

TOWN OF FOREST HEIGHTS COUNCIL WORK SESSION MEETING

Tuesday, July 5, 2022

7:30 pm

Municipal Building

Zoom Dial-In 1-301-715-8592

Meeting ID Meeting ID: Meeting ID: 845 182 1852

Agenda

- I. Call to Order
- II. Roll Call
- III. Moment of Silence
- IV. Pledge of Allegiance to the Flag of the United States of America
- V. Approval of Agenda
- VI. Approval of Minutes (To come)
- VII. Public Period (limit 2 minutes)
- VIII. Reports
 - a. Treasurer (To Come)
 - b. Public Works Director
 - c. Code Enforcement
 - d. Ombudsman (To Come)
 - e. Police Chief
 - f. Town Administrator
- IX. Councilmember/Mayor Report
 - a. Ward I
 - b. Ward II
 - c. Ward III
- X. Legislation
 - a. **Resolution 42-22** A Resolution of the Town of Forest Heights adopting a speed hump policy and providing criteria for the installation of speed humps on municipal roads within the town; and creating an application and review process for speed hump installation; and generally relating to traffic calming and public safety.

TOWN OF FOREST HEIGHTS
COUNCIL WORK SESSION MEETING

- b. **Resolution 44-22** A resolution approving a settlement agreement.
- c. **Resolution 45-22** A resolution to approve a sub-recipient agreement between the Town and Forest Heights Baptist Church for the use of American Rescue Plan Act funds.
- d. **Resolution 46-22** A resolution to approve a sub-recipient agreement between the Town and the Oxon Hill Volunteer Fire & Rescue Company, Inc. for the use of American Rescue Plan Act funds.
- e. **Resolution 47-22** a resolution to approve a sub-recipient agreement between the Town and Saint Mark AME Church for use of American Rescue Plan Act funds.
- f. **Resolution 48-22** A resolution to approve a contract with GCI Residential, Inc. for residential trash removal services within the Town of Forest Heights.
- g. **Resolution 49-22** A resolution to purchase five (5) Electric Vehicles to replace five (5) Fossil Fuel Vehicles that are no longer serviceable.
- h. **Ordinance 03-22** An emergency ordinance of the Mayor and Council of the Town of Forest Heights, Maryland authorizing and approving the purchase of real property located at 5529 Livingston Road (tax account no. 12-1217678) in the Town of Forest Heights; and generally relating to the acquisition of real property for a public purpose. (To come)
- i. **Ordinance 05-22** An emergency ordinance of the Mayor and Council of the Town of Forest Heights, Maryland authorizing and approving the lease of real property located at 5410 Indian Head Highway (tax account no. 12-1354836) as office space for the police department near the Town of Forest Heights; and generally relating to the leasehold acquisition of real property for a public purpose.

- XI. New Business
- XII. Closed Session
- XIII. Adjournment

The Town of Forest Heights

Department of Public Works

Melvin Watkins, Lead

Town Appearance:

- Maintenance and upkeep of the Community Park next to Henry's
- Daily Trash pickup throughout the town
- Monthly inspection of the Tot Lot
- Patching of potholes
- Cleaning storm drains and curbs of leaves and grass
- Maintaining the Pet Waste Stations
- Monitoring of the Big-Belly Trash Compactors
- Reporting of Water Main Leaks-WSSC

Town Infrastructure:

- Fire Hydrant lanes, Speed Humps, curbs are being painted
- The grass cutting season is already upon us and grass is being blown out into the streets
- Cleaning curbs every day. Removing dirt and vegetation.

- **Cree Drive**
 - Cree Drive is almost complete. Choice Concrete has to come back to repair a section of the street.

Building Infrastructure:

- Completed -- The Town Hall building and FHPD trailer is being cleaned and sanitized by DPW daily.
- Completed -- Ceiling tiles were replaced in the downstairs lobby in the Municipal Bldg.
- Completed -- Weisman Electric installed three (3) new lines in the downstairs Police/Acct. offices to help with the over loading of the circuits.
- Completed -- A new line was run the downstair Police closet rack for the computer server
- Completed -- Weisman is putting together a proposal for installing safety lights in the rear parking lot of the Municipal building.
- Completed -- Ciminelli's Landscape will repair the pervious sunken bricks and the sink hole in the front rain garden.
- Completed -- Received estimates to repair/replace wood floor in Municipal Building

Equipment Maintenance

- 2010 F-250 new tires and an oil change.

Case Report

06/01/2022 - 06/30/2022

Case #	Case Date	Description	Total Fees
220148	6/30/2022	For Sale/ Bulk Trash	
220147	6/30/2022	TALL GRASS	
220146	6/29/2022	Scraps and Debris	
220145	6/30/2022	Tall Grass	
220144	6/30/2022	Parking in Grass	\$250.00
220143	6/29/2022	Trash Not picked up	
220142	6/29/2022	Blowing Grass in the Street	
220141	6/29/2022	Concern of welfare check	
220140	6/28/2022	Resident Inquiry	
220139	6/24/2022	Dumpster no permit	
220138	6/24/2022	Abandon/ Prop Maint	
220137	6/22/2022	Bamboo concern	
220136	6/22/2022		
220135	6/17/2022	Building w/o a permit	\$500.00
220134	6/17/2022	Excess Trash	\$300.00
220133	6/6/2022	Prop Maint	
220132	6/6/2022		
220131	6/3/2022	Vacaant	\$500.00
220129	6/3/2022	Greenage and overgrowth in backyard	
220128	6/2/2022	Dumpster w/o permit	
			\$1,550.00

Total Records: 20

7/1/2022



The Town of Forest Heights POLICE DEPARTMENT

Anthony Rease, Chief of Police

911 DISCONNECT	13
ACCIDENT	2
ANIMAL COMPLAINT	4
ASSAULT	1
ASSAULT COMBINED	1
ASSIST	2
ASSIST FIRE EMS	2
ATT SUICIDE COMBINED	1
BREAK IN REPORT	1
CHECK WELFARE	12
CHECK WELFARE COMBINED	8
CROSSING GUARD ASSIGNMENT	1
CW18	2
DISORDERLY	15
DOMESTIC	3
DOMESTIC W/ WEAPON	2
FAMILY DISPUTE	2
FIGHT	2
FOUND	2
FRAUD	2
GUNSHOTS	1
HIT AND RUN	2
INJURED PERSON	1
LOST PROPERTY	4
LOUD MUSIC COMPLAINT	2
MISC POLICE INCIDENT	14
MISSING PERSON	1
NOTIFICATION	1
PARKING ENFORCMENT	1
PARTY COMPLAINT	1
PREMISE CHECK	224
PROPERTY DAMAGE	3
RESIDENTIAL ALARM	5
SHOPLIFTING	1
STOLEN VEH	3
SUBJECT STOP	14
SUSPICIOUS AUTO	7

SUSPICIOUS OCC AUTO	9
SUSPICIOUS PERSON	4
THEFT J O	2
THEFT REPORT	1
TRAFFIC COMPLAINT	9
UNKNOWN TROUBLE	13
VEHICLE ACCIDENT	1
VEHICLE ACCIDENT COMBINED	1
WARRANT SERVICE	1
Total Calls -->	404

STATISTICAL REPORT

Arrest:

OnView-10

Warrants-7

Recovered Firearms-4

Administrative Office: 301-839-4040 | Non-Emergency: (301) 352-1200 | Emergency Dial: 911

5508 Arapahoe Drive Forest Heights, Maryland 20745 Follow us    @ForestHeightsPD

Town Council Report For 7.5.22 Work Session

(Town Administrator)

National View Project Status

The Zoning Hearing Examiner for Prince George's County issued a decision in July of 2021 recommending approval of the National View project rezoning (Case A-10055) subject to certain conditions. If you recall, the applicant, Petra Development, requested a rezoning from One Family Detached Residential (R-55) and Rural Residential (R-R) to the Mixed Use-Transportation Oriented Zone (M-X-T).

The applicant recently filed an application for a *Conceptual Site Plan* for the project to the M-NCPPC for formal acceptance. The Plan depicts where the applicant would like to place the buildings, entrances and exits to the site, and other development on the property.

The Conceptual Plan was formally accepted by M-NCPPC (Maryland National Capital Parks & Planning Commission) on or about March 22ND. The Conceptual Site Plan was approved at the May 26th M-NCPPC hearing with conditions.

If you have any questions, please contact the Town Administrator or visit the Town website and click on the "Our Community" link for updates.

Cree Drive Drainage & Rehabilitation Project Complete (Phase I)

The first phase of the Cree Drive Drainage & Rehabilitation project is complete! The following components of the project are done:

1. Installation of an underdrain system to carry stormwater into nearby storm drains.
2. Installation of new curbs and gutters where needed.
3. Installation of new driveway aprons where needed.
4. Complete installation of new asphalt for entire street.

The Town staff conducted a final walk thru of the project and is working with the contractor to complete any items that remain on the "punch list."

Next Steps will be to pursue Phase II of the Cree Drive project which will include exploring stormwater mitigation methods to address the runoff on private property in the yards of the Cree Drive residents.

Please contact the Acting Public Works Manager or me if you have questions.

Townhouse Construction Project Proposed for Talbert Drive

Mayor Washington and I were contacted in April by a developer (Women at Work, LLC) who is interested in constructing a townhouse development on six vacant lots along Talbert Drive. Although only in the conceptual phase, the developers' vision for *Forest Heights Cove* is to assemble property owned by several entities in the vicinity of Talbert Drive to construct approximately 15 townhomes. The project would

include 6 several surplus lots along Talbert Drive that Prince Georges' County would give to the Town of Forest Heights.

I have recently submitted a proposed "Plan" to the County Land Acquisition and Real Property Office describing how the Town might develop the project in partnership with the developer, which is required to reserve and convey the lots to Forest Heights.

Please contact the Town Administrator for more information.

Acting Public Works Department Manager

Please be advised that in response to an ongoing personnel matter involving Public Works Department Director Larry Vaughn, Lead Crewman Melvin Watkins has been temporarily assigned as Acting Public Works Department Manager effective June 17th.

Feel free to reach out to Mr. Watkins with any concerns related to this department. He can be reached at 240.640.3518.

Please let me know if you have questions or wish to discuss specifics.

THE TOWN OF FOREST HEIGHTS
RESOLUTION 42-22

A RESOLUTION OF THE TOWN OF FOREST HEIGHTS ADOPTING A SPEED HUMP POLICY AND PROVIDING CRITERIA FOR THE INSTALLATION OF SPEED HUMPS ON MUNICIPAL ROADS WITHIN THE TOWN; AND CREATING AN APPLICATION AND REVIEW PROCESS FOR SPEED HUMP INSTALLATION; AND GENERALLY RELATING TO TRAFFIC CALMING AND PUBLIC SAFETY

Introduced By: Mayor Calvin Washington

WHEREAS, pursuant to Section 33-43 of the Town Charter, the Town shall have control of all public ways in the Town except such as may be under the jurisdiction of the State Roads Commission of Maryland or Prince George's County, and subject to the laws of the State of Maryland and said Charter, the Town may do whatever it deems necessary to establish, operate, and maintain in good condition the public ways of the Town; and

WHEREAS, the Attorney General of Maryland has opined that a municipality would be acting well within its grant of authority if it determined that a speed bump [or hump] were necessary to achieve the objective of preserving peace and good order, and to secure persons and property from danger and destruction on a public thoroughfare under its jurisdiction that is, to protect the residents of a residential street against the danger of speeding vehicles (71 Op. Atty Gen. Md. 400 (1986)); and

WHEREAS, the Attorney General of Maryland has cautioned that any municipality considering the installation of speed bumps [or humps] to be aware of the potential risks involved and that speed bumps should be installed only after careful engineering study and should be used only where the potential safety hazard from their use is low and along lightly travelled, low speed thoroughfares, such as those in residential neighborhoods; and

WHEREAS, the Town of Forest Heights receives various complaints from its residents regarding vehicular traffic travelling through their neighborhood at excessive rates of speed; and

WHEREAS, in some circumstances, speed humps have been shown to be an effective tool or device for reducing the rate of speed of vehicular traffic, while not affecting the safe operation of motor vehicles across the thoroughfare; and

WHEREAS, the Town is further aware of numerous disadvantages associated with the installation of speed humps; and

WHEREAS, it is necessary to provide a mechanism to relieve residents' concerns while balancing the needs and interests of all concerned interests; and

WHEREAS, the Town Council of the Town of Forest Heights finds it to be in the best interests of the health, safety and welfare of the Town residents, citizens and visitors to provide a uniform program for the application, consideration, design and installation of speed humps on local roads on a case-by-case basis; The Town Council hereby adopts the criteria and process for the installation of speed humps on local, residential, municipal streets as more particularly set forth

THE TOWN OF FOREST HEIGHTS
RESOLUTION 42-22

in Exhibit "A" attached hereto.

NOW THEREFORE, BE IT RESOLVED, that the Town Council hereby approves and adopts a TOWN OF FOREST HEIGHTS SPEED HUMP POLICY, attached hereto as Exhibit A, and declares that in its sole discretion and authority, it shall determine whether each application for a speed hump meets such criteria on a case-by-case basis, and in no event shall any speed hump be installed without the confirmation of the availability of funds for the installation and continued maintenance of the speed hump by the Town Administrator, and speed bumps in public (non-municipal) roadways are strictly prohibited.

AND BE IT FURTHER RESOLVED that the installation of speed humps shall be properly marked with appropriate uniform signage and pavement markings in accordance with the Maryland Manual for Uniform Traffic Control Devices, and shall be a last step measure in a comprehensive plan for reducing vehicle speed and for discouraging cut-through traffic movements in a residential area, and that prior to the installation of speed humps, the Town shall attempt less drastic measures such as installation of additional signage, increased enforcement of traffic regulations, or other measures which may be recommended by the Town's professional staff.

AND BE IT FUTHER RESOLVED, that the Mayor is authorized to sign this Resolution and it shall take effect on the day it is adopted.

PASSED this ___ day of July 2022.

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

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

ATTEST:

THE TOWN OF FOREST HEIGHTS,
MARYLAND

Sherletta Hawkins, Town Clerk

By: _____
Calvin Washington, Mayor

THE TOWN OF FOREST HEIGHTS
RESOLUTION 42-22

By: _____
Troy Lilly, President

[Exhibit A – Speed Hump Policy]

CERTIFICATION

I, hereby certify, as the duly appointed Town Clerk of the Town of Forest Heights, Maryland, that on the ___ day of July 2022 with _____ Aye votes and ___ Nay votes the aforesaid Resolution ___-22 passed.

Sherletta Hawkins, Town Clerk

**RESOLUTION 44-22
THE TOWN OF FOREST HEIGHTS**

A RESOLUTION APPROVING A SETTLEMENT AGREEMENT

Introduced By: Mayor Calvin Washington

WHEREAS, pursuant to Section 4-103(b)(2) of the Local Government Article of the Md. Ann. Code the Town may settle or litigate disputed matters; and

WHEREAS, the Mayor recommends that the Council approve a settlement agreement to resolve a matter regarding a former employee.

NOW THEREFORE BE IT RESOLVED, that the Town Council hereby authorizes and approves the Mayor or his designee to execute a confidential Separation Agreement and General Release, effective on July 11, 2022 on behalf of the Town.

BE IT FURTHER RESOLVED, that the Mayor or his designee is further authorized to sign any instruments, or documents and take any reasonable actions necessary to carry out the intent of this Resolution, and

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

PASSED this ____ day of July 2022.

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

ROLL CALL VOTE

YEA/NAY/ABSTAIN/ABSENT

LILLY

KENNEDY II

NOBLE

BARNES

HINES

WASHINGTON

ATKINSON

ATTEST:

THE TOWN OF FOREST HEIGHTS,
MARYLAND

**RESOLUTION 44-22
THE TOWN OF FOREST HEIGHTS**

A RESOLUTION APPROVING A SETTLEMENT AGREEMENT

Sherletta Hawkins, Town Clerk

By: _____
Calvin Washington, Mayor

By: _____
Troy Lilly, Council President

CERTIFICATION

I, hereby certify, as the duly appointed Town Clerk of the Town of Forest Heights, Maryland, that on the ___ of July 2022 with ___ Aye votes and ___ Nay vote the aforesaid Resolution ___-22 passed.

Sherletta Hawkins, Town Clerk

RESOLUTION 45-22
THE TOWN OF FOREST HEIGHTS

A RESOLUTION TO APPROVE A SUB-RECIPIENT AGREEMENT BETWEEN THE
TOWN AND FOREST HEIGHTS BAPTIST CHURCH FOR USE OF AMERICAN RESCUE
PLAN ACT FUNDS

Introduced By: Mayor Calvin Washington

WHEREAS, under the funding administered by the State of Maryland pursuant to the American Rescue Plan Act (the Act), there is a Coronavirus State and Local Fiscal Recovery Funds (CLFRF) program, where every level of government will receive funding, regardless of size; and

WHEREAS, pursuant to Section 603(c) of the Act, fiscal recovery funds may be used to enable local governments to respond to the COVID-19 public health emergency, provide premium pay to essential workers, supplement revenue reductions incurred during the pandemic, and to make necessary investments in water, sewer, and broadband infrastructure; and

WHEREAS, on or about July 15, 2021, the Town received confirmation by email from Hagerty Consulting, an agent and contractor of the State of Maryland's Department of Budget and Management, of its request made in compliance with the American Rescue Plan Act of 2021 Coronavirus Local Fiscal Recovery Funds (CLFRF) disbursement; and

WHEREAS, said email further stated that the Town's final allocation is \$2,526,205.34, of which 50%, or \$1,263,102.67, was disbursed to Forest Heights in a first tranche, and pursuant to the U.S. Treasury, the remainder of the funds will be distributed in no less than 12 months by the Md. Department of Housing and Community Development, who is responsible for disbursing the funds; and

WHEREAS, unlike eight (8) of the larger cities in Maryland, the Town of Forest Heights is a non-entitlement municipality under federal Community Development Block Grant (CDBG) program and CLFRF funding will be distributed based on population with estimates for Prince George's County's non-entitlement municipalities to be approximately \$160,941,034 with Forest Heights' share initially estimated at \$2,142,984, later increased, according to the Congressional Research Service, but the amount awarded may not exceed an amount equal to 75 percent of the most recent budget as of January 27, 2020; and

WHEREAS, non-entitlement units ("NEU's"), such as the Town, that receive funding from the State and Local Fiscal Recovery Funds Programs are required to meet compliance and reporting responsibilities including submission of annual Project and Expenditure Reports to the Department of the Treasury until the end of the CLFRF award period on December 31, 2026, and activities funded under this process must be documented in writing by September 30 of each year; and

WHEREAS, in addition to an annual Project and Expenditure Report, NEU'S are further required to report key information provided on Projects, Expenditures, Project Status, Project Demographic Description, Subawards, Civil Rights Compliance, and Programmatic Information,

The Town of Forest Heights

Resolution 45-22

Page 1

RESOLUTION 45-22
THE TOWN OF FOREST HEIGHTS

and further provide added documentation and information such as a signed award terms and conditions agreement, signed assurances of compliance with Title VI, and provision of various budget documentation; and

WHEREAS, the Town Charter, §33-19(25) authorizes the Council to have, in addition, the power to pass ordinances not contrary to the laws and Constitution of this State to pass ordinances for the specific purposes of accepting gifts and grants of Federal or of State funds from the Federal or State governments or any agency thereof, and to expend the same for any lawful public purpose, agreeably to the conditions under which the gifts or grants were made; and

WHEREAS, on June 23, 2021, the Council passed Emergency Ordinance 02-21 approving the FY 22 Budget and found that said ordinance and/or the supplemental detailed line-item budget referenced in said Emergency Ordinance would necessitate further amendment to receive and appropriate the Town's allocation of Coronavirus State and Local Fiscal Recovery Funds under the American Rescue Plan Act of 2021 ("ARPA"), also called the COVID-19 Stimulus Package or American Rescue Plan, Pub L. No. 117-2; and

WHEREAS, pursuant to Section 33-45 of the Town Charter, the budget shall be prepared and adopted in the form of an ordinance, and pursuant to the Common Law of Maryland, the budget ordinance may be amended by resolution if so authorized pursuant to ordinance such as the original budget ordinance enacting the initial fiscal year budget; and

WHEREAS, on or about November 17, 2021, the Town Council passed Resolution 41-21 to amend the FY 2022 Budget and the detailed line-item budget to add revenue and expenditure line items in the amount of \$1,263,102.67 for line items 6200 and 8200 (ARP Coronavirus Funds) respectively to said budget documents for the first tranche; and

WHEREAS, staff prepared a document entitled "Town of Forest Heights Recovery Plan -- State and Local Fiscal Recovery Funds -- 2021 Report" (4 pp.), that includes a Table of Expenses by expenditure category outlining the anticipated categories in which the Town will operate its CLFRF programs.

WHEREAS, one of the approved category of expenses in said Plan includes the allocation of ARPA funds to be distributed as "Aid To Non-Profit Organizations" under the plan category of "Negative Economic Impacts" in connection with the pandemic; and

WHEREAS, the Forest Heights Baptist Church is a longstanding religious institution in the Forest Heights community; and

RESOLUTION 45-22
THE TOWN OF FOREST HEIGHTS

WHEREAS, the Town wishes to provide \$10,000.00 of its ARPA funds within the category of Aid To Non-Profit Organizations to The Forest Heights Baptist Church for general administrative expenses and for other purposes consistent with the use of these funds.

NOW THEREFORE BE IT RESOLVED, that the Town Council hereby approves the attached Sub-Recipient Agreement contained herein and referenced as Exhibit A, which sets forth the parameters connected to receipt of the ARPA funds including, understanding the use of said funds, conditions associated with the funds awarded, performance measures, and documentation to be maintained, submitted and reported by the sub-recipient.

BE IT FURTHER RESOLVED, that the Mayor is authorized to sign the attached Sub-recipient Agreement on behalf of the Town and execute any other related documentation needed to carry out the intent of this Resolution.

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

PASSED this ___ day of July, 2022.

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>
WASHINGTON	_____
KENNEDY	_____
NOBLE	_____
BARNES	_____
HINES	_____
LILLY	_____
ATKINSON	_____

ATTEST:

THE MAYOR AND COUNCIL OF THE
TOWN OF FOREST HEIGHTS, MARYLAND

Sherletta Hawkins, Town Clerk

By: _____
Calvin Washington, Mayor

CERTIFICATION

I, hereby certify, as the duly appointed Town Clerk of the Town of Forest Heights, Maryland, that on the ___ day of July, 2022 with ___ Aye votes and ___ Nay votes the aforesaid Resolution ___-22 passed.

The Town of Forest Heights
Resolution 45-22

**RESOLUTION 45-22
THE TOWN OF FOREST HEIGHTS**

Sherletta Hawkins, Town Clerk

[Exhibit A- Sub-recipient Agreement between Town of Forest Heights and Forest Heights Baptist Church]

RESOLUTION 46-22
THE TOWN OF FOREST HEIGHTS

A RESOLUTION TO APPROVE A SUB-RECIPIENT AGREEMENT BETWEEN THE
TOWN AND THE OXON HILL VOLUNTEER FIRE & RESCUE COMPANY, INC. FOR
USE OF AMERICAN RESCUE PLAN ACT FUNDS

Introduced By: Mayor Calvin Washington

WHEREAS, under the funding administered by the State of Maryland pursuant to the American Rescue Plan Act (the Act), there is a Coronavirus State and Local Fiscal Recovery Funds (CLFRF) program, where every level of government will receive funding, regardless of size; and

WHEREAS, pursuant to Section 603(c) of the Act, fiscal recovery funds may be used to enable local governments to respond to the COVID-19 public health emergency, provide premium pay to essential workers, supplement revenue reductions incurred during the pandemic, and to make necessary investments in water, sewer, and broadband infrastructure; and

WHEREAS, on or about July 15, 2021, the Town received confirmation by email from Hagerty Consulting, an agent and contractor of the State of Maryland's Department of Budget and Management, of its request made in compliance with the American Rescue Plan Act of 2021 Coronavirus Local Fiscal Recovery Funds (CLFRF) disbursement; and

WHEREAS, said email further stated that the Town's final allocation is \$2,526,205.34, of which 50%, or \$1,263,102.67, was disbursed to Forest Heights in a first tranche, and pursuant to the U.S. Treasury, the remainder of the funds will be distributed in no less than 12 months by the Md. Department of Housing and Community Development, who is responsible for disbursing the funds; and

WHEREAS, unlike eight (8) of the larger cities in Maryland, the Town of Forest Heights is a non-entitlement municipality under federal Community Development Block Grant (CDBG) program and CLFRF funding will be distributed based on population with estimates for Prince George's County's non-entitlement municipalities to be approximately \$160,941,034 with Forest Heights' share initially estimated at \$2,142,984, later increased, according to the Congressional Research Service, but the amount awarded may not exceed an amount equal to 75 percent of the most recent budget as of January 27, 2020; and

WHEREAS, non-entitlement units ("NEU's"), such as the Town, that receive funding from the State and Local Fiscal Recovery Funds Programs are required to meet compliance and reporting responsibilities including submission of annual Project and Expenditure Reports to the Department of the Treasury until the end of the CLFRF award period on December 31, 2026, and activities funded under this process must be documented in writing by September 30 of each year; and

WHEREAS, in addition to an annual Project and Expenditure Report, NEU'S are further required to report key information provided on Projects, Expenditures, Project Status, Project

RESOLUTION 46-22
THE TOWN OF FOREST HEIGHTS

Demographic Description, Subawards, Civil Rights Compliance, and Programmatic Information, and further provide added documentation and information such as a signed award terms and conditions agreement, signed assurances of compliance with Title VI, and provision of various budget documentation; and

WHEREAS, the Town Charter, §33-19(25) authorizes the Council to have, in addition, the power to pass ordinances not contrary to the laws and Constitution of this State to pass ordinances for the specific purposes of accepting gifts and grants of Federal or of State funds from the Federal or State governments or any agency thereof, and to expend the same for any lawful public purpose, agreeably to the conditions under which the gifts or grants were made; and

WHEREAS, on June 23, 2021, the Council passed Emergency Ordinance 02-21 approving the FY 22 Budget and found that said ordinance and/or the supplemental detailed line-item budget referenced in said Emergency Ordinance would necessitate further amendment to receive and appropriate the Town's allocation of Coronavirus State and Local Fiscal Recovery Funds under the American Rescue Plan Act of 2021 ("ARPA"), also called the COVID-19 Stimulus Package or American Rescue Plan, Pub L. No. 117-2; and

WHEREAS, pursuant to Section 33-45 of the Town Charter, the budget shall be prepared and adopted in the form of an ordinance, and pursuant to the Common Law of Maryland, the budget ordinance may be amended by resolution if so authorized pursuant to ordinance such as the original budget ordinance enacting the initial fiscal year budget; and

WHEREAS, on or about November 17, 2021, the Town Council passed Resolution 41-21 to amend the FY 2022 Budget and the detailed line-item budget to add revenue and expenditure line items in the amount of \$1,263,102.67 for line items 6200 and 8200 (ARP Coronavirus Funds) respectively to said budget documents for the first tranche; and

WHEREAS, staff prepared a document entitled "Town of Forest Heights Recovery Plan – State and Local Fiscal Recovery Funds – 2021 Report" (4 pp.), that includes a Table of Expenses by expenditure category outlining the anticipated categories in which the Town will operate its CLFRF programs.

WHEREAS, one of the approved category of expenses in said Plan includes the allocation of ARPA funds to be distributed as "Aid To Non-Profit Organizations" under the plan category of "Negative Economic Impacts" in connection with the pandemic; and

WHEREAS, the Oxon Hill Volunteer Fire & Rescue Company, Inc. routinely protects our community by providing volunteer fire and rescue first responder services; and

RESOLUTION 46-22
THE TOWN OF FOREST HEIGHTS

WHEREAS, the Town wishes to provide \$10,000.00 of its ARPA funds within the category of Aid To Non-Profit Organizations to The Oxon Hill Volunteer Fire & Rescue Company, Inc. for rehabilitation of its physical facilities and for other purposes consistent with the use of these funds.

NOW THEREFORE BE IT RESOLVED, that the Town Council hereby approves the attached Sub-Recipient Agreement contained herein and referenced as Exhibit A, which sets forth the parameters connected to receipt of the ARPA funds including, understanding the use of said funds, conditions associated with the funds awarded, performance measures, and documentation to be maintained, submitted and reported by the sub-recipient.

BE IT FURTHER RESOLVED, that the Mayor is authorized to sign the attached Sub-recipient Agreement on behalf of the Town and execute any other related documentation needed to carry out the intent of this Resolution.

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

PASSED this ___ day of July, 2022.

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

ROLL CALL VOTE

YEA/NAY/ABSTAIN/ABSENT

WASHINGTON

KENNEDY

NOBLE

BARNES

HINES

LILLY

ATKINSON

ATTEST:

THE MAYOR AND COUNCIL OF THE
TOWN OF FOREST HEIGHTS, MARYLAND

Sherletta Hawkins, Town Clerk

By: _____
Calvin Washington, Mayor

CERTIFICATION

RESOLUTION 46-22
THE TOWN OF FOREST HEIGHTS

I, hereby certify, as the duly appointed Town Clerk of the Town of Forest Heights, Maryland, that on the ___ day of July, 2022 with ___ Aye votes and ___ Nay votes the aforesaid Resolution ___-22 passed.

Sherletta Hawkins, Town Clerk

[Exhibit A- Sub-recipient Agreement between Town of Forest Heights and The Oxon Hill Volunteer Fire & Rescue Company, Inc.]

RESOLUTION 47-22
THE TOWN OF FOREST HEIGHTS

A RESOLUTION TO APPROVE A SUB-RECIPIENT AGREEMENT BETWEEN THE
TOWN AND SAINT MARK AME CHURCH FOR USE OF AMERICAN RESCUE PLAN
ACT FUNDS

Introduced By: Mayor Calvin Washington

WHEREAS, under the funding administered by the State of Maryland pursuant to the American Rescue Plan Act (the Act), there is a Coronavirus State and Local Fiscal Recovery Funds (CLFRF) program, where every level of government will receive funding, regardless of size; and

WHEREAS, pursuant to Section 603(c) of the Act, fiscal recovery funds may be used to enable local governments to respond to the COVID-19 public health emergency, provide premium pay to essential workers, supplement revenue reductions incurred during the pandemic, and to make necessary investments in water, sewer, and broadband infrastructure; and

WHEREAS, on or about July 15, 2021, the Town received confirmation by email from Hagerty Consulting, an agent and contractor of the State of Maryland's Department of Budget and Management, of its request made in compliance with the American Rescue Plan Act of 2021 Coronavirus Local Fiscal Recovery Funds (CLFRF) disbursement; and

WHEREAS, said email further stated that the Town's final allocation is \$2,526,205.34, of which 50%, or \$1,263,102.67, was disbursed to Forest Heights in a first tranche, and pursuant to the U.S. Treasury, the remainder of the funds will be distributed in no less than 12 months by the Md. Department of Housing and Community Development, who is responsible for disbursing the funds; and

WHEREAS, unlike eight (8) of the larger cities in Maryland, the Town of Forest Heights is a non-entitlement municipality under federal Community Development Block Grant (CDBG) program and CLFRF funding will be distributed based on population with estimates for Prince George's County's non-entitlement municipalities to be approximately \$160,941,034 with Forest Heights' share initially estimated at \$2,142,984, later increased, according to the Congressional Research Service, but the amount awarded may not exceed an amount equal to 75 percent of the most recent budget as of January 27, 2020; and

WHEREAS, non-entitlement units ("NEU's"), such as the Town, that receive funding from the State and Local Fiscal Recovery Funds Programs are required to meet compliance and reporting responsibilities including submission of annual Project and Expenditure Reports to the Department of the Treasury until the end of the CLFRF award period on December 31, 2026, and activities funded under this process must be documented in writing by September 30 of each year; and

WHEREAS, in addition to an annual Project and Expenditure Report, NEU'S are further required to report key information provided on Projects, Expenditures, Project Status, Project

RESOLUTION 47-22
THE TOWN OF FOREST HEIGHTS

Demographic Description, Subawards, Civil Rights Compliance, and Programmatic Information, and further provide added documentation and information such as a signed award terms and conditions agreement, signed assurances of compliance with Title VI, and provision of various budget documentation; and

WHEREAS, the Town Charter, §33-19(25) authorizes the Council to have, in addition, the power to pass ordinances not contrary to the laws and Constitution of this State to pass ordinances for the specific purposes of accepting gifts and grants of Federal or of State funds from the Federal or State governments or any agency thereof, and to expend the same for any lawful public purpose, agreeably to the conditions under which the gifts or grants were made; and

WHEREAS, on June 23, 2021, the Council passed Emergency Ordinance 02-21 approving the FY 22 Budget and found that said ordinance and/or the supplemental detailed lineitem budget referenced in said Emergency Ordinance would necessitate further amendment to receive and appropriate the Town's allocation of Coronavirus State and Local Fiscal Recovery Funds under the American Rescue Plan Act of 2021 ("ARPA"), also called the COVID-19 Stimulus Package or American Rescue Plan, Pub L. No. 117-2; and

WHEREAS, pursuant to Section 33-45 of the Town Charter, the budget shall be prepared and adopted in the form of an ordinance, and pursuant to the Common Law of Maryland, the budget ordinance may be amended by resolution if so authorized pursuant to ordinance such as the original budget ordinance enacting the initial fiscal year budget; and

WHEREAS, on or about November 17, 2021, the Town Council passed Resolution 41-21 to amend the FY 2022 Budget and the detailed line-item budget to add revenue and expenditure line items in the amount of \$1,263,102.67 for line items 6200 and 8200 (ARP Coronavirus Funds) respectively to said budget documents for the first tranche; and

WHEREAS, staff prepared a document entitled "Town of Forest Heights Recovery Plan – State and Local Fiscal Recovery Funds – 2021 Report" (4 pp.), that includes a Table of Expenses by expenditure category outlining the anticipated categories in which the Town will operate its CLFRF programs.

WHEREAS, one of the approved category of expenses in said Plan includes the allocation of ARPA funds to be distributed as "Aid To Non-Profit Organizations" under the plan category of "Negative Economic Impacts" in connection with the pandemic; and

WHEREAS, Saint Mark AME Church is a longstanding religious institution in the Forest Heights community; and

RESOLUTION 47-22
THE TOWN OF FOREST HEIGHTS

WHEREAS, the Town wishes to provide \$10,000.00 of its ARPA funds within the category of Aid To Non-Profit Organizations to Saint Mark AME Church for general administrative expenses and for other purposes consistent with the use of these funds.

NOW THEREFORE BE IT RESOLVED, that the Town Council hereby approves the attached Sub-Recipient Agreement contained herein and referenced as Exhibit A, which sets forth the parameters connected to receipt of the ARPA funds including, understanding the use of said funds, conditions associated with the funds awarded, performance measures, and documentation to be maintained, submitted and reported by the sub-recipient.

BE IT FURTHER RESOLVED, that the Mayor is authorized to sign the attached Subrecipient Agreement on behalf of the Town and execute any other related documentation needed to carry out the intent of this Resolution.

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

PASSED this ____ day of July, 2022.

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>
WASHINGTON	_____
KENNEDY	_____
NOBLE	_____
BARNES	_____
HINES	_____
LILLY	_____
ATKINSON	_____

ATTEST:

THE MAYOR AND COUNCIL OF THE
TOWN OF FOREST HEIGHTS, MARYLAND

Sherletta Hawkins, Town Clerk

By: _____
Calvin Washington, Mayor

RESOLUTION 47-22
THE TOWN OF FOREST HEIGHTS

CERTIFICATION

I, hereby certify, as the duly appointed Town Clerk of the Town of Forest Heights, Maryland, that on the ___ day of July, 2022 with ___ Aye votes and ___ Nay votes the aforesaid Resolution ___-22 passed.

Sherletta Hawkins, Town Clerk

*[Exhibit A- Sub-recipient Agreement between Town of Forest Heights and Saint Mark
AME Church]*

**THE TOWN OF FOREST HEIGHTS
RESOLUTION 48-22**

A RESOLUTION TO APPROVE A CONTRACT WITH GCI RESIDENTIAL, INC. FOR RESIDENTIAL TRASH REMOVAL SERVICES WITHIN THE TOWN OF FOREST HEIGHTS

Introduced By: Mayor Calvin J. Washington

WHEREAS the Mayor and Town Council has the authority to approve contracts, purchases, and procurements pursuant to Town Charter Section 33-63 and Town Code Section 20.4, and

WHEREAS these sections of the Town Code and Town Charter require that procurement of items and services of \$10,000.00 or more shall require competitive bidding and a written contract, and

WHEREAS the Town currently has a contract with Goode Companies, Inc., now known as GCI Residential, Inc., to collect residential trash, bulk trash and yard waste, for the Town's approximately 935 dwelling units which was scheduled to lapse on June 30, 2022, and

WHEREAS the Town recently advertised a Request for Bids to select a firm to continue residential trash collection, bulk trash and yard waste services for its residents which closed on May 24, 2022, (See Bid Document Number FH01-22), and

WHEREAS the bids received were opened publicly by the staff with the respondents present at a virtual meeting on May 31, 2022, and

WHEREAS three refuse removal companies responded to the Request for Bids: (i) Southern Maryland Recycling, (ii) United Veterans Landscaping and (iii) GCI Residential Inc.; and

WHEREAS the Council adopted Resolution 38-22 on June 6, 2022, entitled "A Resolution to award a bid and negotiate a contract with GCI Residential, Inc. for residential trash removal services within the Town of Forest Heights;" and

WHEREAS after review and consideration of the three bid responses, it had been determined that the most responsive and inexpensive proposal received by the Town for once-a-week trash removal services (i.e., trash removal, bulk trash removal and yard waste removal) was submitted by GCI Residential, Inc. for a total annual cost of \$280,665.00, including a rate of \$24.75 per unit, resulting in a weekly charge to the Town of \$23,388.75; and

WHEREAS The Town desires, after previously awarding the bid, to enter into a one-year contract with an option to renew for an additional one (1) year term if agreed to by both parties in writing with GCI Residential, Inc. for trash removal services.

**THE TOWN OF FOREST HEIGHTS
RESOLUTION 48-22**

NOW THEREFORE BE IT RESOLVED that the Town Council hereby accepts, and approves the attached contract from GCI Residential, Inc. for trash removal services for the Town of Forest Heights, attached hereto and incorporated herein as Exhibit A.

AND BE IT FURTHER RESOLVED that the Town Council hereby authorizes the Mayor to enter into a contract between the Town and GCI Residential, Inc. for said Town trash removal services according to the terms and conditions stated therein.

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

PASSED this ___ day of July 2022.

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

ROLL CALL VOTE

YEA/NAY/ABSTAIN/ABSENT

WASHINGTON

LILLY

ATKINSON

BARNES

HINES

KENNEDY II

NOBLE

ATTEST:

THE TOWN OF FOREST HEIGHTS,
MARYLAND

Sherletta Hawkins, Town Clerk

By: _____
Calvin Washington, Mayor

CERTIFICATION

I, hereby certify, as the duly appointed Town Clerk of the Town of Forest Heights, Maryland, that on the ___ of July 2022 with ___ Aye votes and ___ Nay vote, the aforesaid Resolution ___-22 passed.

Sherletta Hawkins, Town Clerk

EXHIBIT: GCI Residential Inc. Contract

**TOWN OF FOREST HEIGHTS
RESOLUTION 49-22**

**A RESOLUTION TO PURCHASE FIVE (5) ELECTRIC VEHICLES TO REPLACE
FIVE (5) FOSSIL FUEL VEHICLES THAT ARE NO LONGER SERVICEABLE**

Introduced by: Councilman Calvin Washington

"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 has already made a competitive purchase of said item and therefore 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: 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 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, as of January 16, 2017, 72 Hour LLC, dba National Auto Fleet Group has been awarded an NJPA (National Joint Powers Alliance) national contract for procurement of "Vehicles, Cars, Vans, SUV's, and Light Trucks with Related Equipment, Accessories and Services." Your proposal was accepted, deemed responsive, evaluated, and recommended for award by NJPA's Evaluation Committee as a solution to meet our members' needs. NJPA's Chief Procurement Officer and the Executive Director have approved a contract award to 72 Hour LLC, dba National Auto Fleet Group, and this award will be effective on the date stated in the Acceptance and Award document; and

WHEREAS, the Council finds that it is prudent and necessary to purchase four (4) Ford Mach-E (K1S) Electric Vehicles and one (1) 2022 Ford F-150 Lightning as replacement for five (5) fossil fuel vehicles to be determined at the time of Electric Vehicle purchase, and the fossil fuel vehicles will be decommissioned and held as a trade for electric vehicles through grant participation or public private partnership, and

WHEREAS, the Mayor and Council desire to purchase four (4) replacement vehicles from National Auto Fleet Group, 490 Auto Center Drive, Watsonville, CA 95076 in the amount of \$238,289.00, and finds that other municipalities have purchased items from National Auto Fleet Group, and as such, is hereby considered to be quite obviously the most qualified or eligible vendor to provide the good or service and/or the procurement of such a specialized nature or related to a specific geographic location that only a single source is reasonably available, by virtue of experience, expertise, and proximity, and

WHEREAS, the Treasurer has certified that the funds are available under line item 8200 and project number TOFH-FY22-ADMIN-1138 and it has been verified that the 72 Hour LLC, dba National Auto Fleet Group is a unique provider has made government sales, and the procurement is for items of a specialized nature in accordance with Section 20-4(a)(6) of the Ordinance Code for the Town of Forest Heights.

**TOWN OF FOREST HEIGHTS
RESOLUTION 49-22**

NOW THEREFORE, BE IT RESOLVED that the Mayor and Town Council of Town of Forest Heights, Maryland hereby authorizes the Town Administrator or his designee to enter into an agreement to lease or purchase five electric vehicles from 72 Hour LLC, dba National Auto Fleet Group, attached hereto and incorporated herein as Exhibit A, and this transaction will proceed as further described herein and in the above recitals which are incorporated by reference herein.

AND BE IT FURTHER RESOLVED that this Resolution shall take effect upon its passage and the Mayor is authorized to executed this Resolution and any other documents necessary to carry out the purposes of this Resolution.

PASSED this ___ day of July 2022.

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

ROLL CALL VOTE

YEA/NAY/ABSTAIN/ABSENT

LILLY

KENNEDY II

ATKINSON

BARNES

HINES

WASHINGTON

NOBLE

ATTEST:

THE TOWN OF FOREST HEIGHTS

Sherletta Hawkins, Town Clerk

By: _____
Calvin Washington, Mayor

CERTIFICATION

I, hereby certify, as the duly appointed Town Clerk of the Town of Forest Heights, Maryland, that on the ___ of July 2022 with ___ Aye votes and ___ Nay vote the aforesaid Resolution ___-22 passed.

Sherletta Hawkins, Town Clerk

[Exhibit A - Agreement with 72 Hour LLC, dba National Auto Fleet Group to lease or purchase vehicles]

**MAYOR AND COUNCIL
THE TOWN OF FOREST HEIGHTS**

EMERGENCY ORDINANCE NO. 05-22

AN EMERGENCY ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF FOREST HEIGHTS, MARYLAND AUTHORIZING AND APPROVING THE LEASE OF REAL PROPERTY LOCATED AT 5410 INDIAN HEAD HIGHWAY (TAX ACCOUNT NO. 12-1354836) AS OFFICE SPACES FOR THE POLICE DEPARTMENT NEAR THE TOWN OF FOREST HEIGHTS; AND GENERALLY RELATING TO THE LEASEHOLD ACQUISITION OF REAL PROPERTY FOR A PUBLIC PURPOSE

Introduced By: Mayor Calvin Washington

WHEREAS, the Town Charter, § 33-80 authorizes the Town of Forest Heights to acquire real, personal, or mixed property for any public purpose by purchase, gift, bequest, devise, lease, condemnation, or otherwise and may sell, lease, or otherwise dispose of any property belonging to the Town; 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: 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 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, could most satisfactorily provide the good or service, and

WHEREAS, the Council adopted Resolution 32-2022 on May 9, 2022, to approve a conceptual plan for the acquisition of 5529 Livingston Road for the new public safety center building to house the police department, but this new site will not tentatively be available until 2024; and

WHEREAS, the Council further finds that it is prudent and necessary for the health, safety and welfare of the Town to relocate the present temporary location of the FHPD at 606 Modoc Lane and lease temporary office spaces nearby at 5410 Indian Head Highway; and

WHEREAS, the draft lease indicates certain terms and conditions including a security deposit of \$3,000.00 and monthly rent in the amount of \$3,000.00 in the first year and \$3,090.00 in the second year; and

WHEREAS, the Council further finds that the proposed leasehold acquisition would be consistent with the Town's Sustainability Plan and the Town prefers to negotiate the rental of real property located at 5410 Indian Head Highway having an expiration date of June 30, 2024; and

**MAYOR AND COUNCIL
THE TOWN OF FOREST HEIGHTS**

EMERGENCY ORDINANCE NO. 05-22

WHEREAS, the Town has unallocated or designated funds which can be utilized to purchase the property for public purposes without issuing bonds or otherwise creating debt for the Town; and

WHEREAS, the Town has been negotiating with the owner of said property and has reached an agreement on the rental price.

NOW THEREFORE, BE IT ORDAINED AND ENACTED BY THE MAYOR AND COUNCIL OF THE TOWN OF FOREST HEIGHTS, THE FOLLOWING:

SECTION 1.

The Town Council of the Town of Forest Heights hereby finds that the rental of said leasehold property will serve a public purpose and will further protect or provide for the health, welfare and safety of the citizens and residents of Forest Heights.

SECTION 2.

The Town Council of the Town of Forest Heights hereby declares its intent to lease the real property located at 5410 Indian Head Highway (Tax Account No. 12-1354836) for police office spaces, and/or other municipal purposes by lease agreement. Said property is further described as Suite 100A, or premises consisting of 1,243 square feet more or less within a building of 21,725 square feet more or less.

SECTION 3.

The Town Council of the Town of Forest Heights hereby authorizes and approves the lease of said leasehold property owned by MOUNT JOY BAPTIST CHURCH OF WASHINGTON, D.C. for a rental price of \$3,000.00 in the first year with a \$3,000 refundable security deposit, and \$3,090.00 in the second year along with a Tenant's Proportionate Share of 5.72% for utilities (i.e., water, electric, and gas) to be determined, subject to the Lease and Section 4 hereinbelow.

SECTION 4.

Subject to the conditions stated in this Section 4, the Town Council of the Town of Forest Heights hereby authorizes the Mayor to enter into a lease with the lessor of said property entitled a "Lease Agreement," for 5410 Indian Head Highway, Oxon Hill, Maryland, attached hereto and incorporated herein as Exhibit A, and to execute any documents necessary to complete the lease and permit occupancy of said property by the Town's police department. As a condition precedent, the Lessor-Church shall provide a Certificate of Good Standing with the State of Maryland (SDAT) prior to the Mayor signing said Lease on behalf of the Town.

SECTION 5.

**MAYOR AND COUNCIL
THE TOWN OF FOREST HEIGHTS**

EMERGENCY ORDINANCE NO. 05-22

The Town Treasurer is hereby authorized and directed to pay the amounts set forth in the applicable agreement regarding said lease upon receipt of appropriate documentation. The Town Treasurer under the supervision of the Mayor is further authorized to amend the current FY 23 Budget, as necessary, to enumerate, authorize and appropriate said real estate lease, as found in Line Item: 8050 Public Safety Center, which any amendment made after the initial annual levy is to be approved by the requisite 2/3rds vote of the legislative body pursuant LG Art., § 5-205 of the Annotated Code of Maryland.

SECTION 6.

If any section or part of a section of this Ordinance shall be held invalid by a court of competent jurisdiction, such holding shall not affect the remainder of this Ordinance nor the context in which such section or part of section so held invalid shall appear, except to the extent that an entire section or part of section may be inseparably connected in meaning and effect with the section or part of section to which such holding shall directly apply.

SECTION 7.

This Emergency Ordinance shall take effect immediately upon its enactment, having been passed by the required yea and nay votes of the Mayor and Council of the Town of Forest Heights.

SECTION 8.

Upon passage, the Town Clerk shall cause to be published a fair summary of this Emergency Ordinance at least twice in the town newsletter or a newspaper having general circulation within the Town of Forest Heights, and this Ordinance shall not be codified.

HAVING BEEN INTRODUCED AND HAVING BEEN READ as an emergency ordinance and passed by a yea and nay vote of the Mayor and Council of the Town of Forest Heights with the affirmative votes of at least five (5) of the members of the legislative body including the Mayor as indicated below at a Public Meeting of The Mayor and Council of the Town of Forest Heights held on this ___ day of July, 2022, at _____ o'clock __.m., in the Municipal Building in Forest Heights, Maryland.

AND BE IT FURTHER ORDAINED, that this Emergency Ordinance shall take effect immediately upon passage.

PASSED this ___ day of July 2022.

**MAYOR AND COUNCIL
THE TOWN OF FOREST HEIGHTS**

EMERGENCY ORDINANCE NO. 05-22

ROLL CALL VOTE YEA/NAY/ABSTAIN/ABSENT

WASHINGTON	_____
ATKINSON	_____
BARNES	_____
HINES	_____
KENNEDY II	_____
LILLY	_____
NOBLE	_____

I HEREBY CERTIFY that the above Emergency Ordinance ___ - 22 was passed by the required yea and nay vote of the Mayor and Council of Forest Heights on the ___ day of July 2022.

ATTEST:

THE TOWN OF FOREST HEIGHTS

Sherletta Hawkins, Town Clerk

By: _____
Calvin Washington, Mayor

By: _____
Troy Lilly, Council President

[Exhibit A – Lease Agreement (with exhibits)]

CERTIFICATION

I HEREBY CERTIFY that following its passage, a summary of this Emergency Ordinance No. ___-22 has been published at least twice in the Town newsletter or a newspaper having general circulation in the Town of Forest Heights and that an executed copy of this ordinance has been posted in the Municipal Building.

Date: _____

Sherletta Hawkins, Town Clerk