



CITY OF DISTRICT HEIGHTS

TUESDAY, JUNE 13, 2023

AGENDA

HYBRID Work Session

7:00PM

In Person: Main Floor Commissioners Chamber, Municipal Building, 2000 Marbury Drive

Or **Via Zoom:** <https://zoom.us/j/95603505473?pwd=WnBLOWxmK0J0Q1ZGM2JNV2Rlc2p4Zz09>

CALL TO ORDER:

APPROVAL OF AGENDA:

Items on the agenda denoted with an asterisk () are submitted to the Consent Agenda and are presented for approval through a single motion. A Commissioner may remove an item from the Consent Agenda for placement as an Action Item for separate comment and action.

PUBLIC PARTICIPATION:

ACTION ITEMS:

- *1. Approval of City Meeting Minutes of Thursday, June 1, 2023
Staff Contact: Starr Jefferson, City Clerk
- *2. Meeting Calendar
Staff Contact: Starr Jefferson, City Clerk
3. Draft Budget Policy
Staff Contact: David Street, City Manager
4. Draft Municipal Building/Facility Policy
Staff Contact: Jeffrey Taylor, Parks, Recreation and Culture
5. FY 2024 Project Open Space Planning
Staff Contacts: David Street, City Manager and Jeffrey Taylor, Parks, Recreation and Culture
6. Advisory Board Policies Adoption
Staff Contact: Starr Jefferson
7. Draft Media Support and Herald Editorial Guidelines
Staff Contacts: T'Neisha Turner, Media Coordinator and David Street, City Manager
8. Ordinance Introduction – Amendments to Article IX Vehicles and Traffic
Staff Contact: Ronald Tarpley, Police Chief

CLOSED SESSION:

1. Personnel Matters

MAYOR & COMMISSION ANNOUNCEMENTS/COMMENTS:

ADJOURNMENT

Pursuant to the statutory authority of the Maryland Annotated Code, General Provisions Article § 3-305(b), the Mayor and Commission of the City of District Heights are providing notice that they will meet in a Closed Session during the meeting on Tuesday, June 13, 2023 to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; any other personnel matter that affects one or more specific individuals; and to consider the

acquisition of real property for a public purpose and matters directly related thereto They will return to the public session for Mayoral and Commission Announcements.

- **This agenda is subject to change. For the most current information, please contact the City Clerk at 301-336-1402 x110.**



CITY OF DISTRICT HEIGHTS

City Meeting

Tuesday June 13, 2023

Action Item 1

Title: Approval of Meeting Minutes
Staff Contact: Starr Jefferson, City Clerk
Purpose: To propose approval of the June 1, 2023 Minutes
Recommendation: Staff recommends that the City Commission approve the June 1, 2023 Minutes.

Summary: The minutes for the June 1 City Meeting are provided as attachment 1.

Fiscal Impact: This item does not have a fiscal impact.

Alternatives

1. The Commission could approve the meeting minutes as proposed.
2. The Commission could suggest revisions to the meeting minutes.

Draft Motion:

I, Commissioner _____ move that the City Commission approve the minutes for the June 1, 2023 city Meeting as provided in Attachment 1.

I, Commissioner _____ move...

Attachments:

1. June 1, 2023 Work Session Minutes



CITY OF
DISTRICT HEIGHTS
MARYLAND

2000 Marbury Drive
District Heights, Maryland

City Meeting Minutes

Thursday, June 1, 2023, 7pm

HYPBRID | Limited Capacity In-Person & VIA ZOOM Audio/Visual Conference

CALL MEETING TO ORDER

The City Meeting of the City of District Heights was held on Thursday, June 1, 2023, via a HYBRID fashion: Limited capacity in-person and ZOOM audio/visual conference. Mayor Miller called the meeting to order at 7:001 p.m.

OPENING PRAYER

Commissioner Tilghman

PLEDGE OF ALLEGIANCE

Commissioner Gomez

QUORUM

In attendance were Mayor Miller, Vice Mayor Harcourt, Comr. Janifer, Comr. Gomez and Comr. Tilghman. Also in attendance were David Street – City Manager, Ralph Bazilio - Treasurer, Starr Jefferson –City Clerk, Nikesha Pancho – HR Manager

AGENDA ACCEPTANCE

Vice Mayor Harcourt moved to approve the agenda for the June 1, 2023 City Meeting and was seconded by Comr. Gomez. The motion passed a 4-0-1 vote (MM abstained).

CONSENT AGENDA

Commissioner Gomez moved to approve the Consent Agenda items for the June 1, 2023, City Meeting which consisted of:

1. Approval of Work Session meeting minutes for May 23, 2023
2. Adoption of Police Recruitment and Retention Grant

Commissioner Gomez seconded the motion which carried a 4-0-1 vote (MM abstained).

DEPARTMENT REPORTS

Department of Public Works - Mr. Roger Beam

Vice Mayor Harcourt thanked Mr. Beam and the Public Works Department for maintaining a clean and aesthetically appealing city and inquired about the department's maintenance schedule.

Commissioner Janifer inquired about the route of 'The Bus'

Commissioner Gomez inquired whether Harwood Street had been designated
Mr. Beam reported that Harwood through Roslyn has been designated.

Report submitted

Code Enforcement Report- Chief Tarpley

Mandatory inspections are still occurring throughout the city.

Residents receiving Warning Notices from the city may call (301) 336-1400.

Citizens can communicate with Code Enforcement at codeenforcement@districtheights.org

Mayor Miller commented on the vacant property in the city whether it has been addressed by the Code Department.

Chief Tarpley advised the Mayor that he would investigate and provide her with an update.

Report submitted.

Police Department Report – Chief Tarpley

Chief Tarpley elaborated on the efforts of the Police Department and the Woodland Springs Management to enforce the eviction mandates for 'problem units'.

Chief Tarpley discussed the importance of a security company contracted by the property owners to support the overall safe summer efforts within the city.

Discussing the backlog of

1.1MM of outstanding RedSpeed tickets

Report submitted.

Recreation – Mr. Jefferey Taylor, Director of Recreation

Mr. Taylor presented the May Department Report to the Commission highlighting the 1,700 guests serviced by the Recreation Department during the month of May.

Cinco de Mayo, Mother's Day Event, Senior Center Ribbon Cutting, Dividers for gymnasium, playground renovation,

Facility booking policy will be presented at the June 13th Work Session.

District Heights Day coming up on Saturday, June 3rd. It is the major production of the Recreation Department for the year.

Mr. Taylor announce the parade route – the parade will depart District Heights Elementary School

Arriving at the Saint Paul's parking lot at Athletic Republic.

Mr. Taylor also gave a big thank you to the partners of District Heights Day and *Food for Thought*.

The Director announced additional upcoming events, including:

Father's Day event Wednesday, June 14th 5pm to 8pm

301-336-5633

On June 16th "Time to Dance" A Juneteenth Event

Friday 7pm at District Heights gymnasium

Saturday, June 17th Hemingway AME and other area churches support for a Juneteenth celebration

Saturday's District Heights Day parade route available online

Vice Mayor Harcourt inquired whether the 1,700 reported visits were unique visits or repeat visits.

Mr. Taylor thanked the Boys and Girls Club for their support and looks forward to their re-engagement in the City.

County approval is needed for the game schedule and an agreement can be engaged for the coming season
Report submitted.

Commissioner Tilghman would like to see the flyers on the website updated.

Youth Services Bureau “YSB Report”- Ms. Katrina Emerson, Director of YSB

Contract clinicians as opposed to hire new clinicians as staff –outstanding since February 2022.

Report submitted.

YSB is hosting a 5k Run/Walk

Commissioner Gomez shared her gratitude with Ms. Emerson for reaching out and developing a relationship with the principal and counselor at District Heights Elementary School.

Commissioner Janifer thanked Ms. Emerson and her staff for all the important work that she and her staff are able to do for the community.

Report submitted

Senior Center – Dr. Katrina Polk, Director of Senior Center

Report submitted

Treasury- Ralph Bazilio, Treasurer

The City is in a healthy posture of revenue in relation to expenses: 1.8MM in excess of expenses

Discussed the impending audit for the City’s financial statements.

Requested additional support for the Staff Accountant.

Currently placing the payroll process back under the office of the Treasurer.

Commissioner Janifer commented that she is (again) thankful for the new reporting format that makes the city’s financial standing more comprehensive.

Vice Mayor Harcourt shared that financial documents were placed in the evidence locker of the police department upon the departure of the last city Treasurer and should be made available to Mr. Bazilio.

Commissioner Janifer wanted to confirm the distinction of the annual audit and the forensic audit previously discussed.

Mr. Street confirmed that the audit in discussion was the annual audit. Additionally, other audits would be discussed in an upcoming Work Session –possibly in closed session.

Report submitted

Human Resources – Nikesha Pancho, Manager of HR

Provided an update for the hours of Human Resources at 3 days per week.

Upcoming interviews for the part time positions within recreation would commence in 2 group interview settings.

Mayor Miller brought the concern of coverage in Recreation until the positions are filled.

Report submitted

MAYOR AND COMMISSION COMMENTS/REPORTS

Commissioner Tilghman inquired on the status of COLA for City employees.

Mr. Street explained that based on the financial records from the previous payroll administrator, that year or year increases (COLA) were not evenly applied throughout the organization. Additionally, Mr. Street reported that bonuses had been paid to City employees. There has not been any documentation found to suggest that percentage increases being applied although the Commission may have approved the measure.

Mayor Miller informed that votes were taken every year regarding the employee salary percentage increase and inquired whether the detail could be found in the City minutes.

Mr. Street acknowledged that though the detail would be found in meeting records, the allocations cannot be accounted for.

Vice Mayor Harcourt offered that a financial audit would remedy much of the missing information. Additionally, Vice Mayor Harcourt suggested that a payroll audit be conducted to ascertain whether there have been improprieties committed.

David Street agreed with Vice Mayor Harcourt's suspicion that although there were no 'bells or whistles' going off, there was significant opportunity and enough inconsistency to support an audit.

David Street further announced that payroll functions were being redirected back to the Treasurer's office within the next 2 pay cycles. He thanked the Human Resource team for their support and expertise transitioning the City to a paperless payroll system.

Additionally, Mr. Street announced that within the Treasurer's Office he had already requested a payroll audit for the City from January of the current year.

Mayor Miller thanked the Commission and staff for accepting the growing pains that come along with progress.

Mr. Street updated the Commission about digital audit trails that the City has already begun to implement, citing digital signatures used in YSB, the Paylocity solution offered by Human Resources, Online Bill Pay being introduced by Mr. Bazillio in the Treasurer's Office.

PUBLIC PARTICIPATION

Sonia Staples announced that she was a representative with the Boys and Girls Club for the City of District Heights and available for any questions or concerns.

ADJOURNMENT

Commission Janifer moved to adjourn the City Meeting. Commissioner Gomez seconded the motion which carried a 4-0-1 vote (MM abstained).

The City Meeting adjourned at 9:08pm.

Respectfully submitted,

Starr Jefferson
City Clerk



CITY OF DISTRICT HEIGHTS

City Meeting

Tuesday June 13, 2023

Action Item 2

Title: Update to City Commission Meeting Calendar
Staff Contact: Starr Jefferson, City Clerk
Purpose: To propose approval of the June 1, 2023 Minutes
Recommendation: Staff recommends that the City Commission approve the calendar adjustments as proposed.

Summary: The City Commission currently has meetings scheduled for June 27. The majority of the City Commission will be away at the Maryland Municipal League Conference.

Fiscal Impact: This item does not have a fiscal impact.

Alternatives

1. The Commission could cancel the meeting as proposed.
2. The Commission could reschedule the meeting to another date.

Draft Motion:

I, Commissioner _____ move that the City Commission cancel the June 27, 2023 City Work Session.

I, Commissioner _____ move...



CITY OF DISTRICT HEIGHTS

City Commission Work Session

Tuesday, June 13, 2023

Action Item 3

Title: Draft Budget Policy
Staff Contact: David Street, City Manager
Purpose: To propose a budget policy for the City of District Heights.
Recommendation: Staff recommends that the City Commission consider the draft budget policy and provide feedback and direction to staff.

Summary: The City Commission adopted the FY 2024 budget at the City Meeting on June 1, 2023. The budget process for the FY 2024 budget proceeded different than prior years' budget processes. The purpose of the draft budget policy is to establish a baseline for the annual budget process for the City centered in applicable law, best practice, the City Charter, and generally accepted accounting principles to ensure that the financial planning methods and resources of the City are allocated in a manner consistent thereto.

Issue 1: Charter Language

The proposed budget policy lays a foundation for how the budget is to be developed and administered. Section 602 of the City Charter defined the powers and duties of the City Treasurer. Among these duties is to, "prepare an annual budget to be submitted to the Commission," and, noted in Section 605, "The Treasurer, on such date as the Commission shall determine, but at least thirty-two (32) days before the beginning of any fiscal year, shall submit a proposed budget to the Commission." For FY 2024, the City Manager developed the proposed budget with assistance from the Treasurer and proposed the budget to the Commission at the May 4, 2023 City Meeting.

Policy Question: Does the City Commission wish to retain the current charter language found in Section 602 and 605 or seek to modify the charter language to authorize the City Manager to prepare and propose the budget?

Issue 2: The Budget Document as a Programmatic Document

Prior to the FY 2024 Proposed Budget Document, the City reviewed and worked under a simple, non-programmatic budget. The proposed budget policy includes language that drastically transforms the City's budget document from a spreadsheet to a programmatic and planning document. Language in the proposed budget policy includes:

"The operating budget represents the final plan for the City and serves as a policy document for the distribution of city resources in alignment with the vision and mission of the Mayor and Commission.

- As a policy document, the budget document must, at minimum, provide an understandable statement of the City's strategic goals and strategies.

- As a financial plan, the budget document must include a summary of major revenues and expenditures and financing sources and uses. The budget document should include and explain the City's long-range financial plans.
- As an operational document, the budget document must include an organization wide chart; summary table of authorized positions; describe activities, services, or functions carried out by organizational units; and include goals and objectives of the organizational units."

A programmatic budget requires additional planning to ensure that revenues and expenditures accurately reflect the priorities of the City and support the continued delivery of services. The proposed budget policy includes an extended budget development calendar and an extended public budget development process:

1. In or around January, the City Commission provides budget guidance to the City Manager.
2. The City Manager, with the Treasurer, prepares the proposed budget based on budget guidance.
3. In or around March, the City Manager proposes the budget.
4. The City Manager advertises potential tax rates and schedules a budget public hearing.
5. In or around April, the City Commission holds budget work sessions to consider, debate, and amend the proposed budget.
6. In or around May, the City Commission adopts the budget.
7. The fiscal year opens July 1.

* "City Manager" can be interchanged with "City Treasurer" depending on the City Commission's preferences regarding Issue 1.

Policy Question: Does the City wish to further develop the Budget Document as a programmatic document and is the Commission comfortable with an extended review process?

Issue 3: Delegated Authority

Outside of the mechanisms provided for in the City Charter, there is little ability for staff to move funding allocations between lines to meet needs. Section 608 of the City Charter defines the process for budget amendments. Section 608 (a) states, "any transfer of funds between major appropriations for different purposes must be approved by the Commission before becoming effective."

The proposed policy interprets "major appropriations" to be transfers of \$10,000 or more and interprets "different purposes" to mean transfers between different departments. The policy proposes delegating limited transfer authority, essentially creating two categories of budget amendments: 'administrative' and 'Commission-approved.'

- Administrative Transfers: Administrative budget transfers include transfers from one line item to another within a department's operating budget. Budget transfer requests of \$5,000 or less require approval by the department head and authorization by the City Manager.
- Commission Approved Amendments: Budget amendments requiring City Commission approval are those amendments which result in a change to the total appropriations of a department or fund and/or exceed the City Manager's approval threshold. The City Commission must approve budget amendments:
 - All budget transfers over \$10,000;
 - The acceptance and appropriation of a grant award;

- The appropriation of additional funding if expenditures are projected to exceed budgeted amounts;
- Adjustments to reflect unanticipated revenues or receipts; and
- Transfers of appropriation from one department or fund to another.

Policy Question: Is the City Commission comfortable with this or a different level of delegated authority?

Fiscal Impact: There is no immediate fiscal impact to considering or adopting a budget policy.

Alternatives

1. The City Commission could review the proposed budget policy and offer potential amendments.
2. The City Commission could adopt the proposed budget policy as drafted by staff.

Draft Motion:

I, Commissioner _____ move that the City Commission forward the Budget Policy to the July 11, 2023 City Work Session for action.

I, Commissioner _____ second the motion.

Attachment 1



CITY OF DISTRICT HEIGHTS

Budget Policy

Proposed June 13, 2023

Purpose

The City of District Heights' budgeting practices are governed by applicable federal, state, and local laws, the City Charter, and Generally Accepted Accounting Principles. These policies and practices will be used to help ensure that the financial resources of the City are managed in a manner consistent with the City's mission and vision. The City's Budget Policy should be reviewed periodically to address potential policy gaps and to revise the policy as needed to reflect changes in applicable law and industry best practices.

Policy

Basis of Budgeting

Governmental Funds, like the General Fund, must be prepared on a modified accrual basis utilizing encumbrance accounting. Under this approach, encumbrances are used to indicate the City's intent to purchase goods or services and revenues are recognized when measurable and available. Proprietary Funds, when used, must be budgeted on a full accrual basis. As such, expenses are recognized when incurred and revenues are recognized when they are obligated to the City.

Budgetary Control

Budgetary control is maintained at the fund and department level. The department level of control is the highest level in which management may reassign resources without City Commission approval.

Expenditures shall not exceed budget appropriations at the department level. Budget accountability rests primarily with the operating departments of the City, with oversight by the City Manager. All appropriations that have not been expended, encumbered, or appropriated to ongoing capital improvement projects shall lapse at the end of the fiscal year.

Balanced Budget

A structurally sound balanced budget means that recurring resources must equal recurring expenditures. Section 605 of the City Charter requires that the City's total anticipated revenues equal or exceed to total of proposed expenditures.

- Excess, unrestricted fund balance may be used for one-time expenditures. Fund balance may not be used as a long-term approach to balancing the budget.
- New programs should not be budgeted or implemented until the full annual cost and the financial impact can be reasonably projected. New or expanded services appropriations should be implemented simultaneously with an associated off-setting new revenue source, an existing revenue source increase and/or other expenditure reduction.
- The tax rate shall be adequate to produce sufficient revenues to cover City services approved by the City Commission.

Budget Proposal and Adoption

The City's annual budget is prepared for the fiscal year beginning July 1 and ending June 30 of the following year. The operating budget represents the final plan for the City and serves as a policy document for the distribution of city resources in alignment with the vision and mission of the Mayor and Commission.

- As a policy document, the budget document must, at minimum, provide an understandable statement of the City's strategic goals and strategies.
- As a financial plan, the budget document must include a summary of major revenues and expenditures and financing sources and uses. The budget document should include and explain the City's long-range financial plans.
- As an operational document, the budget document must include an organization wide chart; summary table of authorized positions; describe activities, services, or functions carried out by organizational units; and include goals and objectives of the organizational units.

In general, the City's budget processes should proceed as follows:

1. In or around January, the City Commission provides budget guidance to the City Manager.
2. The City Manager, with the Treasurer, prepares the proposed budget based on budget guidance.
3. In or around March, the City Manager proposes the budget.
4. The City Manager advertises potential tax rates and schedules a budget public hearing.
5. In or around April, the City Commission holds budget work sessions to consider, debate, and amend the proposed budget.
6. In or around May, the City Commission adopts the budget.
7. The fiscal year opens July 1.

Budget Amendments

Section 608 of the City Charter defines the process for budget amendments. Section 608 (a) states, "any transfer of funds between major appropriations for different purposes must be approved by the Commission before becoming effective." For the purposes of this policy, "major appropriations" means transfers in the amount over \$10,000 and "different purposes" means transfers between different departments.

Administrative Transfers

Administrative budget transfers include transfers from one line item to another within a department's operating budget. Budget transfer requests of \$5,000 or less require approval by the department head and authorization by the City Manager.

Commission Approved Amendments

Budget amendments requiring City Commission approval are those amendments which result in a change to the total appropriations of a department or fund and/or exceed the City Manager's approval threshold. The City Commission must approve budget amendments:

- All budget transfers over \$10,000;
- The acceptance and appropriation of a grant award;
- The appropriation of additional funding if expenditures are projected to exceed budgeted amounts;
- Adjustments to reflect unanticipated revenues or receipts; and

- Transfers of appropriation from one department or fund to another.

DRAFT



CITY OF DISTRICT HEIGHTS

City Commission Work Session

June 13, 2023

Action Item 4

Title: Recreation Facility Use Updates
Staff Contact: Jeffrey Taylor, Parks, Recreation and Culture
Purpose: To propose an updated Recreation facility use process for the City Commission's review.
Recommendation: Staff recommends that the City Commission consider the draft facility use process and consider adopting the new policy.

Summary: The purpose of this item is To submit a request for the city commission to review a draft for establishing a new policy for using the municipal grounds and facility spaces. The recreation department recommends that the city implement a policy to assist residents, non-residents, vendors, instructors, etc. with using our municipal spaces safely and effectively.

The draft policy can be found as attachment 1 to this item.

Fiscal Impact: The City's revenues would be increased if the fees for facility rentals are increased and/or if a new facility rental process is established for outdoor amenities.

Alternatives

1. The City Commission could review the proposed policy and offer potential amendments.
2. The City Commission could adopt the proposed policy as drafted by staff.

Draft Motion:

I, Commissioner _____ move that the City Commission approve the Facility Use Policy provided as Attachment 1 to the June 13, 2023 City Work Session and as amended during the June 13 Work Session.

I, Commissioner _____ second the motion.

Attachment 1

City of District Heights Recreation, Parks, and Culture Department

Request for rental policies for using recreation rooms, field, parks and playground spaces

General Conditions

- Organizations, clubs, teams and/or other groups and individuals wishing to make use of City of District Heights Parks and Recreation Department facility, parks and field spaces, shall be subject to the following guidelines and requirements:
- Each year, during the month of July, the Director of Recreation, Parks, and Culture, will begin accepting and reviewing new applications from interested Service Providers for discussion, vetting, and possible scheduling of space(s), day(s), and time(s).
- After the Director of Recreation, Parks and Culture reviews and completes the vetting process, all documents for each request will be submitted to the City Manager for considerations and final approval.
- Once a group or individual receives approval from City Management, the approved request/ application will expire at the conclusion of the scheduled event, program, or activity, or will last for no more than 12 consecutive months, before an extension or new approval will need to be granted.
- The Recreation, Parks, and Culture Department reserves the right to designate and/or schedule more than one Service Provider for any given space managed by the Recreation Department.
- Discounts and scheduling priority will be offered to Service Providers located within the Incorporated City of District Heights, Maryland, after completing all eligibility requirements and conditions recommended by the City Manager, Mayor and Commission.
- Each provider/user group must submit an official written request before the deadline of March 15th for the spring/summer sport activities and June 1st for the fall/winter sport activities. Failure to meet the deadline may result in the application being processed at a lower priority based upon availability and or request being denied.
- Every provider/user group must complete the City of District Heights Recreation Department's Facility Request Form.
- All provider/user groups must submit a Certificate of Liability Insurance naming the City of District Heights as an "Additional Insured" as defined in the Facility Request Form.

- Each provider/user group will acknowledge a scheduling format for use of fields and submit certified copies of team rosters and game/practice schedules for approval.
- Lighted fields/courts are subject to specified hours of operation by the City of District Heights Recreation Department. Lights must be off by 10:00PM unless approved otherwise by the Director of Recreation, Parks, and Culture or his designee.

Individuals and groups wishing to hold reservations on the municipal field, track or playground areas will be subject to the terms, conditions and fees as noted in the fee schedule as determined by the City of District Heights Recreation Department. A complete listing of fees is available at the City of District Heights Recreation Offices at 2000 Marbury Drive, District Heights, Maryland 20747.

Residency Requirements

The following guidelines will be used in assessing the residency requirement classification for all individuals and groups:

Category I – Free use of facilities

Official Service Providers for Teams age 14 and under

75% of the organization must be comprised of Incorporated City of District Heights residents, with no more than 15% out of county residents.

Official Service Providers for Teams ages 14-17

60% of the organization must be comprised of Incorporated City of District Heights residents, with no more than 15% out of county residents.

Category I service providers will be assessed a fee of \$25 per season of play, for each player living outside of Prince George’s County. Players living outside the incorporated city limits of District Heights in Prince George’s County, shall pay a county player fee of \$15, for each player per season of play.

Only City of District Heights resident players shall not be required to pay a player fee as such costs are funded through City taxes.

Category II – Fee based usage of facilities (no more than 2 service providers per age division)

Official Service Providers for Teams 14 and under

At least 60% of the total players in the organization shall be Incorporated City of District Heights residents, with no single age and gender grouping of players having less than 50%. The remaining positions may be filled by a combination of non-Prince Georges County residents and out of county players. Individual age/gender group exemptions to the minimum percentage of City of District Heights resident players may be approved by the Director of Recreation, Parks, and Culture on a case by case basis when verifiable

data, provided by the organization to show that the total number of interested City of District Heights participants is so limited as to preclude the fielding of teams within the age/gender group without a higher percentage of non-resident participants.

Official Service Providers for Teams 14-17

At least 60% of the total players in the organization shall be Incorporated City of District Heights residents, with no single age and gender grouping of players having less than 50%. The remaining positions may be filled by a combination of non- Prince George's County residents and out of county players. Individual age/gender group exemptions to the minimum percentage of City of District Heights resident players may be approved by the Director of Recreation, Parks, and Culture on a case by case basis when verifiable data is provided by the organization to show that the total number of interested City of District Heights participants is so limited as to preclude the fielding of teams within the age/gender group without a higher percentage of non-resident participant

Any service provider in this category shall:

- Be assessed an “out of county player fee” of \$25 and “county player fee” of \$15 per 12-month period. City of District Heights residents’ players shall be exempt from the player fee.
- Pay tournament fees of \$150 per field.
- Pay \$150 per 4 hours for rental of facilities for games and practices

Category III

Youth teams not participating in City of District Heights Service Provider Programs

85% of each team must be comprised of Incorporated City of District Heights residents. Such teams must also meet the conditions previously noted in the reservation policy. Scheduling for such teams shall be provided pending availability of time and space on City facilities.

Category IV

Adult Service Provider for teams 18 and over

75% of the organization must be comprised of Incorporated City of District Heights residents, with no more than 15% out of county residents.

Category V

Adult Teams not participating in Service Provider Programs

85% of each team must be comprised of Incorporated City of District Heights residents. Such teams must also meet the conditions previously noted in the reservation policy. Scheduling for such teams shall be provided pending availability of time and space on City facilities.

Category VI

City of District Heights Recreation Department Programs, Events, Leagues, Tournaments, and Activities

City of District Heights Recreation Department shall be exempt from the provision of any residency requirement, as well as have first priority for scheduling of recreation facilities and spaces.

Scheduling Format

The format for scheduling use of City facilities by organizations and/or individuals in the above categories shall be determined by the Recreation Department based upon the following priority:

Organizations:

Sanctioned athletic teams from Prince George's County Schools City
Programs/Functions, Service Providers (Non-Profit), Local School & Independent
Club Sports



CITY OF DISTRICT HEIGHTS

City Commission Work Session

Tuesday June 13, 2023

Action Item 8

Title: Ordinance Introduction – Amendments to Article IX Vehicles and Traffic
Staff Contact: Ronald Tarpley, Chief of Police
Purpose: To introduce amendments to Article IX to expand the City’s enforcement capabilities.
Recommendation: Staff recommends that the Commission introduce the ordinance at the June 13 Work Session and forward to the July 6 City Meeting for action.

Summary: The City current has a speed camera ordinance and a contractual agreement with RedSpeed for enforcement and administrative support. The amendments proposed will broaden the City’s speed camera program by allowing the program to operate in more areas and during more hours over the course of the day.

The draft is currently under review with the City Attorney. Changes to the draft ordinance or additional amendments stemming from that review will be presented to the City Commission on July 6 prior to adoption.

Fiscal Impact: There is no fiscal impact to introducing this ordinance. Adopting the ordinance will potentially increase fine revenue from vehicles speeding within the City.

Alternatives

This section should list all *viable* alternatives the Commission could consider, including the staff recommendation and maintenance of the status quo.

1. The Commission could suggest amendments to the ordinance.
2. The Commission could adopt the ordinance as proposed at the July 6 meeting.

Draft Motion:

A draft motion effectuating the staff recommendation should be included with the item. The draft motion must be reviewed by the City Clerk and City Manager.

I, Commissioner _____ move that the City Commission forward the proposed amendments to Article IX to the July 6 City Meeting for Action.

I, Commissioner _____ second the motion.

Attachments

1. Draft Ordinance Amendments
2. Updated MOU

Tournaments and Special Events

**For scheduling purposes, games will always have priority over practices. In the event a game must be relocated and or rescheduled, practices may need to be relocated or canceled.

Non-Service Provider Teams

Any non-affiliated team/group not meeting the criteria under the service provider categories listed above may use multipurpose fields & ball diamonds but must first reserve use time through the Recreation Department and pay the established field use fee. Facility scheduling for such teams shall be provided pending availability of time and space and no conflict with service provider use.

User Fees

A user fee will be charged to all non-City of District Heights residents making use of City of District Heights facilities. See fee schedule for specific charges.

A user fee shall be assessed for each participant living outside of the Incorporated City of District Heights in all Categories with the exception of a team fee being assessed in lieu of individual fees for City of District Heights Recreation Department.

Any adjustments in user fees shall be recommended by the Director of Recreation, Parks, and Culture and authorized by the City Manager. A complete list of fees shall be available at the Recreation Department office.

Fees are non-refundable except when such action is authorized by the City Manager. A service charge of \$20 will be assessed for all returned checks if returned unpaid to the City of District Heights by the bank upon which it is drawn for any reason.

User fees for the rental of City of-District Heights ball and multipurpose fields for other purposes not covered above including, tournaments, private reservations, special events, etc shall be authorized by the City Manager and/or City Commission.

Penalties

The Director of Recreation, Parks, and Culture may suspend, forfeit, cancel or revoke any licenses or privileges granted to any institution, service provide or group using Brentwood Parks grounds or facilities or may refuse to grant the same for a period not to exceed one year for violation of these rules.

The action of proposed termination of facility use shall be in writing and delivered to the representative of the affected group and shall state the reasons for actions and penalties provided herein.

When the decision of the Director of Recreation, Parks, and Culture is for suspending, forfeiting, canceling or revoking licenses or privileges, the decision shall be final, unless appealed to the City Manager within two calendar weeks of the date of notice. The Mayor and Commission shall consider the appeal at the next regularly scheduled meeting, hear the facts and circumstances presented by both sides, and render a final decision within 45 days. The decision of the Mayor and Commission shall be final, subject to such judicial relief as may be provided under State law.

Parks and Recreation Department
2023-2024 Fee Structure

<u>Pavilion/ Outdoor Court Space (TBD)</u>	<u>Current</u>
Pavilion (Non-Resident & Non-District Heights Businesses)	\$ /up to 4 hrs/per reservation \$ /up to 8 hrs/per reservation
Pavilion (Residents & D H Businesses) Deposits (Required for all reservations)	\$ / \$ /per reservation
<u>Ball Field</u>	
General Deposit	\$ /per field/per reservation
Game/Scrimmage Deposit	\$ /per field
Tournament Deposit	\$ /per four fields/per reservation
Ball Diamond - General Rental	\$ /per 2 hr. time slot – No Prep/No Lights \$ /per 2 hr. time slot – Game Prep/ No lights \$ /per 2 hr. time slot – No Prep/ Lights \$ /per 2 hr. time slot – Game Prep/
Lights	\$ /per 4 hr. time slot

Deposit \$ /per reservation
(Required for all reservations)

Non-resident Fee-for all organized sports/activities except for DHBGC

Individual \$ per person/season
Small group (12 or less) \$ per person/ season
(Summer) \$ /team/per season
(Fall) \$ /team/per season

Open Park Space for Event

Designated area with trash \$ /up to 4 hrs.
pick up only \$ /up to 8 hrs.

Special Events \$

Deposit \$ /per reservation



CITY OF DISTRICT HEIGHTS

City Commission Work Session

June 13, 2023

Action Item 5

Title: Project Open Space Planning

Staff Contact: David Street, City Manager
Jeff Taylor, Parks, Recreation and Culture

Purpose: To present staff’s recommendations regarding Project Open Space (POS) funding available to the city for FY 2024.

Recommendation: Staff recommends that the City Commission review the POS funding priorities for FY 2024.

Summary: Each year, Prince George’s County submits a program to the state for Program Open Space (POS) funding allocations. Projects in this program are from the Maryland-National Capital Park and Planning Commission as well as several municipalities within Prince George’s County. Two types of funding is available to the City through the POS program: acquisition and development. “Acquisition” is funding set aside to acquire parcels for public use within the scope of the program and “development” is funding set aside to develop parcels for public use. District Heights receives approximately 1 percent of the total funding allocation. Unspent funds from one fiscal year roll into the following fiscal year without affecting the total funding allocation for that year.

Table 1. FY 23-24 Available Funding

	Prior Years Remainder	FY 2024 Allocation
Acquisition Funding	\$27,912.43	\$0
Development Funding	\$115,796.44	\$99,141

Table 2. Current Development Projects

Project	Summary	Total	Local Funding	POS Funding	Federal Funding
Veterans Park Upgrades	Upgraded signage and landscaping for the park	\$50,000	\$12,500	\$37,500	\$0
Sports Complex Upgrades	Funding for sports complex restrooms	\$67,179	\$16,795	\$50,384	\$0
Total		\$117,179	\$29,295	\$87,884	\$0

As shown on table 2, the City current has two active projects, improvements to the Veteran’s Park and an improvement to the sports complex. The Veteran’s Park improvements are specific to signage for the park, including a new pedestal to recognize the US Space Force. The Sports Complex improvements are to install restrooms for the municipal field.

\$27,912.44 FY 2023 development funding is available to roll into FY 2024 projects. When combined with the FY 2024 development allocation, the City has approximately \$127,053.44 development dollars to allocate. Table 3, below, represents the three development projects that staff recommends leveraging POS development funding for.

Table 3. Proposed Funding Plan

Project	Summary	POS Funding Estimate	Funding Type
Kipling Parkway Shared Use Paths	Upgrade the center median of Kipling Parkway to include shared-use walking paths.	\$45,000	Development
Nature Walk Natural Surface Path	Develop natural surface path/nature walk on City-owned parcel.	\$45,000	Development

Fiscal Impact: There is no fiscal impact associated with this item at this time. Once the City Commission approves FY 2024 project proposals, staff will create projects for each and develop final budgets. An initial submission must be made in June, however there is the ability to amend the project plan mid-year should additional needs be identified.

Alternatives

1. The City Commission could accept staff’s recommended FY 2024 project proposals.
2. The City Commission could amend the FY 2024 project proposals.

Draft Motion:

I, Commissioner _____ move that the City Commission approve the FY 2024 Program Open Space program projects identified in Table 3 of the June 13, 2023 City Commission work session item.

I, Commissioner _____ second the motion.



CITY OF DISTRICT HEIGHTS

City Work Session

Tuesday, June 13, 2023

Action Item 6

- Title:** Proposed Advisory Boards Policy
- Staff Contact:** Starr Jefferson, City Clerk
David Street, City Manager
- Purpose:** To promote standardized policies for the City's Advisory Boards, Commissions and Committees.
- Recommendation:** Staff recommends that the City Commission consider approval of the active committee list, direct the committees to develop and submit bylaws for the Commission's review, and establish the Ethics Commission members.
-

Summary: The City of District Heights has several committees and organizations associated with the City Government. Some of these committees are statutorily required (I.E., required by law or ordinance), and some are programmatic and are established by the City Commission. This item provides the information the staff has regarding each committee.

Board of Supervisors of Elections ("BOSE") (City Charter Article V, Section 503)

The Mayor, upon the advice of the Commission, appoints three voting members and one substitute member to comprise the BOSE. BOSE members serve three-year terms. The Charter charges the BOSE with receiving nominations, certifying candidates, and conducting elections. The BOSE may appoint election clerks or other employees to assist in fulfilling its duties.

Staff recommends that the BOSE draft bylaws consistent with the Maryland Open Meetings Act and present them to the City Commission for review and action.

The BOSE is currently comprised as follows:

Seat/Member	3yr-Term
Deborah Turner, Chair	December 31, 2025
Johnnie Andrews, Member	December 31, 2025
Susan Clark, Member	December 31, 2025
Angela Webster, Substitute Member	December 31, 2025

Ethics Commission (City Charter Article VII, Section 710; City Code of Ordinances Article XVI)

The Ethics Commission is established within the City’s Code of Ethics in Section 1601(c). The Ethics Commission is comprised of five members and one alternate member (DH-21-02) appointed by the Mayor with the advice and consent of the City Commission. Staff found records for four members plus a City Commissioner.

Staff requests that the Commission confirm the composition of the Ethics Commission and set terms for the Commission members. 2 Options for term limits are proposed:

	Option 1	Option 2
Seat/Member	3 yr-Term	1-yr and 2-yr Staggered
Vashtie Moncrief	June 30, 2025	June 13, 2024
Catherine Williamson	June 30, 2025	June 13, 2025
Susan Clark	June 30, 2025	June 13, 2024
Dianna Matthews	June 30, 2025	June 13, 2025
Bradley Fararr – City Attorney	NA – Commission Liaison	

Veterans Committee

Staff requests that the Commission confirm the composition of the Veterans Committee and set terms for the Commission members. 2 Options for term limits are proposed:

	Option 1	Option 2
Seat/Member	3 yr-Term	1-yr and 2-yr Staggered
James Fisher, Chair	June 30, 2025	June 13, 2024
Harryette Irving	June 30, 2025	June 13, 2025
Lou Williams	June 30, 2025	June 13, 2024
Deborah Turner	June 30, 2025	June 13, 2025
Geraldine Marshall	June 30, 2025	June 13, 2024
Leonard Marshall	June 30, 2025	June 13, 2025
Mayor Cynthia Miller	NA – Commission Liaison	
Commissioner Pamela Janifer	NA – Commission Liaison	

Sustainability Committee (Approved by City Commission on April 11, 2023)

Staff does not recommend any further action or inquiry for the Sustainability Committee.

	Term
Seat/Member	3 yr-Term
Nicole Jackson, Chair	March 31, 2026
Alicia Alfred	March 31, 2026
Barbara Edwin Cohen	March 31, 2026
Deborah Turner	March 31, 2026
Edwin Green	March 31, 2026
Joyce Williams	March 31, 2026
Monica Jackson	March 31, 2026

Paula Shelton	March 31, 2026
Ralph Brown	March 31, 2026
Teresa Ball	March 31, 2026
Teri Speight	March 31, 2026
Commissioner Gyasi Gomez	NA – Commission Liaison

Charter Committee

	Option 1	Option 2
Seat/Member	3 yr-Term	1-yr and 2-yr Staggered
Lou Williams, Chair	June 30, 2025	June 13, 2024
Harryette Irving	June 30, 2025	June 13, 2025
Ron Waters	June 30, 2025	June 13, 2024
Johnnie Andrews	June 30, 2025	June 13, 2025
Deborah Turner	June 30, 2025	June 13, 2024
Stephanie Holland	June 30, 2025	June 13, 2025
Leonard Marshall	June 30, 2025	June 13, 2024
Commissioner Pamela Janifer	NA – Commission Liaison	

Citizen’s Action Patrol (CAP)

	Option 1	Option 2
Seat/Member	3 yr-Term	1-yr and 2-yr Staggered
James Fisher, Chair	June 30, 2025	June 13, 2024
Sharla Dixon	June 30, 2025	June 13, 2025
Deborah Turner	June 30, 2025	June 13, 2024
Ron Waters	June 30, 2025	June 13, 2025
Chief Ronald Tarpley	NA – Staff Liaison	

Fiesta Place Garden

	Option 1	Option 2
Seat/Member	3 yr-Term	1-yr and 2-yr Staggered
Anthony Brooks, Chair	June 30, 2025	June 13, 2024
Teri Speight	June 30, 2025	June 13, 2025
Commissioner Gyasi Gomez	NA – Commission Liaison	

Urban Renewal Board

Staff requests that the Commission confirm the potential for a city Urban Renewal Board and confirm its dormancy status until such a time it may be developed, and members appointed.

	Option 1	Option 2
Seat/Member	3 yr-Term	1-yr and 2-yr Staggered

Health and Sanitation Committee

Staff requests that the Commission confirm the potential for a city Urban Renewal Board and confirm its dormancy status until such a time it may be developed, and members appointed.

	Option 1	Option 2
Seat/Member	3 yr-Term	1-yr and 2-yr Staggered

Fiscal Impact: There is no fiscal impact associated with this item.

Alternatives The Commission could do nothing and allow advisory boards and committees to continue functioning in the current manner. The Commission could choose another method to create consistency amongst advisory boards and committees.

Draft Motion:

I, Commissioner _____ move to approve the Advisory Board and Committee Policies as presented in the June 13, 2023 Work Session item and as amended at the June 13, 2023 Work Session.

I, Commissioner _____ second the motion.

Attachments

1. Proposed Advisory Boards and Committees Rules of Procedure
2. Proposed Handbook for Advisory Boards and Committees
3. Proposed Application for Advisory Boards and Committees (English & Spanish)



Advisory Boards and Committees Rules of Procedure

In addition to the guidelines established for citizen appointments in the Mayor and Commission Rules of Procedure DH 22-01, the Commission's Rules of Procedure on Advisory Boards and Committees should be adhered to for all advisory bodies established by the Commission of the City of District Heights.

General Policies and Procedures

1. The Mayor and Commission, unless otherwise mandated, establishes the purpose and work objectives of each advisory body.
 - a. Any advisory body that wishes to initiate work or to create a sub-committee to work on a focused work initiative must obtain approval from the Mayor and Commission in a public meeting.
2. Unless otherwise prescribed, all members of an advisory body must be appointed by the Mayor and confirmed by the Commission, to include non-voting and standing members.
3. An application and volunteer form must be completed and submitted to the City Clerk's office to be considered for appointment to all advisory boards and committees.
4. Staff serving on an advisory body may not be a voting member unless otherwise established and approved through the bylaws.
5. Advisory bodies may not use proxies for meeting attendance and/or voting.
6. There can be no changes to the membership, rules or responsibilities of an advisory body without approval by the Commission.
7. Advisory bodies must adhere to the Commission approved bylaws, noting exceptions for state mandated advisory bodies.
 - a. Attendance and quorum requirements must be stated.
 - b. Bylaws should be reviewed on a regular basis to ensure consistency with current requirements under Maryland Code and/or City Ordinances.
 - c. All substantive changes to the advisory body's membership or bylaws must be taken through the appropriate staff liaison for a recommendation to the full Mayor and Commission.

- d. All members of Commission established advisory bodies serve at the pleasure of the Mayor and Commission and may be removed if found in violation of the Mayor and Commission' Rules of Procedure on Advisory Boards and Committees, and Code of Ethics (derived from the Commission's Code of Ethics).
- e. Any member of a State mandated advisory bodies may be removed for malfeasance, nonfeasance, or just cause, and/or in violation to the Mayor and Commission' Rules of Procedure on Advisory Boards and Committees, and Code of Ethics (derived from the Commission's Code of Ethics).

Staff Liaison's Roles and Responsibilities

1. Ensure all advisory body meetings are properly advertised and meeting materials are made available to the public in accordance with Maryland's Public Information Act (PIA).
2. Ensure proper minutes are taken at all advisory body meetings.
 - a. Minutes of all meetings must include a summary of discussions or deliberations and a record of any votes taken by the group, including a record of how members voted on each motion.
3. Distribute and post minutes on the City's website once approved by the advisory body.
4. Monitor membership roster and inform the Office of the City Manager when a vacancy outside of term limits occurs.
 - a. Ensure all newly appointed members receive all applicable training, materials, and PIA requirements.
5. Accurately account for meeting attendance of members to be provided by the committee's Secretary.
6. Communicate facility usage and virtual platform requests for committee meetings in a timely manner.

Meeting Procedures

1. All business of an appointed advisory body must be conducted in accordance with PIA and any additional statutory requirements.
 - a. Notice of all meetings must be posted on the City Government Calendar, via the City's website, at least three business days in advance of the meeting.
 - b. All meeting documents of the advisory board must be made publicly available via the City's website.
2. Meetings must occur in a location that is easily accessible to the public.

3. Requests for audio/visual recordings of meetings should be coordinated through the City's office of the City Clerk.

Conflict of Interest/Code of Ethics

1. Conflict of Interest: A member of an advisory body should avoid even the appearance of a conflict of interest and should recuse himself or herself from participating in deliberation, discussions, recommendations or advice which might be interpreted as questionable or in borderline conflict of interest and which might be perceived as rendering direct personal or professional gain for himself or herself or for family members.
2. Code of Ethics (derived from the Mayor and Commission' Code of Ethics): Advisory body members serving in their positions of public trust should adhere to the following conduct and ethical standards:
 - a. Comply with all laws applying to PIA, and all conflict of interest matters.
 - b. Adhere to the City of District Heights Statement of Values by providing high quality input to the advisory body being served and carrying out given responsibilities with integrity by conducting City business in a responsible, conscientious, ethical and professional manner.
 - c. Engage in no business with the City of District Heights Government which is inconsistent with State and Local Government Conflict of Interest Act or the Public Procurement Act.
 - d. Never use any information gained confidentially in the performance of governmental duties as a means of making private profit for oneself, one's family, or close family relation in which an advisory body member has financial interest.
 - e. Grant no special favors or privileges to any individual or entity based on any outside influence or personal relationships.
 - f. Be transparent to the greatest degree possible when conducting public business.
 - g. Treat the public, staff, and each other with professionalism, courtesy and respect.

Attachment 2



City of District Heights Handbook for Advisory Boards, Committees and Civic Organizations

Section I: General Information

1.0 Introduction

Citizen boards and committees are established by the Mayor and Commission to assist in its efforts to meet the needs of the community. Some committees are created to meet immediate, short-term needs and are disbanded once their purpose has been accomplished. Others are created to meet ongoing needs and continue to exist for as long as they aid the Commission. Still others are mandated by state law. The structure, duties, and responsibilities of these bodies vary depending upon their specific purposes. However, all committees have one feature in common – they were established to improve the quality of life for the citizens of City of District Heights. Thus, by serving on one of these committees, citizens of our city have an opportunity to join with local government and administrative staff to ensure their local government is serving the needs of its residents.

This handbook was prepared to provide information that will help new and current committee members become active participants in the activities of the committee on which they serve. The first section of the handbook consists of general information about city government, committees, qualifications of committee members, duties and responsibilities of committee members, meetings, policies, and procedures, terms of appointment, vacancies, staff support, gifts, purchasing and conflict of interest, liability, and open meetings. The remaining sections will contain information that is specific to the committee on which a person serves.

1.1 City Government

The City of District Heights has an elected Mayor and Commission with an appointed City Manager.

The City's policy-making body is the Mayor and Commission; it consists of the Mayor and four elected Commissioners. Together, they enact ordinances encompassing all the activities the city is empowered to carry out, determines the annual budget, authorizes loans, establishes taxes and fees, issues liquor licenses, makes assessment for public services, approves contracts, and hires the City Manager to serve at its pleasure.

The Mayor is the presiding officer of the Commission. In addition, to the powers granted to the Mayor and Commission in the City Charter and City Code of Ordinance, the Commission may exercise any power or perform any function which is not denied to it by the Constitution of Maryland, the City Charter, Code of Ordinance, or any applicable law passed by the General Assembly of Maryland.

The city's chief administrative officer is the City Manager. The City Manager directly supervises the City administration, manages the day-to-day operations of the city government and is responsible for carrying out the policies determined and approved by the Commission.

The City Clerk serves as the chief custodial officer of all official city records. The Clerk shall keep such other records and perform such other duties as may be required by the Commission.

1.2 City Committees

City committees are legal bodies created by the City of District Heights City Charter, Code of Ordinance (with the Mayor and Commission as the appointment authority). The Code of Ordinance of the City of District Heights authorizes four (4) types of boards and committees:

(a) Board of Supervisors of Elections. The Board of Supervisors of Elections shall perform the duties described in Article V of the City Charter, Article XIII of this Code, and applicable provisions of the state election laws.

(b) Health and Sanitation Committee. The health and sanitation committee shall perform the duties described in Article IV of the Code of Ordinance.

(c) Ethics Commission. The Ethics Commission shall perform the duties described in Article XVI of the Code of Ordinance.

(d) Temporary Committees. Temporary committees, which may be established from time to time by the Commission, shall perform the duties enumerated when they are created as appropriate to accomplish the specific purposes of the committee, which purposes shall benefit the health, safety, or welfare of the city.

Most members who serve on the City's Boards and Committees are city residents, but in certain cases non-residents are eligible. Some of the City's Boards and Committees offer small stipends to its members, but most are strictly voluntary.

1.3 Staff Support

To assist the committees in carrying out their responsibilities, the City Manager provides employee staff support. The number of city staff members available to assist each committee and the functions performed varies from committee to committee. The primary purpose of staff support is to provide professional and technical advice and information on issues being addressed by the Commission, city ordinances, state law, city policy, and city administration policies and procedures. In addition, staff may perform other functions such as disseminating committee agendas, packets and minutes.

It should be emphasized that staff members who work for the City of District Heights are responsible first to the policy direction of the City Manager. Therefore, there might be times when requests made by committees are in conflict with established city policy or require an excessive amount of time for response. In these instances, the staff member may have to obtain approval from the City Manager before undertaking further action.

1.4 Selection and Appointment

In general, all committee members are appointed by the Mayor with the advice and consent of the Commissioners. Although selection criteria may vary depending upon the type of committee and its purpose, the following characteristics are common to all committee members:

- An interest in the committee's area of concern
- The ability and willingness to work
- The ability to work with other people in a tactful, respectful and cooperative manner
- The time to carry out committee duties/responsibilities
- A community point of view

For detail about vacancies, please contact the **City Clerk's office**.

For appointment opportunities, you must complete the **application** and submit to the City Clerk or your Ward Commissioner representative.

1.5 Duties and Responsibilities

The specific duties and responsibilities of committee members are established by state law and/or ordinances which created the specific committee. Duties and responsibilities which are common to all committees, regardless of their specific area of concern, include:

- Attending and participating in committee meetings

- Being objective and willing to listen with an open mind
- Helping the committee arrive at group decisions
- Being aware of the changing needs of the city
- Being aware of the activities and needs of other committees
- Being aware of and following Board policies and procedures

1.6 Terms of Appointment

The terms of appointment and reappointment vary from committee to committee.

1.7 Vacancies

Vacancies may occur due to member resignation, or the Mayor and Commission may, by written order, remove a member if it is felt that the committee member is unable to perform his/her duties and responsibilities or for other stated reasons. When a vacancy occurs, a replacement will be appointed by the Mayor with approval of the Mayor and Commission.

1.8 Meeting Preparation

Citizens who accept a position on one of the City's Committees also accept responsibility for committing a portion of their time to preparing for meetings. To assist members in preparing for their committee's meeting, an agenda is usually sent out about a week prior to the meeting. In addition to the agenda, members may also receive staff reports containing information on the issues that committee will be addressing and staff's recommendation.

Each member is responsible for reviewing his/her committee packet prior to the meeting. Being thoroughly prepared enhances the member's ability to be an active participant in the discussion and decision-making process and helps ensure that sound, factually-based decisions will be made in a timely manner. If members have any questions or feel that additional information is necessary, they are responsible for contacting staff prior to the meeting.

1.9 Meeting Attendance

Prior to accepting a position on a committee, citizens should be aware of the committee's meeting schedule to ensure they will be able to make the necessary time commitment.

The number of regularly-scheduled meetings varies from committee to committee. For some committees, state law or municipal code sections specify a minimum number of meetings; for others, meeting schedules are determined by the committee. For information regarding meeting schedules for specific committees, members should refer to the appropriate chapter in the ordinance/resolution establishing the committee or the committee's by-laws.

Regular meeting attendance by all committee members is essential if the board is to effectively carry out its activities. Committee members who do not attend

regularly can not be expected to make well informed decisions. Issues can not be fairly and thoroughly considered without input from all committee members. In addition, if a quorum can not be established, no official business can be conducted.

If a member has valid reason for not attending a meeting, he/she is responsible for giving advance notification of his/her absence. Generally, the staff person or committee chairperson should be contacted as soon as possible.

1.10 Committee Meetings

Committees customarily follow the rules and procedures contained in Robert's Rules of Order. The following suggestions will assist the committee in conducting its business in a timely and productive manner.

General Information:

- Start the meeting on time with a roll call
- Focus on issues at hand
- Follow agenda and order of business
- Follow procedures for public participation
- Allow time at the end of the meeting to review and evaluate meeting progress and decisions

How to handle a motion:

- Address the chair
- Get recognition
- Make a motion (“I move....”)
- Second the motion
- Clearly state the motion
- Discuss the motion
- Restate the motion
- Vote on the motion
- Announce the results

Do's and Don'ts:

The Chair

DO prepare yourself for the responsibility you have accepted

DO start the meeting on time – and DO end it on time

DO have an agenda and follow it

DON'T use the gavel except to preserve order

DON'T be afraid to try new procedures

DON'T talk too much from the Chair (and run the risk of intimidating other members)

DON'T let members wander from the matter under discussion

DON'T lose your sense of humor or take yourself too seriously

DON'T say “My committee”, “My commission”, “My year.”

DON'T say “I recognize” or “I rule”; say “The Chair...”

Members

DO observe the rules courtesy and good taste.

DO say "I move..." (not "I make a motion...")

DO take part in the discussion.

DO accept some responsibility for the committee's welfare and activities.

A committee is only as effective as its weakest member.

DO be as ready with praise as you are with criticism. Ask yourself, "Could I do as well?" or "Am I willing to take over and do a better job?"

DON'T say, "I don't know what I'm supposed to do." You have accepted a responsibility. It's your business to find out your duties.

DON'T accept an office for which you are not qualified or on the theory that there will be nothing to do.

DON'T criticize unless you have something better to offer.

1.11 Minutes

Minutes are **public documents** that are written by an appointed secretary from among the members on the committee. Some committees may choose to have the secretarial responsibilities rotate so that no one member will be burdened every meeting. In order to maintain files of uniform minutes, several points should be kept in mind. These include:

1. Write what is done; summarize what is said.
2. Always take the minutes in third person and use past tense.
3. Begin all minutes for a given meeting with the name of the committee, the date, the location, the time of day, and the members present.
4. State whether the meeting is regular or special.
5. List the chairperson of the meeting and the secretary.
6. State whether the minutes of the previous meeting were read and approved or dispensed with (approved without reading).
7. Write out all main motions, including both those adopted and denied.
8. State the name (at least the last name) of both the person making a motion and the person seconding that motion.
9. Record sustained and overruled points of order and appeals.
10. Summarize reports of committees and staff.
11. Record all appointments of committees and election of delegates.
12. Record the number of votes on both sides during formal voting.
13. State the name of each person and their vote during a roll call vote.
14. Record the time of adjournment.
15. The recording secretary needs to sign the minutes.

Corrections to the minutes may be made at the next meeting or any other meeting in the future. Always keep personal opinions of praise or criticism out of these public documents.

1.12 Open Meetings

All meetings of committees and commissions shall be open to the public. Notice

of all meetings shall be given at least 24 hours prior to the meeting. The notice must give the time, date, place of meeting, and tentative agenda. If 24-hour notice can not be given, the reason must be stated in the minutes.

Chapter 4 of the State of Maryland Open Meetings Act Manual outlines the rules for closed meetings. A brief overview of this law includes the following acceptable circumstances for closed meetings.

1. Discussion or review of records authorized by state or federal law to be kept confidential.
2. Discussion of litigation strategy with counsel.
3. Discussion of contents of licensing examinations or disciplinary proceedings.
4. Evaluation of the professional competency of an individual whose appointment/hiring, performance, or discharge is being considered (when necessary to prevent needless and irreparable injury to that individual's reputation) and the individual requests a closed session.

When a session is closed, it must be approved by public vote of either two-thirds of all members or all of the members present at the meeting. The vote of each member and the specific reason for closing the meeting must be announced publicly in open session and entered into the minutes. Only business which comes within the exemption can be discussed in closed session. Detailed minutes of all discussion, persons present, and action taken at a closed session shall be kept. A tape recording must also be kept.

1.13 Voting

A conflict of interest exists when there is a distinct possibility of some unique personal advantage or disadvantage to the member who is voting on a matter.

Maryland law provides that a measure that is voted upon is not invalid because an individual with a conflict of interest voted unless that vote was decisive to passage of the measure. If a specific majority or unanimous vote is necessary, the vote must be computed based on the number of members not disqualified by

conflict of interest. However, a majority of all members is required for a quorum. Whenever a member decides to decline to vote because of a conflict of interest, that reason is conclusive and must be stated for the record.

What actually constitutes a conflict of interest has no precise definition. Generally, it is true that no member should vote on any questions involving his or her own financial interest if that interest is immediate, particular, and distinct from the public as a whole.

All members, including officers, should vote unless there is a conflict of interest. A member who abstains from voting does not have to abstain from discussing the issue.

1.14 Liability

Board and committee members are protected from liability and defended by the

City for acts or omissions within the scope of their duties. If an official is sued in his/her capacity as an official of the City, the City will retain an attorney at City expense to defend the official. This protection does not apply when the acts or omissions involve intentional misconduct or knowing law violation or transaction from which the member derives an improper personal benefit. The City will not attempt to collect from the official for any award for damages the City might have to pay. This exception does not apply to awards for punitive damages unless actual malice or willful, wanton, and reckless misconduct is proven.

1.15 Gifts

Board and committee members, like City employees, are subject to the state “gift” law. That law states that a public official, public employee, or that person’s immediate family member shall not, directly or indirectly, accept or receive any “gift” from a “restricted donor”.

The law defines “gift” as a rendering of anything of value in return for which legal consideration of equal or greater value is not given and received.

“Restricted donor” means a person who is in any of the following categories:

1. Is or is seeking to be a party to anyone or any combination of sales, purchases, leases, or contracts to, from, or with the agency in which the donee holds office or is employed.
2. Will personally be, or is the agent of a person who will be, directly and substantially affected financially by the performance or nonperformance of the donee’s official duty in a way that is greater than the effect on the public generally or on a substantial class of persons to which the person belongs as a member of a profession, occupation, industry, or region.
3. Is personally, or is the agent of a person who is, the subject of or party to a matter which is pending before a subunit of regulatory agency and over which the donee has discretionary authority as part of the donee’s official duties.

A restricted donor may give any public official, or the person’s immediate family member, may accept an otherwise prohibited non-monetary gift and not be in violation if the non-monetary gift is donated within 30 days to a public body, or a bona fide educational or charitable organization, if no part of the net earnings of the educational or charitable organization inures to the benefit of any private stockholder or other individual.

The following gifts may be received by public officials or members of the immediate family of public officials:

1. Contributions to a candidate or a candidate’s committee.
2. Informational material relevant to a public official’s functions, such as books, pamphlets, reports, documents, periodicals, or other information that is recorded in a written book.
3. Anything received from anyone related within the fourth degree by kinship or marriage, unless the donor is acting as an agent or intermediary for another person not so related.

4. An inheritance.
5. Anything available or distributed free of charge to members of the general public without regard to the official status of the recipient.
6. Items received from a bond fide charitable, professional, educational, or business organization to which the donee belongs as a dues paying member, if the items were given to all members of the organization without regard to individual members' status or positions held outside of the organization and if the dues paid are not inconsequential when compared to the items received.
7. Actual expenses of a donee for food, beverages, registration, travel, and lodging for a meeting, which is given in return for participation in a panel or speaking engagement at the meeting when the expenses relate directly to the day or days on which the donee has participation or presentation responsibilities.
8. Plaques or items of negligible resale value which are given as recognition for the public services of the recipient.
9. Non-monetary items with a value of three dollars or less that are received from any one donor during one calendar day.
10. Items or services solicited by or given to, for purposes of a business or educational conference, seminar, or other meeting, a state, national, or regional government organization in which the state of Maryland or a political subdivision of the state is a member, or solicited by or given for the same purposes to state, national, or regional government organizations whose memberships and officers are primarily composed of state or local government officials or employees.
11. Items or services received by members or representatives of members at a regularly scheduled event that is part of a business or educational conference, seminar, or other meeting that is sponsored and directed by any state, national, or regional government organization in which the state of Maryland or a political subdivision of the state is a member, or received at such an event by members or representatives of members of state, national, or regional government organizations whose memberships and officers are primarily composed of state or local government officials or employees.
12. Funeral flowers or memorials to a church or nonprofit organization.
13. Gifts which are given to a public official for the public official's wedding or 25th or 50th wedding anniversary.
14. Gifts of food, beverages, travel or lodging received by a public official if all of the following apply:
 - a. The public official is officially representing an agency in a delegation whose sole purpose is to attract a specific new business to locate in the state, encourage expansion or retention of an existing business already established in the state, or to develop markets for Maryland businesses or products.
 - b. The donor of the gift is not the business or businesses being contacted. However, food or beverages provided by the business or businesses being contacted which are consumed during the meeting are not a gift.
 - c. The public official plays a significant role in the presentation to the business or businesses.
15. Gifts other than food, beverages, travel, and lodging received by a public official which are received from a person who is a citizen of a country other than the United States and is given during a ceremonial presentation or as a result of a

custom of the other country and is of personal value only to the donee.

For purposes of determining the value of an item given or received, an individual who gives an item on behalf of more than one person shall not divide the value of the item by the number of persons on whose behalf the item is given and the value of an item received shall be the value actually received by the donee.

1.16 Purchasing

City officers, employees, and members of committees and commissions can not have any interest in a contract for materials or services provided to the City. The law prohibits having either a direct or indirect interest in the contract. A “City officer” is a person elected or appointed for a fixed time who exercises some portion of the power of the City . This does not include members of groups who are advisory only.

The exceptions to the law on contracts which are most likely to be applicable are:

1. The designation of a bank or trust company as a depository or paying agent.
2. Contracts made upon competitive bidding in writing, publicly invited and opened.
3. Contracts for professional services not customarily awarded by competitive bid if:
 - a. The officer’s salary will not be affected by the contract; and,
 - b. The officer is not directly involved in procuring or preparing the contract; and,
 - c. The officer’s interest is solely that of employment or from ownership or contract of stock in the contracting company by the officer, spouse, or immediate family member, of less than five percent of the outstanding stock of the company.
4. The designation of an official newspaper.
5. A contract made before the officer was elected or appointed, but the contract may not be renewed.
6. Purchase of goods and services that do not exceed a cumulative total purchase price of \$1,500 in a fiscal year.
7. Franchise agreements between a City and a utility and contracts entered into by a City for the provision of essential City utility services.



City of District Heights, Maryland
Application For Appointment to a City Advisory Board or Committee

Name _____ Preferred Pronouns _____

Address _____ Ward I or Ward II _____

Phone _____ Email (PRINT CLEARLY) _____

Which City committee are you interested in?	New Appointment or Reappointment?

1. Why do you want to serve on this board?
2. Do you currently serve on any other committee? If so, please list:
3. Please tell the Mayor and Commission about yourself. If applicable, include your occupation, qualifications, educational and/or professional background:
4. If applicable, please describe other ways that you are involved in the community:
5. Do you have any additional Information or comments?
6. Advisory boards typically meet on weeknights (Monday – Thursday evenings). Please list any conflicts in your schedule that would prevent you from attending a meeting on a certain night:
7. The Mayor and Commission are committed to achieving membership on our advisory boards that reflect the diversity of our community. Please check the box that most closely matches the race with which you identify:

Asian Black/African-American Latino/Latina/Latinx Two or more races

White Other (Please specify): _____

Date _____ Signature _____



Ciudad de District Heights, Maryland
Solicitud de nombramiento para un consejo consultivo de la ciudad

Nombre _____ Pronombre Preferido _____
Dirección _____ Distrito del consejo _____
Teléfono _____ Correo-e (IMPRIMA CLARAMENTE) _____

¿En qué consejo consultivo de la ciudad está interesado?	Nueva cita o reeleccion?

1. ¿Por qué quiere formar parte de este consejo?
2. ¿Participa actualmente en algún otro consejo consultivo? En caso afirmativo, indíquelo:
3. Por favor, cuénteles al Alcalde y al Consejo sobre usted. Si corresponde, incluya su ocupación, calificaciones, antecedentes educativos y/o profesionales:
4. Si corresponde, describa otras maneras en las que participa en la comunidad:
5. ¿Tiene alguna información o comentario adicional?
6. Las juntas consultivas se reúnen normalmente entre semana (de lunes a jueves por la noche). Por favor, indique cualquier conflicto en su agenda que le impida asistir a una reunión en una determinada noche:
7. El Alcalde y el Consejo se comprometen a lograr que los miembros de nuestros consejos consultivos reflejen la diversidad de nuestra comunidad. Por favor, marque la casilla que más se acerque a la raza con la que se identifica:

___ Asiático(a) ___ Negro(a)/Afroamericano(a) ___ Latino/Latina/Latinx ___ Dos o más razas
___ Blanco(a) ___ Otra (*Por favor, especifique*): _____

Fecha _____ Firma _____

Por favor, envíe este formulario completado a la Secretaría de la Ciudad a jeffersons@districtheights.org



CITY OF DISTRICT HEIGHTS

City Commission Work Session

Tuesday, June 13, 2023

Action Item 7

- Title:** The Herald Newsletter, Editorial Guidelines
- Staff Contact:** T'Neisha Turner, General Government & David Street, City Manager
- Purpose:** To provide editorial guidelines for the City's newsletter and open discussion about levels of media coverage for City events and initiatives.
- Recommendation:** Staff recommends that the Commission review the draft media policy and Herald editorial guidelines and provide feedback and direction to staff.

Summary: The City uses numerous methods to publish and share information: social media platforms, Constant Contact, the website, and/or TV station are used to market/update the community on current City initiatives and events. The City publishes a quarterly newsletter that is direct mailed to residents. The first section of this item proposes editorial guidelines for the newsletter. The second section proposed media support policies for the types of events and initiatives that the City engages in on a regular basis.

Draft Herald Editorial Guidelines (Attachment 1): The draft guidelines provide some editorial parameters to make submitting, editing, and publishing the quarterly Herald Newsletter more efficient. The policy establishes an annual calendar of deadlines, basic submission requirements, and general editorial guidelines. Each of these categories focuses on keeping the Herald as an engaging, informative publication focused on content of interest to City residents.

Policy question: The Herald commonly includes a section from one or more City Commissioners. This can lead to the addition of pages to the Herald, potential duplication of information with departmental article submissions, and each elected official not necessarily receiving the same amount of coverage. Staff requests that the Commission provide guidance to staff on how to approach these sections. For example, would the Commission entertain the concept of a "Commissioner's Corner" or "Mayor's Message" segment that rotates between elected officials on a quarterly basis?

Draft Media and Event Support Policy (Attachment 2): This policy establishes three tiers of events and defines the level of media coverage/support for each. The purpose of this policy is to ensure consistent media support and coverage for each type of event or initiative that the City participates in. Each event

or initiative will be designated one of the following tiers when staff propose the FY 2024 Events Calendar in July. The tiers include:

1. City Events and Initiatives: events, programs, and initiatives that are led by the City, usually but not always by City staff, as a normal course of business or at the direction of the City Commission.
2. City-Partnered Events and Initiatives: events, programs, and initiatives that are co-led by the City and a partner, usually but not exclusively through a collaborative agreement, or that the City signs on to as a participating organization.
3. All Other Events and Initiatives: Events, programs, and initiatives that are not City-related or City-endorsed. These may include information that is beneficial for the public to be aware of, know, or attend.

The policy also clarifies what types of events cannot have direct staff media support (e.g. political events or private events).

Fiscal Impact: There is a fiscal impact to setting a page-cap for the Herald. For example, the cost for a 16-page layout (2,400 copies) is \$3,340 versus a 12-page layout (2,400 copies) at \$2,755. The 12-page layout provides an annual savings of \$2,340 over a 16-page layout.

Alternatives

1. The Commission could adopt the Herald Editorial Guidelines and Media Support Policy as proposed in Attachments 1 and 2. (motion 1 without amendment language)
2. The Commission could amend and then adopt the Herald Editorial Guidelines and Media Support Policy as proposed in Attachments 1 and 2. (motion 1 as drafted)
3. The Commission could forward one or both documents to a future meeting for additional discussion and action. (motion 2)

Draft Motion:

1. I, Commissioner _____ move that the City Commission approve the Herald Editorial Guidelines as found in Attachment 1 to the June 13, 2023 Action Item and an amended at the June 13, 2023 City Work Session.

I, Commissioner _____ second the motion.

OR

2. I, Commissioner _____ move that the City Commission approve the Media Support Policy as found in Attachment 2 to the June 13, 2023 Action Item and an amended at the June 13, 2023 City Work Session.

I, Commissioner _____ second the motion.

Attachments:

1. Draft Herald Editorial Guidelines
2. Draft Media Support Policy

ATTACHMENT 1



CITY OF DISTRICT HEIGHTS Policy of the City Commission

The Herald Newsletter, Editorial Guidelines Proposed June 13, 2023

I. **The Herald Newsletter:** Schedule for the newsletter.

Issue	Submission Deadline	Final Submission Deadline	Due Printer	Mail Out Date (No later than)
July/August/ September	June 9, 2023	June 19, 2023	June 23, 2023	June 28-30, 2023
October/November /December	September 8, 2023	September 18, 2023	September 22, 2023	September 27-29, 2023
January/February/ March	December 8, 2023	December 18, 2023	December 22, 2023	December 27-29, 2023
April/May/June	March 8, 2024	March 18, 2024	March 22, 2024	March 27-29, 2024
July/August/ September	June 7, 2024	June 17, 2024	June 21, 2024	June 26-28, 2024
October/November /December	September 6, 2024	September 16, 2024	September 20, 2024	September 25-27, 2024

Submission requirements:

Article submissions 500 words or less

Send photos in jpeg or png format as attachments

Event information must include in the following order:

- A. What
- B. When
- C. Where
- D. Who to contact

- II. Editorial Guidelines:** The content for the newsletter should be informative, educational, or entertaining, such as information for an event, photos of an event, and a column ‘presented by’ a subject matter expert.

Editorial content is NOT promotional and does not promote any business or organizations services, products, or brands. It is not classified, ads or advertising in any form, or coupons.

Submission Email(s): When you have your content ready for submission, send all files, attached in an email (multiple if necessary), to **mediacoordinator@districtheights.org**. If there are multiple emails, please indicate which is the final email and **include in all subject lines, The Herald and the department and/or committee name.**

Example:

Subject: The Herald- General Government (Final)

Submit your newsletter content at once on the deadline only. Do not send files as you receive them, as this will lead to items being overlooked. Please refrain from using the acronym of your department and/or committee, as there could be some repeats. (e.g. CIO could refer to the Chief Information Officer or Chief Investment Officer.)

- a. Keep your word count as low as possible.
- b. Font- Times New Roman
- c. Use punchy, relevant details to grab people’s attention.
- d. Direct the audience to a website or other resources for more information.
- e. Each department provides updates on current events (if applicable).

- III. Commissioner’s Corner/Mayor’s Message:** Monthly video production to discuss updates on policies, upcoming events, and community concerns/tips.

This policy is not intended to prevent staff from expressing their personal political views or exercising their rights as individuals and citizens.

ATTACHMENT 2



CITY OF DISTRICT HEIGHTS Policy of the City Commission

Media Support, Promotion, and Coverage

Proposed June 13, 2023

- I. **City Events and Initiatives:** events, programs, and initiatives that are led by the City, usually but not always by City staff, as a normal course of business or at the direction of the City Commission. Examples of this category include:

District Heights Day or City Recognized Holidays	Commission-sponsored events, e.g. open houses, holiday memorials, etc.	Programming held through one of the City's departments, like PRC Summer Camps
Elections and Voter information	Shred Day or City-sponsored events	Events and marketing for regional organizations the City is a member of (e.g. MML)

Level of Service: These events automatically qualify for broadcast on the City's television station, qualify to be streamed online, qualify to be scheduled and prioritized for filming and photography for City-led content on the website and social media. These events will be advertised in advance through the development and distribution of promotional flyers or handbills, print media, targeted social media posts, group or batch email distribution (e.g. Constant Contact) and through other official City-owned channels.

Staff coverage: Media/AV staff will be scheduled to cover the event.

- II. **City-Partnered Events and Initiatives:** events, programs, and initiatives that are co-led by the City and a partner, usually but not exclusively through a collaborative agreement, or that the City signs on to as a participating organization. Examples of this category include:

Red Cross Blood Drive hosted in City Facility	N'Style Testing for Turkeys	Speak Up, Speak Out, Speak Loud Youth Workshop TWC
Partnered faith-community events	Events held by other/neighboring municipalities	Boys and Girls Club sport activities, etc.

Level of Service: These events automatically qualify for streaming online and social media promotion. The City shares digital content created for partnered events on social media, its website, and through the distribution of flyers or handbills. Depending on the level of partnership, the City may treat the event as a "City Event" and apply services from Tier 1, as appropriate.

Level of Service: These events automatically qualify for broadcast on the City’s television station, qualify to be streamed online, qualify to be scheduled and prioritized for filming and photography for City-led content on the website and social media. These events will be advertised in advance through the development and distribution of promotional flyers or handbills, print media, targeted social media posts, group or batch email distribution (e.g. Constant Contact) and through other official City-owned channels.

Staff coverage: Media/AV staff can be requested to cover the event using the media request form:

III. All Other Events and Initiatives: Events, programs, and initiatives that are not City-related or City-endorsed. These may include information that is beneficial for the public to be aware of, know, or attend. Examples include:

Food Drives	School Board Meetings	State and federal programs of interest to residents
Household Assistance Programs	Civic association information	Applicable community events in the public interest

Level of Service: If the City Manager or designee determines that there is a public purpose or benefit, the City will share digital and physical contact on its usual platforms.

Staff coverage: Media/AV staff do not cover the event but may reshare applicable content.

Additionally, the City will automatically reshare and promote material and events of interest to residents from the following organizations:

Prince George’s County Government	Employ Prince George’s County	District Heights Elementary School
Prince George’s County Public Schools	Maryland Parks and Planning	Maryland and/or local College or Universities

IV. Prohibitions on staff support: Staff, acting on behalf of the city, cannot provide material support or promote political events, personal events, or other similar events and initiatives.¹ Examples of events or initiatives that staff cannot support or share content for include:

Campaign events	National, state, or local political content	Individual coverage requests
Private parties ²	Content or events promoting individuals, products, or services	Anything else not in the public interest or of public benefit

¹ This policy is not intended to prevent staff from expressing their personal political views or exercising their rights as individuals and citizens.

² Unless included as a cost for service, e.g. after-hours police support.



CITY OF DISTRICT HEIGHTS

City Commission Work Session

Tuesday June 13, 2023

Action Item 8

Title: Ordinance Introduction – Amendments to Article IX Vehicles and Traffic
Staff Contact: Ronald Tarpley, Chief of Police
Purpose: To introduce amendments to Article IX to expand the City’s enforcement capabilities.
Recommendation: Staff recommends that the Commission introduce the ordinance at the June 13 Work Session and forward to the July 6 City Meeting for action.

Summary: The City current has a speed camera ordinance and a contractual agreement with RedSpeed for enforcement and administrative support. The amendments proposed will broaden the City’s speed camera program by allowing the program to operate in more areas and during more hours over the course of the day.

The draft is currently under review with the City Attorney. Changes to the draft ordinance or additional amendments stemming from that review will be presented to the City Commission on July 6 prior to adoption.

Fiscal Impact: There is no fiscal impact to introducing this ordinance. Adopting the ordinance will potentially increase fine revenue from vehicles speeding within the City.

Alternatives

This section should list all *viable* alternatives the Commission could consider, including the staff recommendation and maintenance of the status quo.

1. The Commission could suggest amendments to the ordinance.
2. The Commission could adopt the ordinance as proposed at the July 6 meeting.

Draft Motion:

I, Commissioner _____ move that the City Commission forward the proposed amendments to Article IX to the July 6 City Meeting for Action.

I, Commissioner _____ second the motion.

Attachments

1. Draft Ordinance Amendments
2. Updated MOU

**MAYOR AND COMMISSION
THE CITY OF DISTRICT HEIGHTS**

ORDINANCE NO. __-23

AN ORDINANCE OF THE MAYOR AND Commission OF THE CITY OF DISTRICT HEIGHTS, MARYLAND REVISING ARTICLE IX (VEHICLES AND TRAFFIC) OF THE CITY CODE, BY CHANGING, OR AMENDING SECTION 911 (SPEED REGULATIONS) TO ALLOW DESIGNATION AND NOTICE OF RESIDENTIAL DISTRICTS FOR THE DEPLOYMENT OF SPEED MONITORING SYSTEMS; BY ADDING SECTION 911.1 (TRAFFIC SIGNAL MONITORING SYSTEMS); BY ADDING SECTION 911.2 (PENALTIES; FEES); AND BY ADDING SECTION 911.3 (DESIGNATION OF SCHOOL ZONES, RESIDENTIAL DISTRICTS AND RED-LIGHT CAMERA INTERSECTIONS), BY ADDING SECTION 911.4 RED LIGHT CAMERA ENFORCEMENT PROGRAM (TRAFFIC MONITORING SYSTEMS) AND GENERALLY RELATED TO THE REGULATION OF PARKING AND TRAFFIC WITHIN THE CITY OF DISTRICT HEIGHTS

WHEREAS, pursuant to Article IV Section 401 General Powers and Section 402. Specific Powers of the City Charter, the Commission shall have the power to pass all such ordinances not contrary to the Constitution and laws of the State of Maryland or said Charter as it may deem necessary for the good government of the City; for the protection and preservation of the City's property, rights, and privileges; for the preservation of peace and good order; for securing persons and property from violence, danger, or destruction; and for the protection and promotion of the health, safety, comfort, convenience, welfare, and happiness of the residents of the City and visitors thereto and sojourners therein; and

WHEREAS, pursuant to Article IV of the City Charter, the City shall have control of all public ways in the City 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 this Charter, the City may do whatever it deems necessary to establish, operate, and maintain in good condition the public ways of the City; and

WHEREAS, pursuant to §21-809(b) of the Transportation Article of the Annotated Code of Maryland, a speed monitoring system may be used in a local jurisdiction under said section if its use is authorized by the governing body of the local jurisdiction by local law enacted after reasonable notice and a public hearing; and

WHEREAS, the Mayor and Commission on January 01, 2010 after a public hearing adopted DH-09-02 and thereby initially establishing the automated speed enforcement program; and

WHEREAS, on May 30, 2021, the General Assembly of Maryland enacted HB 619 (Ch. 447 of the 2021 Laws of Md.) now codified in Transportation Article ("TR"), § 21-809(b)(1) (vi)1 authorizing, in addition to designated school zones, the placement of speed monitoring systems (also known as speed cameras) in Prince George's County on highways in residential districts with a maximum posted speed limit of 35 miles per hour to be effective on October 1, 2021; and

WHEREAS, pursuant to TR § 21-101(s), the term “residential district” is defined as “an area that: (1) Is not a business district; and (2) Adjoins and includes a highway where the property along the highway, for a distance of at least 300 feet, is improved mainly with residences or residences and buildings used for business,” and

WHEREAS, the City Commission finds that driving in excess of posted speed limits, and failing to stop at red lights is a major cause of accidents, injuries and death; and

WHEREAS, the City Commission further finds traffic studies indicate that the presence of speed cameras and red-light cameras has contributed to as much as an 80% - 90% decrease in the number of drivers running red lights, and exceeding the speed limit by 12 miles per hour or more in the vicinity of schools; and

WHEREAS, the City currently operates speed monitoring systems by permission within designated school zones on Monday through Friday between 6:00 a.m. and 8:00 p.m. within its jurisdiction, and

WHEREAS, these automated speed monitoring systems, deployed in either residential districts or school zones, and red-light enforcement programs are hereby created or ratified by the City Commission with a goal to increase safety for the motoring public as well as for residents, school children, visitors and parents with the use of automated speed enforcement; and

WHEREAS, Title 21 of the Transportation Article of the Maryland Annotated Code (hereinafter, the “Code”), authorizes and empowers the District Heights Commission to implement and use a speed monitoring system, and red-light photo enforcement systems that are consistent with the requirements of Title 21, Subtitles 2 and 8 of the Transportation Article of the Code on a public highway; and

WHEREAS, the Chief of Police has advised that Speed Monitoring Systems will advance public safety and welfare; and Red-Light Enforcement systems strategically placed in designated areas will advance the safety of the motoring public; and

WHEREAS, upon due consideration of the comments of the public and staff and in furtherance of the public health, safety and welfare, the City Commission finds that it is in the best interest of the public health, safety and welfare of the citizens of the City to adopt and establish school and residential zones or districts and authorize the use of speed monitoring systems within school zones and residential districts, along with a red-light photo enforcement program; and

WHEREAS, the City Commission requires that appropriate signage shall be erected in accordance with the manual for and the specifications for a uniform system of traffic control devices adopted by the State Highway Administration before activating an unmanned stationary speed monitoring system, if not already in place, at each School Zone or Residential District and publish the location of the unmanned stationary speed monitoring system on the City of District Heights Website, and in a newspaper of record, as required by law; and

WHEREAS, as prescribed by law, reasonable notice of the use of Speed Monitoring Systems shall be provided through advertisement in a newspaper of general circulation in District Heights and the City's website at least fifteen (30) days prior to the activation of an unmanned speed monitoring system in a School Zone or Residential District for the first time or a red-light photo enforcement program; and

WHEREAS, the Commission finds it to be in the best interest of the City to amend the City's parking and traffic ordinances as provided herein below.

NOW THEREFORE, BE IT ORDAINED AND ENACTED BY THE MAYOR AND COMMISSION OF THE CITY OF DISTRICT HEIGHTS , that Article IX (Vehicles and Traffic) of the City of District Heights Ordinance Code as written herein below is hereby enacted, adopted, revised and amended to include the following language such that said Ordinance Code and said Article shall henceforth read as follows:

* * *

ARTICLE IX –VEHICLES AND TRAFFIC

Section 911.1 Speed-monitoring systems.

(A) In this section, the following words have the meanings indicated.

~~[(1) OWNER — The registered owner of a motor vehicle or a lessee of a motor vehicle under a lease of six months or more, except that "owner" does not include:~~

~~(a) A motor vehicle rental or leasing company; or~~

~~(b) A holder of a special registration plate issued under Md. Code Ann., Transp. Art., Title 13, Subtitle 9, Part III.]~~

~~[(2)](1) DEPARTMENT — The City of District Heights Police Department.~~

~~[(3)](2) ERRONEOUS VIOLATION — A potential violation submitted by a speed monitoring system contractor as defined in the Transportation Article of the Annotated Code of Maryland, § 21-809(a)(3).~~

(3) OWNER — THE REGISTERED OWNER OF A MOTOR VEHICLE OR A LESSEE OF A MOTOR VEHICLE UNDER A LEASE OF SIX MONTHS OR MORE, EXCEPT THAT "OWNER" DOES NOT INCLUDE:

(A) A MOTOR VEHICLE RENTAL OR LEASING COMPANY; OR

(B) A HOLDER OF A SPECIAL REGISTRATION PLATE ISSUED UNDER MD. CODE ANN., TRANSP. ART., TITLE 13, SUBTITLE 9, PART III.

(4) PROGRAM ADMINISTRATOR — A City employee or representative designated by the Chief of Police to oversee the contract with the speed monitoring system contractor.

(5) SCHOOL ZONE — A designated roadway segment with a posted speed limit of at least 20 miles per hour and located within up to a half-mile radius of a school for any of grades kindergarten through grade 12 where school-related activity occurs as further defined in the Transportation Article of the Annotated Code of Maryland, § 21-809(a)(7).

(6) RECORDED IMAGE — An image recorded by a speed-monitoring system on a photograph, a microphotograph, an electronic image, a videotape, or any other medium, and showing:

(a) The rear of a motor vehicle;

(b) At least two time-stamped images of the motor vehicle that include the same stationary object near the motor vehicle; and

(c) On at least one image or portion of tape, a clear and legible identification of the entire registration plate number of the motor vehicle.

(7) RESIDENTIAL DISTRICT — AN AREA THAT: (I) IS NOT A BUSINESS DISTRICT AS DEFINED IN TR ART., § 21-101 OF MD. ANN. CODE; AND (II) ADJOINS AND INCLUDES A HIGHWAY WHERE THE PROPERTY ALONG THE HIGHWAY, FOR A DISTANCE OF AT LEAST 300 FEET, IS IMPROVED MAINLY WITH RESIDENCES OR RESIDENCES AND BUILDINGS USED FOR BUSINESS.

~~(7)~~ (8) SPEED-MONITORING SYSTEM — A device with one or more motor vehicle sensors producing recorded images of motor vehicles traveling at speeds at least 12 miles per hour above the posted speed limit.

~~(8)~~ (9) SPEED-MONITORING SYSTEM OPERATOR — A representative of the Department or a designated person that operates a speed monitoring system.

(B) Notice.

(1) The Mayor and Commission, by ORDINANCE OR resolution, following reasonable notice to the public and a public hearing, may establish a school zone OR A RESIDENTIAL DISTRICT on any road under the City's jurisdiction or with permission of the county or State Highway Administration on any county or state road within 1/2 mile of a school OR WITHIN A RESIDENTIAL DISTRICT and, for any school zone OR RESIDENTIAL DISTRICT so established, shall set a maximum speed limit, as permitted by law, provided that the designation of such school zone OR RESIDENTIAL DISTRICT and the maximum speed limit set for such zone OR DISTRICT shall not become effective until the City installs signs designating the school zone OR RESIDENTIAL DISTRICT and indicating the maximum speed limit applicable in the school zone OR RESIDENTIAL DISTRICT located in the City of District Heights .

(2) The City may install or erect traffic control devices in the designated school zone OR RESIDENTIAL DISTRICT in addition to the signs required by Subsection (B)(1) and (3), including timed flashing warning lights and including a speed monitoring system as defined in Subsection (A) of this section.

(3) If the City moves or places a mobile or stationary speed monitoring system to or at a location where a speed monitoring system had not previously been moved or placed, the City may not issue a citation for a violation recorded by that speed monitoring system:

(a) Until signage is installed in accordance with Subsection (C); and

(b) For at least the first 15 calendar days after the signage is installed.

(c) This provision is not applicable to a handheld unit directly operated by a police officer

(C) Before activating a speed-monitoring system OR CHANGING AN EXISTING SPEED-MONITORING SYSTEM FROM A SCHOOL ZONE TO A RESIDENTIAL DISTRICT DESIGNATION WITH A LONGER OR MODIFIED DAILY ACTIVATION PERIOD, the Chief of Police or their designee shall:

(1) Publish notice of the location of the speed-monitoring system on the City's website and in a newspaper of general circulation in the City; and

(2) Ensure that each sign that designates a school zone OR RESIDENTIAL DISTRICT is proximate to a sign that indicates that speed-monitoring systems are in use in the school zone OR RESIDENTIAL DISTRICT and is in accordance with the Manual for and the specifications for a uniform system of traffic control devices adopted by the State Highway Administration.

(D) A speed-monitoring system in a school zone may operate only Monday through Friday between 6:00 a.m. and 8:00 p.m.

* * *

SECTION 911.1 (a) TRAFFIC SIGNAL MONITORING SYSTEMS

(A) THE CHIEF OF POLICE IS HEREBY AUTHORIZED TO ERECT AND TO OPERATE, THROUGH CITY EMPLOYEES OR A DULY AUTHORIZED AND QUALIFIED AGENT, ONE OR MORE TRAFFIC SIGNAL CONTROL DEVICES AS AUTHORIZED BY SECTION 21-202.1 (THE "ENABLING ACT") OF THE TRANSPORTATION ARTICLE OF THE ANNOTATED CODE OF MARYLAND.

(B) THE CIVIL PENALTY SHALL BE PAID TO THE CITY OF DISTRICT HEIGHTS , AND ALL UNPAID VIOLATIONS MAY BE FORWARDED FOR COLLECTION ACTIONS, EXCEPT THAT, IN A CONTESTED CASE BEFORE THE DISTRICT COURT OF

MARYLAND, THE PENALTY SHALL BE COLLECTED BY THE DISTRICT COURT IN ACCORDANCE WITH §7-302(A) OF THE COURTS AND JUDICIAL PROCEEDINGS ARTICLE OF THE MARYLAND ANNOTATED CODE AND DISTRIBUTED IN ACCORDANCE WITH §12-118 OF THE TRANSPORTATION ARTICLE OF THE MARYLAND ANNOTATED CODE, AS ANY OF THE FOREGOING MAY BE AMENDED FROM TIME TO TIME.

(C) THE CHIEF OF POLICE IS HEREBY AUTHORIZED TO CHARGE AN ADMINISTRATIVE FEE OR FEES FOR THE COSTS OF NOTIFYING THE MARYLAND MOTOR VEHICLE ADMINISTRATION OF VIOLATIONS NOT CONTESTED OR PAID WITHIN 30 DAYS OF THEIR DATE OF ISSUANCE, AND AN ADDITIONAL ADMINISTRATIVE FEE FOR THE ISSUANCE TO THE MARYLAND MOTOR VEHICLE ADMINISTRATION OF ANY OTHER NOTICE OR RELEASE. REQUESTED IN CONNECTION WITH UNCONTESTED OR UNPAID VIOLATIONS AS PROVIDED IN SECTION 911.3 HEREOF.

(D) A VIOLATION WHICH HAS BEEN TIMELY CONTESTED AND THEREAFTER RULED UPON BY THE DISTRICT COURT OF MARYLAND TO HAVE BEEN CORRECTLY AND THEREAFTER NOT TIMELY PAID SHALL BE SUBJECT TO ANY ADMINISTRATIVE FEES AS PROVIDED IN SECTION 911.3 HEREOF.

Section 911.2 Penalties; fees.

(A) Civil violations.

(1) A violation of Section 15.6 (Speed-monitoring systems) shall be deemed a civil infraction pursuant to § 21-809 of the Transportation Article of the Annotated Code of Maryland, and the penalty shall be a fine of \$40.

(2) A VIOLATION OF SECTION 911.2 (TRAFFIC SIGNAL MONITORING SYSTEMS) SHALL BE DEEMED A CIVIL INFRACTION PURSUANT TO § 21-202.1(G)(5) OF THE TRANSPORTATION ARTICLE OF THE ANNOTATED CODE OF MARYLAND, AND THE PENALTY SHALL BE A FINE OF \$75.00 AND DISTRIBUTED IN ACCORDANCE WITH §12-118 OF THE TRANSPORTATION ARTICLE OF THE MARYLAND ANNOTATED CODE, AS ANY OF THE FOREGOING MAY BE AMENDED FROM TIME TO TIME.

(3) MVA Flagging Fee for Unpaid Citation: \$35.00

(4) Returned Check Fee for Unpaid Citation: \$35.00

(5) If a speed camera or red-light camera citation has not been paid in 30 days, the fee shall

double, and if not paid in 60 days, the fee shall double again for each speed and red-light violation.

- (6) If a speed camera, red-light camera, or parking violation citation/violation has not been paid after 90 days it shall be forwarded to Municipal Collections of America and a collection fee of \$40.00 shall be assessed to each violation in a default or collections status.

SECTION 911.3 DESIGNATION OF SCHOOL ZONES, RESIDENTIAL DISTRICTS AND RED-LIGHT CAMERA INTERSECTIONS

(A) AS REFERENCED IN SECTION 911.2, THE MAYOR AND COMMISSION MAY DESIGNATE CERTAIN ROADWAYS TO BE DESIGNATED AS A SCHOOL ZONE FURTHER DEFINED AS A DESIGNATED ROADWAY SEGMENT OF UP TO A HALF-MILE RADIUS FROM OF A SCHOOL FOR ANY GRADES KINDERGARTEN THROUGH GRADE 12 WHERE SCHOOL-RELATED ACTIVITY OCCURS, INCLUDING TRAVEL BY STUDENTS TO OR FROM SCHOOL ON FOOT OR BY BICYCLE, OR THE DROPPING OFF OR PICKING UP OF STUDENTS BY SCHOOL BUSES OR OTHER VEHICLES ON ANY COUNTY, MUNICIPAL, OR STATE ROAD, AND FURTHER APPROVES AND AUTHORIZES THE USE OF MOBILE OR STATIONARY RED LIGHT CAMERA SYSTEMS PROVIDED FOR RED LIGHT CAMERA ENFORCEMENT AT SIGNALIZED INTERSECTIONS WITHIN THE MUNICIPALITY.

(B) AS REFERENCED IN SECTION 911.2, THE MAYOR AND COMMISSION MAY DESIGNATE CERTAIN ROADWAYS TO BE DESIGNATED AS RESIDENTIAL DISTRICTS AS DEFINED IN SECTION 911.4 SHOULD A DESIGNATED RESIDENTIAL DISTRICT ALSO INCLUDE A SCHOOL ZONE, THEN THE SPEED CAMERA DESIGNATION THAT AFFORDS THE GREATER LEVEL AND DURATION OF PROTECTION TO THE PUBLIC SHALL CONTROL PROVIDED THAT SEGMENT OF ROADWAY MEETS THE PROPER DEFINITION. SAID RESIDENTIAL DISTRICTS ARE INITIALLY DESIGNATED AS FOLLOWS: (1) ALL QUALIFYING MUNICIPAL ROADWAYS WITHIN THE JURISDICTIONAL BOUNDRIES OF THE CITY OF DISTRICT HEIGHTS AS DEEMED BY THE CHIEF OF POLICE 2) SILVER HILL RD AND SCOTT KEY DRIVE 3) ANY OTHER ROADWAY OR LOCATION AS REQUIRED TO PROTECT THE HEALTH, WELFARE, AND SAFETY OF THE RESIDENTS OF DISTRICT HEIGHTS AS PRESCRIBED BY THE CHIEF OF POLICE

(C) THE ROADWAYS CURRENTLY DESIGNATED AS SCHOOL ZONES, UNDER RESOLUTIONS 43-09, 44-09, REGARDING MD-210 AND 05-15 REGARDING MD-414, AND AS DEFINED IN SECTION 15-6(A)(5).

(D) THE INTERSECTIONS CURRENTLY DESIGNATED FOR DEPLOYMENT OF TRAFFIC CONTROL SIGNAL MONITORING SYSTEM(S) ARE AS FOLLOWS: 1) MARLBRO PIKE AND COUNTY RD 2) ANY OTHER ROADWAY OR LOCATION AS REQUIRED TO PROTECT THE HEALTH, WELFARE, AND SAFETY OF THE RESIDENTS OF DISTRICT HEIGHTS AS PRESCRIBED BY THE CHIEF OF POLICE

SECTION 911.4 RED LIGHT CAMERA ENFORCEMENT PROGRAM (TRAFFIC MONITORING SYSTEMS)

- (A) THE USE OF RED LIGHT CAMERAS FOR TRAFFIC CONTROL IS AUTHORIZED AT LOCATIONS WITHIN THE CITY AS DETERMINED BY THE CHIEF OF POLICE.
- (B) THE CITY MAY ENTER INTO APPROPRIATE AGREEMENTS WITH DULY QUALIFIED VENDORS FOR THE FURNISHING OF LABOR, EQUIPMENT AND MAINTENANCE RELATED TO THE INSTALLATION AND OPERATION OF A RED-LIGHT CAMERA ENFORCEMENT PROGRAM. THE CHIEF OF POLICE IS AUTHORIZED TO NEGOTIATE WITH SUCH DULY QUALIFIED VENDORS; PROVIDED, HOWEVER, THAT NO AGREEMENT FOR SUCH LABOR, EQUIPMENT OR MAINTENANCE SHALL BE EFFECTIVE UNTIL FIRST HAVING BEEN DULY APPROVED BY THE CITY COMMISSION.
- (C) THE CITY'S RED LIGHT CAMERA ENFORCEMENT PROGRAM SHALL BE CONDUCTED IN COMPLIANCE WITH ALL APPLICABLE PROVISIONS OF TRANSPORTATION ARTICLE, § 21-202.1, OF THE MARYLAND ANNOTATED CODE, AS AMENDED FROM TIME TO TIME, AND ALL OTHER APPLICABLE LAWS.
- (D) UNLESS THE DRIVER OF A MOTOR VEHICLE RECORDED BY A RED LIGHT CAMERA IN VIOLATION OF TRANSPORTATION ARTICLE, § 21-202(H), OF THE MARYLAND ANNOTATED CODE, AS AMENDED FROM TIME TO TIME, RECEIVED A CITATION FROM A POLICE OFFICER AT THE TIME OF THE VIOLATION, THE OWNER OR, IN ACCORDANCE WITH TRANSPORTATION ARTICLE, § 21-202.1(G)(5), OF THE MARYLAND ANNOTATED CODE, AS AMENDED FROM TIME TO TIME, SHALL BE GUILTY OF A MUNICIPAL INFRACTION AND SUBJECT TO A CIVIL PENALTY OF \$100. THE CITY MAY ALSO COLLECT THOSE ADMINISTRATIVE FEES SET FORTH IN § 150-73 RELATED TO THE IMPLEMENTATION OF A RED-LIGHT CAMERA ENFORCEMENT PROGRAM WITHIN THE CITY.

SECTION 2. AND BE IT FURTHER ORDAINED AND ENACTED, that any prior ordinances adopting and enacting any provision of Article IX of said Code or any other ordinance or resolution previously adopted pertaining to a subject or subjects embodied by the title of this Ordinance or the provisions found herein shall be deemed repealed and superseded by the provisions of this Ordinance. Should a previously enacted ordinance cover a provision or subject that is not covered by this Ordinance, it shall remain in full force and effect unless it directly conflicts with the express language of this Ordinance.

SECTION 3. AND BE IT FURTHER ORDAINED AND ENACTED, that this Ordinance shall take effect thirty (30) calendar days following adoption by the City Commission, having been passed by the required yea and nay votes of the Mayor and Commission of the City of District Heights, and the City Manager is authorized to execute a contract for collections services as attached in Exhibit A; and

SECTION 4. AND BE IT FURTHER ORDAINED AND ENACTED, that upon passage, the City Clerk shall cause to be published a summary of this Ordinance at least twice in the City newsletter or a newspaper having general circulation within the City of District Heights.

HAVING BEEN INTRODUCED AND HAVING BEEN READ as an ordinance and passed by a yea and nay vote of the Mayor and Commission of the City of District Heights with the affirmative votes of at least four (3) of the members of the legislative body including the Mayor as indicated below at a Public Meeting of The Mayor and Commission of the City of District Heights held on this ___ day of _____ 2023, at _____ o'clock __.m., in the Municipal Building in District Heights, Maryland.

PASSED this ___ day of April 2023.

<u>ROLL CALL VOTE</u>	<u>YEA/NAY/ABSTAIN/ABSENT</u>
MILLER	_____
HARCOURT	_____
JANIFER	_____
TILGHMAN	_____
GOMEZ	_____

I HEREBY CERTIFY that the above Ordinance __ - 23 was passed by the required ye and nay vote of the Mayor and Council of District Heights on the ___ day of April 2023.

ATTEST:

THE CITY OF DISTRICT HEIGHTS

Starr Jefferson, City Clerk

By: _____
Cynthia Miller, Mayor

By: _____
Xander Harcourt, Vice Mayor

CERTIFICATION

I HEREBY CERTIFY that following its passage, a summary of this Ordinance No. __ -23 has been published at least twice in the City newsletter or a newspaper having general circulation in the City of District Heights and that an executed copy of this ordinance has been delivered to General Code, LLC for codification.

Date: _____

Starr Jefferson, City Clerk

(Exhibit A – Contract with Municipal Collections of America)

COLLECTION SERVICES AGREEMENT
Municipal Collections of America, Inc

This COLLECTION SERVICES AGREEMENT, made the ___ day of _____, 2023 by and between Municipal Collections of America, Inc, (MCOA) an Illinois corporation, and the City of District Heights, Maryland, a municipal corporation in the State of Maryland (hereinafter referred to as THE MUNICIPALITY).

WHEREAS, MCOA is an Illinois corporation duly licensed to operate as a collection agency in the State of Maryland, and;

WHEREAS, MCOA possesses the personnel, experience, expertise, and equipment to effectively aid THE MUNICIPALITY in collecting the said fines through an effective collection process and;

WHEREAS, THE MUNICIPALITY may wish to list certain other debts with MCOA for collection from time to time and MCOA may wish to accept such claims for collection. MCOA retains the right to reject any debt submitted for collection and will provide explanation for such action if taken.

MCOA and THE MUNICIPALITY do hereby agree as follows:

ARTICLE I

THE MUNICIPALITY agrees that any debts and/or fines listed for collection with MCOA will be collected and administered pursuant to all the terms and conditions in this Agreement.

All municipal debts and fines listed for collection will be forwarded to MCOA, using the forms and procedures designated by MCOA.

Upon request of MCOA, THE MUNICIPALITY will provide certified copies of any documentation deemed necessary for use by MCOA in its collection efforts in a timely manner.

MCOA will acknowledge receipt of any violations listed for collection within five days thereof.

ARTICLE II

MCOA agrees to use its best efforts and any lawful means which in its judgment and discretion it believes will result in the collection of the debts/fines which are listed for collections. This may include the use of collection letters, phone calls, skip-tracing, MVA Flagging, or any other program or method made available by local ordinance or State statute.

ARTICLE III

No fees will be payable to MCOA unless money is collected, at which time MCOA will be paid as follows:

Option 1: MCOA shall receive **25.92%** of the balance paid on any debt in which THE MUNICIPALITY has previously added a 35% collection fee at delinquency to the debt prior to listing it with MCOA.

Option 2: MCOA shall receive **35%** of the balance paid on any debt in which THE MUNICIPALITY has not added a collection fee at delinquency.

All debts shall be designated as either **Option 1** or **Option 2** prior to MCOA commencing collection efforts.

ARTICLE IV

Upon THE MUNICIPALITY'S listing of the violation for collection, MCOA shall have the exclusive right to collect the amounts owed thereunder until such time as it determines the debt is uncollectable or THE MUNICIPALITY requests return of the violation to THE MUNICIPALITY. Any inquiries concerning any debt listed for collections, including attempts to make payment, shall be referred at the earliest possible time to MCOA.

MCOA will deposit any money collected in THE MUNICIPALITY'S separate bank trust account established for that purpose.

After deduction of the fees allowable by this Agreement, MCOA will forward to THE MUNICIPALITY, its share of any amounts collected. Remittance to the MUNICIPALITY will be made by the 15th of the month for any amounts collected by the last day of the preceding month.

In the event that any funds are paid to THE MUNICIPALITY for violations which have been listed for collection, THE MUNICIPALITY will report such collections to MCOA daily for accounting under this Article.

ARTICLE V

THE MUNICIPALITY hereby authorizes MCOA to accept a negotiated settlement on any violations listed for collection. However, unless otherwise authorized by the MUNICIPALITY, any such settlements shall be no less than 100% of the available balance.

Should THE MUNICIPALITY make any settlement or otherwise takes any action in derogation of MCOA's exclusive right to collect on any violation listed for collection, then MCOA shall be entitled to payment in full, as delineated in Article III hereof, based on the full amount of the violation, as listed. Any such payments which may become due may be deducted from the MUNICIPALITY'S next monthly payment from MCOA.

ARTICLE VI

MCOA agrees to indemnify and hold THE MUNICIPALITY harmless against any and all liability, costs and expenses including attorney fees, occasioned by claims or suits for loss or damages arising out of the acts of the agents, servants or employees of MCOA during the term of this Agreement. MCOA shall defend and indemnify THE MUNICIPALITY from any claim or action arising out of MCOA's performance or non-performance of its obligations under this agreement, including but not limited to any violation of the Fair Debt Collection Practice Act, any law dealing with the credit rating of any individual, and other applicable laws arising out of the acts or omissions of MCOA or its agents or employees. Conversely, THE MUNICIPALITY agrees to indemnify and hold MCOA harmless against any and all liability, costs and expenses including attorney fees, occasioned by the claims or suits for loss or damages arising out of the acts of THE MUNICIPALITY, its servants or employees.

Further, the MUNICIPALITY warrants and represents to MCOA that any debt listed for collection will be a legal and valid debt owed to the MUNICIPALITY; and in addition to the indemnities listed above, the MUNICIPALITY agrees to indemnify and hold MCOA harmless against any and all liability, costs, and expenses including attorneys' fees occasioned by claims or suits under the Federal "Fair Debt Collection Practices Act", due to the breach of these warranties and representations.

ARTICLE VII

This Agreement is for a period of 24 months from the date first above written, however, it shall continue under the same terms and conditions for additional one-year periods until termination by either party, by notice given in writing to the other party, at least sixty days prior to termination.

