

## The Town of Upper Marlboro

RESOLUTION: 2021-18  
SESSION: Regular Town Meeting  
DATE: July 13<sup>th</sup>, 2021

### **A RESOLUTION OF THE BOARD OF COMMISSIONERS FOR THE TOWN OF UPPER MARLBORO TO APPROVE CERTAIN AMENDMENTS TO THE MEMORANDUM OF UNDERSTANDING BETWEEN PRINCE GEORGE’S COUNTY, MARYLAND AND THE TOWN OF UPPER MARLBORO, MARYLAND FOR JURISDICTIONAL POLICE SERVICES THEREBY EXTENDING ITS TERM THRU 2023**

**WHEREAS**, the Town Charter, Section 82-16(2)(m) authorizes the Board of Commissioners to pass certain legislation to make agreements with other municipalities, counties, districts, bureaus, commissions, and governmental authorities for the joint performance of or for cooperation in the performance of any governmental functions; and

**WHEREAS**, pursuant to Criminal Procedure Art., Section 2-105(b), by action as in the regular routine for legislative enactment, the governing body of a county or municipal corporation may determine the circumstances under which the police officers and other officers, agents, and employees of the county or municipal corporation, together with all necessary equipment, may lawfully go or be sent beyond the boundaries of the county or municipal corporation to any place within or outside the State; and

**WHEREAS**, pursuant to said Section 2-105(e)(1) of the Annotated Code of Maryland, the governing body of a county or municipal corporation may make a reciprocal agreement for the period that it considers advisable with a county, or municipal corporation, within or outside the State, and establish and carry out a plan to provide mutual aid by providing its police officers and other officers, employees, and agents, together with all necessary equipment; and

**WHEREAS**, pursuant to said Section 2-105(e)(2), a county, municipal corporation, or the Maryland-National Capital Park and Planning Commission may not make a reciprocal agreement unless the agreement provides that each party shall: (i) waive any and all claims that are against the other parties to the agreement and that may arise out of their activities outside their respective jurisdictions under the agreement; and (ii) indemnify and hold harmless the other parties to the agreement from all claims by third parties that are for property damage or personal injury and that may arise out of the activities of the other parties to the agreement outside their respective jurisdictions under the agreement; and

**WHEREAS**, the Board, by Emergency Ordinance 2019-06, approved and ratified a mutual aid agreement entitled “Memorandum of Understanding between Prince George’s County, Maryland and the Town of Upper Marlboro, Maryland for Jurisdictional Police Services,” (the “MOU”) that was signed by the respective jurisdictions’ chiefs of police on or about December 8, 2016; and

**WHEREAS**, the Board of Commissioners finds that the MOU signed with the County Police in 2019 is set to expire in September and the parties are prepared to sign the same agreement again to extend it thru 2023 after updating the names therein and further finds that it has not changed substantially in form relative to the 2019 version as authorized by Emergency Ordinance 2019-06.

## The Town of Upper Marlboro

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF UPPER MARLBORO that the Board, concurs with and approves the revised and updated mutual aid agreement entitled "Memorandum of Understanding between Prince George's County, Maryland and the Town of Upper Marlboro, Maryland for Jurisdictional Police Services (2021-2023)," attached hereto as Exhibit A.

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately upon passage and that the President/Mayor or her designee is authorized to execute the subject MOU and any related documents.

**PASSED** by the Board of Commissioners of the Town of Upper Marlboro, Maryland at a regular meeting on the 13 day of July, 2021.

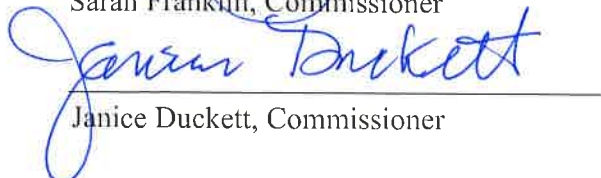
ATTEST:

BOARD OF COMMISSIONERS OF THE TOWN  
OF UPPER MARLBORO, MARYLAND

  
John Hoatson, Clerk

  
Linda Pennoyer, President

  
Sarah Franklin, Commissioner

  
Janice Duckett, Commissioner

[Exhibit A - Memorandum of Understanding between Prince George's County, Maryland and the Town of Upper Marlboro, Maryland for Jurisdictional Police Services,"]

### CERTIFICATION

I, the undersigned, hereby certify that I am the Clerk of the Town of Upper Marlboro and that the Board of Town Commissioners of the Town of Upper Marlboro at a public meeting at which a quorum was present adopted this Resolution, and that said Resolution is in full force and effect and has not been amended or repealed. In witness whereof, I have hereunto set my hand and seal of the municipal corporation, this 13 day of July, 2021.

  
John Hoatson, Town Clerk