

THE TOWN OF FOREST HEIGHTS
RESOLUTION 01-17

A RESOLUTION TO APPROVE AN AGREEMENT BETWEEN THE TOWN OF FOREST HEIGHTS (THE “TOWN”) AND GATSO USA, INC. FOR THE AUTOMATED SPEED ENFORCEMENT PROGRAM AND GENERALLY RELATING TO CONTRACTUAL SERVICES FOR SPEED MONITORING SYSTEMS

Introduced By: Mayor Jacqueline Goodall

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

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

WHEREAS, on August 19, 2009, Resolution 43-09 was approved establishing school zones within the Town, and that same day Resolution 44-09 authorized the use of speed cameras, and also on that same day Resolution 45-09 approved an initial speed camera service agreement with a vendor, namely Optotraffic; and

WHEREAS, the Town on June 30, 2016 delivered to Optotraffic a Notice of Intent to Terminate Contract regarding said Service Agreement on the anniversary date of October 3, 2016; however, the Town later rescinded said Notice and instead agreed to amend the Agreement thereby allowing the parties additional time to negotiate a new agreement prior to the statutory deadline mandated to prohibit the “bounty system” or otherwise terminate the Agreement with thirty days written notice or no later than the statutory compliance deadline of June 1, 2017; and

WHEREAS, the Mayor and Town Council finds that it is in the best interest of the Town to hereby provide notice to terminate the existing contract with the current vendor and instead enter into a new service agreement with Gatso USA, Inc.; and

WHEREAS, the parties desire to approve a Customer Agreement with Gatso USA, Inc. in accordance with the terms and conditions as set forth therein.

NOW THEREFORE BE IT RESOLVED, that the Town Council hereby approves and authorizes the Mayor to execute on behalf of the Town a Customer Agreement For Automated Speed Enforcement Program Services by and between The Town of Forest Heights, Maryland and Gatso, USA, Inc. (the “Customer Agreement”), including any terms, conditions or obligations found therein, dated the 9th day of January, 2017, which is attached hereto and incorporated by reference herein as Exhibit 1; and

BE IT FURTHER RESOLVED, that upon consultation and coordination with Gatso USA, Inc., Optotraffic, LLC, the Forest Heights Police Department, the State Highway Administration’s District Engineer and the Director of the Prince George’s County Department of Public Works and Transportation, and at the appropriate time the Mayor or her designee shall give thirty days written notice to Optotraffic, LLC to terminate the current vendor agreement in

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effect in accordance with the Second Amendment to the Service Agreement Between the Town of Forest Heights, Maryland and Optotraffic, LLC and continue with the transition to a new vendor; and

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

PASSED this 9th day of January 2017.

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

<u>ROLL CALL VOTE</u>	<u>YEA/NAY/ABSTAIN/ABSENT</u>
GOODALL	<u>YEA</u>
KENNEDY	<u>YEA</u>
MCLAURIN	<u>YEA</u>
BARNES	<u>YEA</u>
MANN	<u>YEA</u>
SMITH-BARNES	<u>YEA</u>
MUHAMMAD	<u>YEA</u>

ATTEST:

THE TOWN OF FOREST HEIGHTS,
MARYLAND

Signature on file

Bonita C. Anderson, Town Clerk

Signature on file

By: _____
Jacqueline Goodall, Mayor

Signature on file

By: _____
Cynthia Mann, Council President

[Exhibit 1 – Customer Agreement For Automated Speed Enforcement Program Services]

CERTIFICATION

I, hereby certify, as the duly appointed Town Clerk of the Town of Forest Heights, Maryland, that on the 9th day of January 2017 with 7 Aye votes and 0 Nay votes the aforesaid Resolution 01-17 passed.

Signature on file

Bonita Anderson, Town Clerk