clinton, MD 20735
(240) 538-1158
nehemiahgmt1@gmail.com

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RFP 2021-01
Construction Management Services**

February 5, 2021

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Nehemiah Management

"Building a Better Future"

BUILDING A HISTORY OF GROWTH, STABILITY AND CLIENT SERVICE

Nehemiah Management is a company specializing in property and construction management. We self-perform demolition, rough carpentry, painting, GWB partition installation and final cleaning. Our growth is attributed to conservative business strategies and total commitment to quality and complete client satisfaction. Our clients include religious institutions, government agencies and contractors, and the private sector.

Headquartered in Maryland, Nehemiah Management has shown steady growth. Our dedicated staff and seasoned professionals offer extensive expertise and experience in the field of project planning and financing, estimating, project management, cost and quality control, safety, scheduling, and contract administration. We are established with the Federal Government as a small business concern under the (NACIS) codes 23820, 238390, 238310. DUNS: 07-960-0004

EXPERIENCE

Nehemiah Management uses experienced and knowledgeable professionals and tradesmen to handle all phases of our property management and/or construction projects. We handle a vast type and size of projects from new construction to renovations. Our project manager, foreman, and tradesman will deliver you project in a timely manner with the highest degree of safety and quality.

PHILOSOPHY

Nehemiah Management was founded by Carlton Wilkins in 2012 grounded on the principles of honesty, integrity, professionalism and hard work. As owner, Carlton continues to strengthen the company's commitment to maintaining and growing a strong core of talented professionals. Our approach to our clients and their projects is one of trustworthiness, attentiveness, and pride in a job well done.

787 Branch Ave #27
Clinton, MD 20735
(240) 538-1158
nehemiahgmt1@gmail.com



Nehemiah Management

CARLTON WILKINS

CONSTRUCTION MANAGER

PROFESSIONAL PROFILE

- ❖ More than 30 years of widely varied construction experience.
- ❖ Former Employers- Wilkins Enterprise, LLC, Sigal Construction, Kfoury Construction, The Banneker Group
- ❖ Experience in base building, interiors, corporate and government construction.
- ❖ Invaluable experience as Project Executive/Manager, Project Accountant, Project Engineer and Estimator.
- ❖ Dedicated and hard-working professional with skills in such management tasks as costing, project scheduling, quality control, accounting, trade sequencing and team coordination.
- ❖ Excellent management and motivational skills and can adapt to a wide variety of projects.
- ❖ Facilities Maintenance Technician- First Baptist Church of Glenarden

PAST RELEVANT PROJECTS

PROJECT	Project Type	Location	Sq.Ft.	Contract Amount
Reid Temple South Location	Faith Based	Maryland	12,000	700,000
Reid Temple North Location	Faith/School	Maryland	65,000	2,300,000
Seneca Shopping Center	Corporate	Virginia	30,000	1,700,000
2311 M Street	Corporate	Washington, DC	100,000	15,000,000
Lakeside Office Building	Corporate	Virginia	94,000	5,400,000
MCI Headquarters	Corporate	Washington DC	195,000	28,000,000
Bell Atlantic Offices	Corporate	Virginia	320,000	35,000,000
NRCC	Government	Washington DC	30,000	1,500,000
NTSB	Government	Washington, DC	50,000	1,450,000
ST. George's Church	Faith Based	Washington, DC	12,000	1,500,000
Fort Belvoir- Barden School	Government	Virginia	10,000	1,000,000
Ebenezer AME Church	Faith Based	Maryland	5,000	50,000
New Life Medical	Medical	Maryland	5,000	200,000
CW Harris Elementary School	Education	Washington, DC	100,000	1,500,000



Nehemiah Management

PROJECT	Project Type	Location	Sq.Ft.	Contract Amount
Smithsonian Institution	Museum	Washington, DC	300,000	200,000
City of Seat Pleasant	Government	Maryland	20,000	500,000
Town of Capitol Heights	Government	Maryland	10,000	800,000
Harris Corporation	Government	MD/VA	80,000	3,000,000
MGM Training Facility	Corporate	Maryland	100,000	30,000
Sports Pro Physical Therapy	Medical	Maryland	1,500	60,000

EDUCATION AND TRAINING

Bowie State University- Business Administration with Concentration in Management

Prince George's Community College- Construction Management Certification Program

Bullet Proof Management- Certification Program

Maryland Soil Certification Program

Zack Academy- Lead Renovator Certification Program

Various Yearly Fred Pryor Training Classes

OSHA- 10

Skilled in a variety of construction computer software applications including Sage, Timberline, Primavera Expedition, MS Projects/Word/Excel, Viso and QuickBooks, I-VU

HIGHLIGHTS

1. Various Project of the Year Awards
2. Construction Development Awards 2001 and 2002
3. Former Member of DCBIA and ABC
4. Youth and High School Basketball Coach

Matthew Reid

Fort Washington, MD 20744 • 240-330-5029 • reidmatt12@yahoo.com

Career Summary

To be a key contributor in the building process through scheduling, planning, communication, and critical thinking to ensure all company objectives and goals are met.

Work Experience

Project Engineer (Internship)

May 2019 – August 2019

Donohoe Construction Company – Bethesda, MD

- Achieved hands-on knowledge and skills through the process of project management
- Document control management; slip sheeted drawings with most current revised pages and CCD updates. Identifying RFI's and SKA's on drawings
- Reviewed submittals and logged schedule updates

Recovery Clerk

November 2020 – January 2021

BJ's Wholesale Club – Waldorf, MD

- Improved customer relations through customer assistance and making sure all products are fresh and easily accessible
- Achieved excellent company culture through teamwork, picking product from online orders and delivering curbside orders in a timely manner
- Prepared the shelves for income stock supplies "stocking"

Education

The University of Maryland Eastern Shore; Princess Anne, MD

May 2020

Major: Construction Management Technology (CMTE)

Bachelor Degree in Construction Management; GPA: 2.8

Member of the SCCA (Student Construction Chapters Association)

Related Courses

- Construction Planning & Scheduling
- BIM Technology Construction Management
- Construction Methods & Equipment
- Construction Surveying
- Construction Materials
- Computer Application in Construction
- Architectural Drawing
- Computer-Assisted Drawing and Design

Technology Skills

- Excellent Technical Writing
- Proficient in AutoCAD & Revit
- Advanced in Microsoft Office Suite

Certificates & Awards

Certification of Completion – **Construction Site Safety I & II**
(Presented by MOSH)

March 2019 & April 2019

Adult First Aid/CPR/AED – American Red Cross

January 2021

OSHA 10 – ClickSafety

January 2021

OSHA 30 – ClickSafety

In Process

Volunteer Work

Habitat For Humanity – Salisbury, MD

November 2018

References

Carlos Salgado – UMES Professor

Email: casalgado@umes.edu

Phone: (443) 235-5574

Jon Sandberg – Senior Project Manager; Donohoe Construction Company

Email: jons@donohoe.com

Phone: (202) 450-8591

Thelma Jones – Personal (Retired School Teacher)

Phone: (301) 203-1931

**Town of Forest Heights Public Safety Center
RFP 2021-01
Construction Management Services**

February 5, 2021

REFERENCE #1

Length of Service: 3 years
Type of Service: CM Services- Addition and Renovation
Contact person: City of Seat Pleasant
6301 Addison Road
Seat Pleasant, MD 20743
Ms. Jeannelle Wallace- 240.606.6352
Date of contract: 03/2017
Contract Number: 16-900 City Hall
Square Footage: 9,000 sq. ft.

REFERENCE #2

Length of Service: 10 years
Type of Service: CM/Renovation (various floors)
Contact person: Republican National Committee/NRCC
310 First Street, SE
Washington, DC 20001
Nancy Hibbs/Mrs. Secore 202-863-8500
Date of contract: 06/14/10
Contract Number: Various
Square Footage: 20,000

REFERENCE #3

Length of Service: 3 Years
Type of Service: CM Services- Addition and Renovation
Contact person: City of Seat Pleasant
108 69th Street
Capitol Heights, MD 20743
Stanley Mosley- 240.351.5980
Date of Contract: 09/10/2010
Contract Number: 16-910
Square Footage: 4,000

REFERENCE #4

Length of Service: 1 year
Type of Service: CM Services- Temporary Swing Space
Contact person: City of Seat Pleasant
311 68th Place
Seat Pleasant, MD 20743
Ms. Jeannelle Wallace- 240.606.6352
Date of contract: 03/2017
Contract Number: 16-899 Temporary Swing Space
Square Footage: 8,000 sq. ft.

OTHER INDUSTRY REFERENCES

REFERENCE #5 **Arel Architects- Ron Lipford 301.868.2735**

REFERENCE #6 **RDA Civil Engineer- Ben Robertson 301.952.8200**

PROJECT APPROACH & VALUE-ADDED SERVICES

Town of Forest Heights Public Safety Center RFP 2021-01 Construction Management Services

February 5, 2021

Nehemiah Management is proud of our reputation of bringing exceptional value to the design assist efforts through our pre-construction services. The decision to award the construction management services during the design and development phase of a project allows us to use our expertise to work in concert with the design team during finalization of the pre-construction process.

Through close coordination and evaluation of the project needs with the team members, we will recommend alternate means and methods of construction to minimize cost and schedule duration. The steps proposed for this Value Engineering stage are as follows:

- The first level of the Value Engineering effort will come during the design development stage of the project. Nehemiah Management pre-construction services team will review the specified products and detailing of the project to ensure that the most efficient recommendations are being incorporated.
- Prior to the completion of the contract documents, Nehemiah Management will consult with a select group of subcontractors and suppliers to review the design intent and solicit recommendations on possible cost savings.
- Nehemiah Management, together with our subcontractors, will evaluate methods of improving the construction schedule, yielding savings on general conditions costs and providing the earliest possible cost savings.
- Working with the design team, we will recommend alternates to be incorporated into the contract documents for bid pricing from the subcontractors. Having these alternates as part of the cost proposal ensures competitive pricing and detailed information to select those options required to bring the project costs within budget.
- Finally, our pre-construction team will request cost savings suggestions from our subcontractors. These could include cost-effective substitutions or proposed changes in the contract documents, which would support the priorities of the design and would be submitted for the team's evaluation.

As part of our pre-construction services, our project schedule and budget will receive continuous input from subcontractors. This will ensure that the latest pricing, scheduling and industry improvements are applied. Once all cost and time savings suggestions are agreed to, the final coordinated construction documents will be issued to the subcontracting community for competitive bids. Nehemiah Management will, with the input from the team, develop a pre-qualified list of subcontractors to bid on the project. Nehemiah Management will solicit bids from sufficient numbers of

subcontractors to ensure competitive pricing from a minimum of three subcontractors per trade.

Construction Phase

As part of our project management services, Nehemiah Management will ensure the success of the project utilizing the following tools:

- Subcontracts- Our standard subcontract agreement with the subcontractors protect the interest of the owner and clearly define the responsibilities subcontractors have to us as well as to the client.
- Lien Releases- We will require partial and final lien releases with the monthly requisitions for payment.
- Submittal Log- We will track the submittal submission, review and material procurement process to ensure that all material and equipment is available in time for installation per the construction schedule.
- RFI-Log- Request for Information (RFI) are vital to the construction process and this log tracks progress for the benefit of the entire project team (owner/tenant, architect, engineer, and contractor).
- Proposed Change Order Log- Cost proposals will be tracked in a change request log so that all team members know the status of each request and can monitor costs or any potential schedule change.
- Progress Meeting Minutes- We will document the weekly progress meetings with meeting minutes, which will be distributed and reviewed by the team.
- Schedules- We will generate a comprehensive project schedule to track the job's progress and identify critical milestone dates. This schedule will be coordinated with the submittal log and updated weekly.
- Daily Job Reports- We will track daily manpower, tasks in progress, and all projects events in the Job Reports.
- Cost at Completion Report- We will prepare monthly status reports for Town staff to use to monitor project financial status and reporting to Town Council.

Site Office Requirements

We will establish a site office fully equipped with the following:

- Desks, files and a portable conference table to support field managers and project team meetings.
- Computer with modem for internet access to our main office local area network and email capabilities.
- Copy/fax printer and paper
- Answering machine, phone line and or cell phone
- Miscellaneous supplies and consumables necessary to support the site office

Quality Control

At Nehemiah Management, our approach to quality control begins with the careful hiring and ongoing training of our personnel. Over time, we have developed a superior team of professionals by carefully training and mentoring our staff. Our people, together with our loyal subcontractors, ensure that quality is built into every aspect of our work.

Staff Training

Staff training is an on-going process achieved through internal and external seminars, workshops, and courses. Our Consultants conduct safety and quality control sessions with our superintendents. Members of our core subcontractor network provide technical training sessions on a monthly basis. During these in-house sessions, subcontractors also have an opportunity to discuss issues that impact their performance in the field. Our project managers participate in qualification programs designed to sharpen their technical skills.

Core Subcontractor Network

A group of over 100 subcontractors make up the "preferred Nehemiah Management subcontractor community." These subcontractors are afforded special benefits (special payment terms, networking and training) in exchange for compliance with our strict quality monitoring and job site cleanliness policies. Our core subcontractors are trained to "do it right the first time" and thus continue to benefit from their preferred subcontractor status.

Pre-Construction Services

Thorough pre-construction planning and support is important to the overall success of the construction process. To keep the project within budget and on schedule, the following tasks must be carefully planned during the pre-construction phase: Site Survey Work, Plan Review/Feasibility Study, Cost Analysis and Value Engineering/Cost Savings, Material and Product Availability Research, Preliminary Scheduling Support, Pre-Purchase and Pre-Release Materials and/or Subcontractors, Subcontractor Pre-Qualification, and Bid Process Planning and Methodology.

Site Survey Work

Once authorized we will thoroughly review and inspect existing site conditions for potential problems and conflicts utilizing our personnel and involving our subcontractors as needed. This task includes the following steps:

- Discuss any building rules and/or constraints with property management personnel
- Meet and discuss building systems with engineering and property management staff.
- Review site access and material handing routes.
- Examine existing life safety systems
- Understand existing conditions impact on cost and schedule.
- Schedule site meeting with site utility firms to discuss scope of work and coordinate activities.

Plan Review/Feasibility Study

We will thoroughly examine construction documents for conflicts/problems, completeness, work scope, etc. with a detailed understanding of the site. We will recommend cost-effective alternates without jeopardizing the design. As a result, we will be instrumental in assisting the design team in resolving conflicts and concerns prior to subcontractor pricing.

COST AT COMPLETION REPORT

Project Number 01-171

Project Name: NRCC Phase 2&3

As of: 11/30/01

	Contract Amount	Gross Profit		Total Cost at Completion	General %	Conditions \$
		\$	%			
Original Contract Plus Approved Change Orders/ Cost at Completion Includes All Exposures & Comm.Cost (see notes below)	733,052	111,654	15.2%	621,398	16%	115,630.59
CURRENT PROJECTION (see notes below)	733,052	111,654	15.2%	621,398	16%	115,631
Original Contract & Approved Budget	327,536	44,118	13.5%	283,418	17%	55,366.00
Prior Months' Projection:						
June 2001	327,536	44,118	13.5%	283,418	17%	55,366
July 2001	679,356	91,723	13.5%	587,633	14%	94,794
August 2001	679,356	93,323	13.7%	586,033	14%	94,794
September 2001	692,893	100,909	14.60%	591,984		98,284.79
October 2001	707,893	107,909	15.20%	599,984		98,284.79

Notes:

Project Manager:

To the best of my knowledge, the above information I have furnished is accurate and complete. I did not withhold nor fabricate any information that may distort this job projection report.

Signature and Date

Project Accountant:

I have reviewed the above information furnished by the Project Manager.

Signature and Date

PRELIMINARY CONSTRUCTION SCHEDULE

**Town of Forest Heights Public Safety Center
RFP 2021-01
Construction Management Services**

February 5, 2021

Below is our preliminary construction schedule for your review. Since no timeline was given in the RFP, we have included critical milestones for the project for your review.

Submit Fee Proposal	02/05/2021
Owner to Accept Proposal	03/05/2021
Preconstruction/Kickoff Meeting	03/09/2021
Design Meeting #01/Design Development	03/16/2021
Design Meeting #02/Budgeting	04/20/2021
Design Meeting #03/Value Engineering	05/25/2021
Design Meeting #04/Review Critical submittals	06/22/2021
Design Meeting #05/Review Fast Track Options/ Prepare Schedule	07/20/2021
Plans Submitted to DPIE to obtain Permits	07/30/2021
Plans Submitted to WSSC for Review	07/30/2021
Send Bid Invitation to Subcontractors	07/30/2021
Subcontractor Site Visit	08/10/2021
Prepare Subcontractor Bid Book and Review with Town	08/31/2021
Negotiate Subcontractor Agreement and Order Long Lead Material	09/13/2021
Contractor to Mobilize on Site/Demolition	09/27/2021
Building Permit Issued	09/27/2021
Contractor to Finalize all Subcontractor Agreements	09/30/2021
Fire Marshall Final Inspection	03/31/2022
Substantially Complete Project	04/08/2022
Owner Move in- (Staging and Temp Occupancy Permit)	04/22/2022
Obtain Certificate of Occupancy	05/06/2022
Complete Punch-list Work	07/08/2022
Close out Meeting (Operations & Maintenance Manual)	07/15/2022

LONG LEAD MATERIAL AND FAST TRACK OPTIONS

**Town of Forest Heights Public Safety Center
RFP 2021-01
Construction Management Services**

February 5, 2021

Long Lead Material

The long lead material list will be prepared and finalized during the design phase.

Item

Lead Time

TBD

All lead times commence with receipt of final approval of submittals by the architect/engineer, unless materials are approved for pre-release with record copy of submittals to follow.

“Fast Track” Scheduling Options

There are several activities that can be performed at either no additional cost or minimal cost to help accelerate an aggressive construction schedule. They include:

- ❖ **Pre- Release Demolition** - Demolition activity, if required, can be accomplished early as a stand-alone task. This will also aid the design team in uncovering existing, unforeseen conditions and thus avoiding potential delays later on.
- ❖ **Pre-Release Partition Layout and Approval** – We believe partition layout and approval can be accomplished during the bid phase of the project provided demolition (if any) is complete. A pre-selected drywall contractor can perform this work at no additional cost. By completing this task early, potential conflicts can be uncovered and corrected without causing unnecessary delays to the schedule.
- ❖ **Pre-Stocking of Metal Studs and Drywall** – Once layout is approved, the building can be pre-stocked with material by the same drywall contractor performing the layout work – again, at no additional cost.
- ❖ **Pre-Release of Long Lead Items** – Once long lead materials are identified; they can be pre-released for purchase at no additional cost.
- ❖ **Pre-Release of Shop Drawings** – Shop drawings can be pre-released in order to accelerate material orders and the shop fabrication process. The savings in time can be significant and there is often no additional cost involved.
- ❖ **Quick shipment of Material** – Long lead materials may be delivered in an accelerated manner by utilizing the option of “quick shipping” selected items. Manufacturers do not always offer this option and there is typically an additional cost for this service.
- ❖ **Overtime Plan Review and/or Overtime Inspections** – Utilizing these premium cost options can accelerate the plan review and critical inspections process. However, this option may not be offered in all jurisdictions or on all project types.

FEE STRUCTURE

Town of Forest Heights Public Safety Center RFP 2021-01 Construction Management Services

February 5, 2021

Our base Fee is \$100,900.00 Detailed cost and qualifications are provided below.

Proposed Fee

Our Construction Management fee includes overhead and Profit and is based on the conceptual scope of work and budget provided in the RFP. The breakdown is as follows:

Construction Manager Fee	\$86,500.00
Project Coordinator Fee	\$14,400.00
Printing and Duplication	Reimbursed at Cost
Postage	Reimbursed at Cost
Schedule Updates	Six Included in Base/ Fee \$550.00

Additional Services Required by Outside Firms

Voice and Data Consultant	\$120.00 per hour
Audio Visual Consultant	\$150.00 per hour
Security Consultant	\$125.00 per hour
Site Utility Locator	\$ 5,600.00
Prepare TPIP and Third Party Inspections	\$28,675.00
Permit Expediting	\$ 3,500.00
Site Superintendent	\$65,000.00
Project Accountant	\$20,000.00
Civil Engineering	\$98,000.00
Architectural and Engineering	\$90,500.00
Virtual Tour of Design	\$ 9,000.00

PROPOSED STAFFING

Town of Forest Heights Public Safety Center RFP 2021-01 Construction Management Services

February 5, 2021

We understand the critical need for an experienced management team devoted to Public Safety Center project. The following is our proposed staffing that will be assigned to your project.

1. Construction Manager- Carlton Wilkins

- Provide Preconstruction Services
- Design Development/Programming
- Conduct Site Investigation and Feasibility
- Lead Design Meetings with Owner and Architect
- Investigate and prepare a construction plan, knowledge of the project specifics for presentation
- Develop schedules, phasing plans, long lead item lists, submittal logs, RFI's and other documents.
- Prepare and submit proposals with estimating approval
- Conduct preconstruction meetings
- Execute preconstruction check list and ensure it is executed in the field
- Issue owner contracts/subcontracts
- Assume responsibility for all aspects of the construction project
- Oversee and monitor all field activities
- Provide Quality Control & Code Compliance
- Oversee and monitor the performance of the subcontractors
- Conduct bi weekly progress meeting during construction
- Work in concert with the owner accountant assigned to the project
- Meet monthly with owner accountant
- Review and approve project cost
- Prepare Monthly Cost at Completion Reports
- Handle the project close out process
- Schedule building system training
- Negotiate subcontractor contracts and purchase orders
- Negotiate subcontractor change orders
- Schedule required inspections
- Prepare close out documents- O&M/as-built drawings, etc.

2. Project Coordinator- Matt Reid

- Administration of project submittals, contracts and project close-out
- Assist with quality control

3. Scheduler- Kevin Coyne

- Prepare pre-construction and construction schedule
- Update progress schedules

FEE STRUCTURE

Town of Forest Heights Public Safety Center RFP 2021-01 Construction Management Services

February 5, 2021

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Permit Expediting	\$ 3,500.00
Site Superintendent	\$65,000.00
Project Accountant	\$20,000.00
Civil Engineering	\$98,000.00
Architectural and Engineering	\$90,500.00
Virtual Tour of Design	\$ 9,000.00

QUALIFICATIONS

**Town of Forest Heights Public Safety Center
RFP 2021-01
Construction Management Services**

February 5, 2021

General Qualifications:

1. The Owner will provide an on-site office equipped with access to Wifi
2. Sales tax is not included.
3. The cost of obtaining all building and trade permits is not included.
4. Nehemiah Management maintains general liability, automobile liability, excess liability, worker's compensation and employer's liability insurance in excess of the statutory requirements. Our project specific certificate of insurance can be provided within 24 hours.
5. The Owner will pay all utility consumption charges (water, heat, electricity, etc.). All work will be accomplished during normal working hours.
6. Initial down payment totaling \$10,900.00 due at proposal acceptance. Monthly Applications for Payment to be billed by the 28th of each month. Owner to pay the 5th of the following month.
7. Any savings recognized through Value Engineering and subcontractor buyout will be split 80/20. The owner will receive 80% of the savings and the contractor will receive 20% of the savings.
8. This proposal is governed by the laws in the State of Maryland.
9. Fee include normal and off hours.

SAFETY

Town of Forest Heights Public Safety Center RFP 2021-01 Construction Management Services

February 5, 2021

Nehemiah Management is committed to providing a safe and healthy work place that is free from recognized hazards. The safety and health of our employees and all personnel assigned to our job sites is one of the highest priorities for management. It is the policy of the company that accident prevention will be given primary importance in all phases of operations.

In general, our efforts to establish an effective occupational safety and health program include:

- Management commitment to safety and effective leadership
- Assignment of responsibilities for safety and accident prevention
- Identification and control of hazards
- Training and education
- Record keeping and hazard analysis
- Availability of first aid and medical assistance

Nehemiah Management maintains a comprehensive written safety and health program and requires our Safety Director to supplement the written program with the following responsibilities:

- Establishing work place objectives and safety recognition programs
- Cooperate with all government officials during accident investigations and safety inspections
- Maintain safety and individual training records
- Encouraging the reporting of unsafe conditions and promoting a safe workplace

PROPOSAL ACCEPTANCE

**Town of Forest Heights Public Safety Center
RFP 2021-01
Construction Management Services**

February 5, 2021

TOWN OF FOREST HEIGHTS:

TITLE:

DATE:

CONTRACT AMOUNT:

NEHEMIAH MANAGEMENT:

TITLE:

DATE:



Nehemiah Management

February 5, 2021

Mrs. Sherletta Hawkins
Town Clerk
Town of Forest Heights
5508 Arapahoe Drive
Forest Heights, MD 20745

RE: Town of Forest Heights RFP2021-01; Construction Management Services
(Public Safety, 606 Modoc Lane, forest Heights, MD 207450)

Dear Mrs. Hawkins,

Our response to the aforementioned RFP is enclosed. It is our desire to make this project a success for all parties involved and strive to build a better future for the Town staff and Prince George's County. Please do not hesitate to call me with any questions regarding this matter.

Best Regards,
Carlton Wilkins

Construction Manager

8787 Branch Ave #27
Clinton, MD 20735
(240) 538-1158
nehemiahgmt1@gmail.com



Title: Forest Heights Police Department

2/10/2021

4. OTHER - Ben Dyer Assoc.

01. Eng Boundry	9,240
02. Eng Storm	9,240
03. Eng Storm Mailing	1,733
04. Eng 100 Flood	924
05. Eng Nat Res Inventory	924
06. Eng Tree Con	924
07. Eng Bicycle	2,079
08. Eng Man Ref Statement	2,888
09. Eng Man Ref Map	2,079
10. Eng Man Ref Hearing	2,079
11. Eng Man Ref Rev Board	4,620
12. Eng Ped Veh Cir Plan	2,079
13. Eng Site Plan	6,930
14. Eng Landscape Plan	4,620
15. Eng Rendering Landscape	2,079
16. Eng Tree Canopy Plan	1,733
17. Eng Road Frontage	4,620
18. Eng Driveway Entrance	2,888
19. Eng Stree Tree & Light	2,888
20. Eng Man Traffic Sign Stripe	2,888
21. Eng Storm Drain Paving	11,550
22. Eng Drain Easment	2,079
23. Eng Con Step 1 Env Step 2	5,775
24. Eng Final Step 3 Erosion	5,198
25. Eng WSSC Plan	2,888
26. Eng On-Site Water Sewer Plan	4,620
27. Eng On-Site Water Sewer Permit	4,043
28. Eng Permit Raze	3,465
29. Eng Permit Site Dev Grading	4,043
30. Eng Building Permit	4,043
31. Eng Stake Out for Borings	1,386
32. Eng Project Admin	8,085
33. Eng Expenses	1,155

4. OTHER - Ben Dyer Assoc. Total \$ 125,785

5. ROOF OPT

07. Site built roof	74,519
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5. ROOF OPT Total \$ 74,519

Proposal Subtotal \$ 935,953



Title: **Forest Heights Police Department**

2/10/2021

Proposal Total

\$ 935,953

Inclusions

See scope of work, floor plan and specifications

Exclusions

See scope of work, floor plan and specifications

Additional Notes

BALTIMORE COUNTY PUBLIC SCHOOLS CONTRACT

JBO-716-19 Purchase of Modular Classrooms (MODIFIED to meet specific needs)

1. ITEM #6: DOUBLE CLASSROOM UNIT \$117,539

1,440 sq ft modular = \$81.62 per sq ft

-

Forest Heights Police Department = \$467,286

3,600 sq ft = \$129.80 per sq ft (more than BCPS contract due to additional walls, roof top HVAC, restrooms etc)

-

2. ALT #7 Purchase Dry Block Foundation Piers \$1,292.50

2. ALT #10 Rigging and Set Up \$3,558.50

TOTAL \$4,851 / 1,440 = \$3.37 per sq ft

2. ALT #16 Regular Hourly Rate for Laborer \$55 per hour for additional man hours

-

Forest Heights Police Department = \$62,410

\$17.33 per sq ft X 3,600 sq ft

\$55 per hour additional man hours for size and complexity of building and project management for OTHER WORK OWNER ALLOWANCE

3. ALT #8 Concrete Foundation \$300 each

Forest Heights Police Department = \$54,161. Based on modular crawlspace foundation

-

4. OTHER WORK - OWNER ALLOWANCE - COST + 15% Modular Genius, Inc. profit and overhead. The pricing is currently an estimate. More detailed site drawing are required to confirm the costs.

-

5. ROOF OPTION - Install a site built roof COST + 15% Modular Genius, Inc. profit and overhead. The pricing is currently an estimate. More detailed site drawing are required to confirm the costs.



Title: Forest Heights Police Department

2/10/2021

Acceptance

For Modular Genius

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements are contingent upon strikes, accidents or delays beyond our control. The owner must carry fire, flood, earthquake, property and other necessary insurance for site and buildings. We are fully covered by Workmen's Compensation Insurance.

This proposal may be withdrawn by us if not accepted within 30 days.

Signed by: _____

Printed Name: Brad Gudeman _____

Title: Business Development Manager _____

Date: 2/10/2021 _____

For Customer

The above prices, specifications and conditions are satisfactory and hereby accepted. You are authorized to do the work as specified.

Signed by: _____

Printed Name: _____

Title: _____

Date: _____



Title: Forest Heights Police Department

2/10/2021

From

Modular Genius
 1201 South Mountain Road
 Joppa, MD 21085
 Brad Gudeman@modulargenius.com
 888-420-1113
 410-676-3426

To

Forest Heights Police Department
 Lt. Marcus A. Jones
 606 Modoc Lane
 Forest Heights, MD
 240.350.8877

We are pleased to submit this estimate proposal which is subject to estimate pricing, inclusions, exclusions, clarifications, building specifications and building floor plans that may be described herein:

Estimate Pricing

1. ITEM 6

13. Delivery	25,843
13. Modular Building	441,443

1. ITEM 6 Total \$ 467,286

2.ALT#7 #10 #16

01. MGI Project Mrg - Construction	13,662
01. MGI Project Mrg - Precon	6,006
13. Set & Seam Modular	42,742

2.ALT#7 #10 #16 Total \$ 62,410

3. ALT #8

03. Foundation System	54,161
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3. ALT #8 Total \$ 54,161

4. OTHER

01. Construction Clean Up	832
01. Crane	10,164
01. Temp Restroom	1,040
02. Dumpster	751
02. Soils Report	7,508
04. Thin Brick	40,430
22. Sewer to 5'	11,550
22. Water to 5'	5,775
26. Electrical Cross Overs	2,888
26. Electrical MDP to 5'	8,663
26. Electrical sub feeds	18,480
27. Communications	18,769
28. Fire Alarm	19,167
28. Security Alarm	5,775

4. OTHER Total \$ 151,792



Title: Forest Heights Police Department

2/10/2021

4. OTHER - Ben Dyer Assoc.

01. Eng Boundry	9,240
02. Eng Storm	9,240
03. Eng Storm Mailing	1,733
04. Eng 100 Flood	924
05. Eng Nat Res Inventory	924
06. Eng Tree Con	924
07. Eng Bicycle	2,079
08. Eng Man Ref Statement	2,888
09. Eng Man Ref Map	2,079
10. Eng Man Ref Hearing	2,079
11. Eng Man Ref Rev Board	4,620
12. Eng Ped Veh Cir Plan	2,079
13. Eng Site Plan	6,930
14. Eng Landscape Plan	4,620
15. Eng Rendering Landscape	2,079
16. Eng Tree Canopy Plan	1,733
17. Eng Road Frontage	4,620
18. Eng Driveway Entrance	2,888
19. Eng Stree Tree & Light	2,888
20. Eng Man Traffic Sign Stripe	2,888
21. Eng Storm Drain Paving	11,550
22. Eng Drain Easment	2,079
23. Eng Con Step 1 Env Step 2	5,775
24. Eng Final Step 3 Erosion	5,198
25. Eng WSSC Plan	2,888
26. Eng On-Site Water Sewer Plan	4,620
27. Eng On-Site Water Sewer Permit	4,043
28. Eng Permit Raze	3,465
29. Eng Permit Site Dev Grading	4,043
30. Eng Building Permit	4,043
31. Eng Stake Out for Borings	1,386
32. Eng Project Admin	8,085
33. Eng Expenses	1,155

4. OTHER - Ben Dyer Assoc. Total \$ 125,785

5. ROOF OPT

07. Site built roof	74,519
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5. ROOF OPT Total \$ 74,519

Proposal Subtotal \$ 935,953

Title: Forest Heights Police Department**2/10/2021**

Proposal Total

\$ 935,953

Inclusions

See scope of work, floor plan and specifications

Exclusions

See scope of work, floor plan and specifications

Additional Notes

BALTIMORE COUNTY PUBLIC SCHOOLS CONTRACT

JBO-716-19 Purchase of Modular Classrooms (MODIFIED to meet specific needs)

1. ITEM #6: DOUBLE CLASSROOM UNIT \$117,539

1,440 sq ft modular = \$81.62 per sq ft

-

Forest Heights Police Department = \$467,286

3,600 sq ft = \$129.80 per sq ft (more than BCPS contract due to additional walls, roof top HVAC, restrooms etc)

-

2. ALT #7 Purchase Dry Block Foundation Piers \$1,292.50

2. ALT #10 Rigging and Set Up \$3,558.50

TOTAL \$4,851 / 1,440 = \$3.37 per sq ft

2. ALT #16 Regular Hourly Rate for Laborer \$55 per hour for additional man hours

-

Forest Heights Police Department = \$62,410

\$17.33 per sq ft X 3,600 sq ft

\$55 per hour additional man hours for size and complexity of building and project management for OTHER WORK OWNER ALLOWANCE

3. ALT #8 Concrete Foundation \$300 each

Forest Heights Police Department = \$54,161. Based on modular crawlspace foundation

-

4. OTHER WORK - OWNER ALLOWANCE - COST + 15% Modular Genius, Inc. profit and overhead. The pricing is currently an estimate. More detailed site drawing are required to confirm the costs.

-

5. ROOF OPTION - Install a site built roof COST + 15% Modular Genius, Inc. profit and overhead. The pricing is currently an estimate. More detailed site drawing are required to confirm the costs.



Title: Forest Heights Police Department

2/10/2021

Acceptance

For Modular Genius

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements are contingent upon strikes, accidents or delays beyond our control. The owner must carry fire, flood, earthquake, property and other necessary insurance for site and buildings. We are fully covered by Workmen's Compensation Insurance.

This proposal may be withdrawn by us if not accepted within 30 days.

Signed by: _____

Printed Name: Brad Gudeman

Title: Business Development Manager

Date: 2/10/2021

For Customer

The above prices, specifications and conditions are satisfactory and hereby accepted. You are authorized to do the work as specified.

Signed by: _____

Printed Name: _____

Title: _____

Date: _____

THE TOWN OF FOREST HEIGHTS
RESOLUTION 07-21

A RESOLUTION TO SUPPORT AND ENCOURAGE THE CONDUCT OF A MODERATED DEBATE FOR THE PURPOSE OF ALLOWING A MEANINGFUL EXCHANGE OF POSITIONS AND COMMENTS ON ISSUES FACING THIS YEAR'S SLATE OF CANDIDATES RUNNING IN THE TOWN OF FOREST HEIGHTS 2021 GENERAL ELECTION

Introduced By: Councilman Barnes

WHEREAS, the Town Board of Elections is conducting a General Election for the Town with the polls opening on March 10, 2021 ("Election Day") from 11 A.M. until 8:00 P.M. for in-person, and absentee voting (by mail or drop box) on and before election day or for longer hours as determined by the Town Board, provided that the room capacity and social distancing requirements as prescribed are followed; and;

WHEREAS, in the past, candidate debates for municipal elections have been hosted in-person in the Community Room of the Municipal Building; and

WHEREAS, the Mayor has ordered that during the existence of the local and/or State emergency the Town offices and Municipal Building will continue to be closed to the public for assemblies and some of the staff will telework with the following exceptions: (i) police operations and use of spaces to support those operations, (ii) to allow conduct of a municipal election and operation of a polling place, (iii) to allow entry by individual members of the public to conduct town business and meet with staff consistent with the social distancing and masking requirements as stated herein and (iv) to allow the conduct of organized municipal health maintenance or exercise classes approved by the Mayor or Council including a senior exercise class to be held in the Community Room of the Municipal Building every Tuesday and Thursday (4:00 P.M. to 5:00 P.M.).

WHEREAS, despite the limited access by the public to Town facilities during the pandemic, the Mayor and Council have continued to conduct public meetings including public forums virtually using Zoom and telephonically; and

WHEREAS, the Council finds that it would be in the best interest of the Town to conduct or facilitate another candidate's debate (virtually) prior to the 2021 General Election for those candidates (opposed or not) wishing to participate and share their views provided such participation observes proper decorum and comports with the rules of the neutral moderator.

NOW THEREFORE BE IT RESOLVED, by the Mayor and the Town Council of the Town of Forest Heights, supports and condones using Town resources, technical assistance, and computers to host a voluntary, candidate's debate via Zoom or another virtual platform prior to the 2021 General Election.

THE TOWN OF FOREST HEIGHTS
RESOLUTION 07-21

AND BE IT FURTHER RESOLVED, that the Mayor and her designees are further authorized by the Council to confirm and coordinate the selection or recruitment of a neutral, nonpartisan moderator or emcee, who is not a Town official or employee, and support said moderator to host a debate forum prior to March 9, 2021 using Zoom or another virtual meeting platform at a date and time convenient to the Townspeople for their participation.

AND BE IT FURTHER RESOLVED, that the Mayor and staff shall cause to be posted in the Town Hall, on the Town’s website and on the Town’s Facebook social media site appropriate announcements and information so that the public may have notice to observe the debates.

AND BE IT FURTHER RESOLVED, that the debates shall not be considered a Town public meeting pursuant to the Md. Open Meetings Act but shall be hosted by said neutral moderator who along with any other volunteers shall be responsible for carrying out the debate with limited support from Town staff.

AND BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately upon passage.

PASSED this ____ day of March 2021.

APPROVED: By Resolution of the Town Council of The Town of Forest Heights, Maryland

<u>ROLL CALL VOTE</u>	<u>YEA/NAY/ABSTAIN/ABSENT</u>
MUHAMMAD	_____
KENNEDY II	_____
NOBLE	_____
BARNES	_____
HINES	_____
WASHINGTON	_____
ATKINSON	_____

ATTEST:

THE TOWN OF FOREST HEIGHTS,
MARYLAND

Sherletta Hawkins, Town Clerk

By: _____
Mayor Habeeb-Ullah Muhammad, Mayor

THE TOWN OF FOREST HEIGHTS
RESOLUTION 07-21

By: _____
Calvin Washington, Council President

CERTIFICATION

I, hereby certify, as the duly appointed Town Clerk of the Town of Forest Heights, Maryland, that on the ___ day of March 2021 with _____ Aye votes and _____ Nay votes the aforesaid Resolution ___-21 passed.

Sherletta Hawkins, Town Clerk