

Memo

To: Mayor and City Council

From: Jim Chandler, Assistant City Administrator and Director, Community & Economic Development

CC: Tracey Douglas, City Administrator
Lesley Riddle, Director, Public Works
Taylor Robey, Transportation Manager, Public Works

Date: November 28, 2022

Re: Traffic Signal Easement Agreement – Dewey Parcels

Attachments: Traffic Signal Easement Agreement and Exhibits

The purpose of this memorandum is to provide the City Council with a summary a request by Prince George's County Department of Public Works & Transportation (DPW&T) to grant a Traffic Signal Easement (TSE) at Belcrest Road and Melville Street, the newly created public roadway as part of the Dewey Parcel development.

Project Summary

- DPW&T has determined that a new traffic signal is to be required of the applicant at at Belcrest Road and Melville Street, the newly created public roadway as part of the Dewey Parcel development.
- The new public roadway is to be built to the Prince George's County Urban Street Standard and dedicated to the City of Hyattsville.
- City staff has reviewed the request and supports the applicants request to grant TSE to Prince George's County DPW&T.

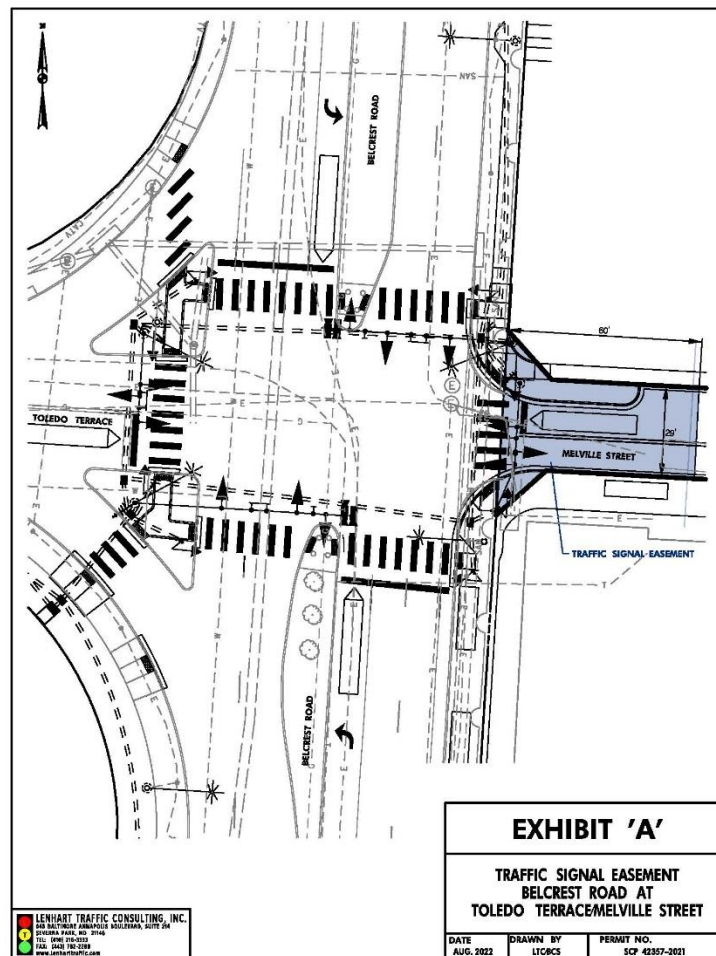
Traffic Signal Easement

A traffic signal easement conveys the right to construct, maintain, readjust and relocate a traffic signal with all other necessary appurtenances (i.e. signal poles, mast arms, down guy assemblies, underground cables, etc) outside regular roadway rights-of-way and includes the right of ingress and egress. In this specific instance, the easement conveys to the developer the right to construct the traffic signal improvements within the land areas of the City and Prince George's County and then assigns the responsibility of maintenance and operations to Prince George's County DPW&T.

As a requirement of the development approval of the Dewey Parcel CSP-00024, PPS 4-18022, PPS 4-19033, DSP-19050, and DSP-19050-01), the applicant was required to construct a new public roadway, built to Prince George's County Urban Street Standards, which then was to be dedicated to the City. The new roadway, Melville Street, intersects a Belcrest Road, which is owned and operated by Prince George's County DPW&T.

Per Sec. 26-120 of Prince George's County Code, the Director has determined that a traffic control device is warranted at new traffic signal is to be required of the applicant at Belcrest Road and Melville Street, the newly created public roadway as part of the Dewey Parcel development.

Exhibit A



The City Attorney's office has reviewed the easement request and has drafted a Traffic Signal Easement Agreement, which includes the following:

- The County is responsible for restoration of roadway surface;
- Any related shall be performed by the County in an expeditious manner consistent with generally accepted construction practices so as to minimize interference with any of the City's operations;
- The traffic signal equipment shall remain the property of the County;

- The County's sole cost and expense, all repairs, maintenance, improvements and replacements of the traffic signal equipment;
- The County shall be responsible for obtaining all necessary permits and/or other approvals concerning its installation and operation of the Facilities that may be required by local, federal, or state law.
- The County, its successors and assigns, agree to indemnify and hold harmless the City against any and all claims, judgments, costs, awards, liability, loss, damage, suit or expense of any kind;
- Any notices to be given hereunder shall be in writing, shall be delivered personally or by regular overnight courier service, or by certified mail, postage pre-paid, addressed to the respective parties at the addresses set forth at the beginning of this Agreement, or any successor at any address which they shall give notice of to the other party.

Recommendation

The Staff is recommending the City Council's authorization to proceed with approval of the Traffic Signal Easement agreement, which will be finalized and shared with both the applicant and Prince George's County DPW&T.