



City of Bowie

Regular City Council Meeting

Monday, November 21, 2022
Council Chambers - 8 p.m.

AGENDA

- I. **CALL MEETING TO ORDER**
- II. **PLEDGE OF ALLEGIANCE**
- III. **QUORUM**
- IV. **AGENDA ADDITIONS/DELETIONS/AMENDMENTS**
- V. **CITIZEN PARTICIPATION**
- VI. **PRESENTATIONS**
 - A. Presentation of Proclamation P-29-22 to Zonta International
- VII. **CITY BOARDS AND COMMITTEES**
 - A. Appointments/Reappointments/Swearing-In
- VIII. **COUNCIL ANNOUNCEMENTS**
- IX. **CITY MANAGER'S REPORT**
- X. **CONSENT AGENDA**
 - A. Approval of November 7, 2022 Meeting Minutes
 - B. Adoption of Resolution R-66-22 Authorizing the Issuance of a Purchase Order to Gant Brunnett Architects, Inc. for Task Order/RFP#7-10 in Accordance with the Master Contract Approved on January 7, 2019
 - C. Adoption of Resolution R-67-22 Authorizing the Issuance of a Purchase Order to EBA Engineering, Inc. for Task Order/RFP#5-03 in Accordance with the Master Contract Approved on January 22, 2019
- XI. **OLD BUSINESS**
 - A. Adoption of Ordinance O-6-22 Amending the Code of the City of Bowie, Maryland, Chapter 2, "Administration," Article V, "Public Ethics," to Incorporate Changes Required by State Law to Local Ethics Ordinances Regarding Conflicts of Interest (City Code, Sec. 2-70) and Financial Disclosures (City Code, Sec. 2-68 and 2-71) - **Public Hearing/Eligible for Action**
- XII. **NEW BUSINESS**
 - A. South Lake Update - The developers of South Lake will provide to Council an update on the development
 - B. Judah Village Letter of Support

- C. Discussion on possible creation of a Natural Exploration Area for Children and Families in the City of Bowie

XIII. ADJOURNMENT AND MOVE TO CLOSE SESSION:

To adjourn to closed session under the statutory authority of the Md. Annotated Code, General Provisions Article §3-305(b)(3): "To consider the acquisition of real property for a public purpose and matters directly related thereto" and §3-305(b)(7): "To consult with counsel to obtain legal advice".

Note: The Ethics Commission has advised that under certain circumstances, members of the public may qualify as lobbyists when they testify before the City Council. If so, the Bowie Ethics Ordinance requires that certain information be filed with the Ethics Commission. Please review the information about lobbying that is provided with the City Clerk. If you have any questions about lobbying, please contact the Ethics Commission or the Assistant City Manager.

This meeting will be televised live on Verizon Channel 10 and Comcast Channel 71 and 996, repeated on 11/23/22 and 11/26/22 at 7:00 p.m., and [web-streamed live](#).

For a closed-captioned version of the meeting video, please go to <https://www.youtube.com/user/cityofbowiemd/playlists> and select the 2022 Council Meetings list. Once the meeting video opens, be sure to click on "CC" button to turn on closed captioning.

NEXT REGULAR MEETING OF THE BOWIE CITY COUNCIL - MONDAY, DECEMBER 5, 2022 - COUNCIL CHAMBERS - 8:00 P.M.



Memorandum

TO: City Council

FROM: Alfred Lott, City Manager

SUBJECT: Presentation of Proclamation P-29-22 to Zonta International

DATE: 11/17/2022

ATTACHMENTS: 1. 20221121 - Proclamation P-29-22

PROCLAMATION
OF THE COUNCIL OF THE CITY OF BOWIE, MARYLAND
HONORING AND RECOGNIZING ZONTA INTERNATIONAL
FOR THEIR GLOBAL THEME:
“ORANGE THE WORLD! END VIOLENCE AGAINST WOMEN NOW!”

WHEREAS, Zonta International is a leading global organization of professionals empowering women worldwide through service and advocacy; and

WHEREAS, Zonta International was first established in 1919 and is now made up of more than 27,000 individuals in 1,133 Zonta Clubs in 62 countries; and

WHEREAS, Zonta International envisions a world in which women’s rights are recognized as human rights and every woman is able to achieve her full potential, have access to all resources, are represented in decision-making positions on an equal basis with men, and do not live in fear of violence; and

WHEREAS, this year’s 16 Days of Activism against Gender-Based Violence runs from November 25th to December 10th; and

WHEREAS, Zonta International’s global theme is “Orange the World: End Violence Against Women Now!”; and

WHEREAS, the color orange is used to represent a brighter future free of violence against women and girls and the theme ties directly into the vision of Zonta International.

NOW, THEREFORE, BE IT PROCLAIMED that the Council of the City of Bowie, Maryland hereby honor and recognize Zonta International for their global theme and worldwide work empowering women and girls.

INTRODUCED AND PASSED by the Council of the City of Bowie, Maryland at a Regular Meeting on November 21, 2022.

Attest:

Timothy J. Adams, Mayor

Awilda Hernandez, City Clerk



Memorandum

TO: City Council

FROM: Awilda Hernandez, City Clerk

SUBJECT: City Committee Appointments/Reappointments/Swearing-In

DATE: 11/17/2022

Committee Appointments and Swearing-in:

1. Mr. Ethan Leach was interviewed on October 3 for appointment to the Green Team Executive Committee. Council concurred to appoint him to the committee as a youth member for a 2-year term. Please move to appoint him.
2. Mr. Preston Thomas III was interviewed on November 7 for appointment to the Community Outreach Committee and the Green Team Executive Committee. Council concurred to appoint him to the committees as a member for 2-year terms. Please move to appoint him.

ATTACHMENTS: None

REGULAR CITY COUNCIL MEETING MINUTES

MONDAY, NOVEMBER 7, 2022

CALL MEETING TO ORDER:

The Regular Meeting of the Bowie City Council was held on Monday, November 7, 2022, in the Council Chambers at City Hall. Mayor Adams called the meeting to order at 8:04 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG:

Mayor Adams led the Pledge of Allegiance to the Flag.

QUORUM:

In attendance were Mayor Adams, Councilmembers Esteve, Gardner, Harrison, Ndebumadu and Woolfley, City Manager Lott, Assistant City Manager Mears, City Attorney Levan, City Clerk Hernandez, and Staff.

CITIZEN PARTICIPATION:

One comment was received via email and it is attached as part of the record for this meeting.

1. Connie Carter, Rustic Hill Dr. – Spoke in regard to the charter school presentation.
2. John Teasdale, Vice Chair of the Environmental Advisory Committee – Comment attached.
3. Darius Hyman, Pointer Ridge Elem. PTA – Requested a letter of support from the Council to prevent the closure of Pointer Ridge Elementary School.

PRESENTATIONS:

Ms. Tisha Hillman from the City's Diversity Committee read an excerpt on American Indian Heritage Month.

CITY BOARDS AND COMMITTEES:

A. Appointments/Reappointments/Swearing-In:

1. Councilmember Harrison motioned to reappoint Sonia Huntley and Yolanda Jones to the Board of Elections for a 2-year term. Councilmember Woolfley second the motion. Motion passed 6-0.
2. Councilmember Harrison motioned to appoint Veronica Fountain to the Economic Development Committee for a 2-year term. Councilmember Gardner second the motion. Motion passed 6-0.
3. Mayor Adams swore in Ms. Fountain as a regular member to the Economic Development Committee for a two-year term.

COUNCIL ANNOUNCEMENTS:

Mayor Adams reminded residents to go out and vote on Tuesday, November 8, 2022.

Councilmember Esteve commented on some City projects that have been delayed, Whitemarsh Bridge and trail connection from Adnell Woods to Bowie State. City continues to work on them and hope to finalize them in the next few months.

CONSENT AGENDA:

Councilmember Harrison made a motion to approve Consent Agenda items: A) Approval of October 17, 2022 Meeting Minutes; B) Adoption of Proclamation P-26-22 Observing Veteran's Day, November 11, 2022; C) Adoption of Proclamation P-27-22 Proclaiming the Month of November as Municipal Government Works Month in the City of Bowie; D) Adoption of Proclamation P-28-22 Proclaiming November 2022 as Family Court Awareness Month in the City of Bowie; E) Adoption of Resolution R-60-22 Accepting Bid Proposal for Street Resurfacing and Cold Milling; F) Adoption of Resolution R-61-22 Authorizing the Issuance of a Purchase Order to Rummel, Klepper & Kahl, LLP for Task Order/RFP#1-12 in Accordance With the Master Contract Approved on October 31, 2018; G) Adoption of Resolution R-62-22 Establishing a "No Net Loss" Policy for the City's Tree Canopy Coverage; H) Adoption of Resolution R-63-22 Approving the Award of the City's Education Committee FY23 Grants; I) Adoption of Resolution R-64-22 Approving the Award of the City's Community Outreach Committee FY23 Grants; J) Adoption of Resolution R-65-22 Authorizing the Issuance of a Purchase Order to Gant Brunnnett Architects, Inc. for Task Order/RFP#7-13 in Accordance With the Master Contract Approved on January 7, 2019; K) Introduction of Ordinance O-6-22 Amending the Code of the City of Bowie, Maryland, Chapter 2, "Administration," Article V, "Public Ethics," to Incorporate Changes Required by State Law to Local Ethics Ordinances Regarding Conflicts of Interest (City Code, Sec. 2-70) and Financial Disclosures (City Code, Sec. 2-68 and 2-71). Councilmember Gardner seconded the motion. Motion passed 6-0.

OLD BUSINESS:

A. Adoption of Resolution R-54-22 for Category 2 Designation and Water Service Connection for the Property at 13314 Forest Drive, Bowie, Maryland – City Manager Lott commented that this item was brought back to Council at their request after notices were sent to all the homeowners of the neighborhood informing them of the requested change. Letters went out early last week.

Public Hearing:

Since there were no comments submitted and no one signed up to speak, Mayor Adams declared the Public Hearing to have been held.

Councilmember Woolfley motioned to adopt Resolution R-54-22. Councilmember Esteve second the motion. Motion passed 6-0.

NEW BUSINESS:

A. BGE Update to City Council – Mr. David Wright from BGE briefed Council on the July 12, 2022 storm outcome. Over 149,000 customers were impacted system-wide; 1,230 additional personnel were brought in through mutual assistance; outages within Bowie were approaching 7,000 customers. Their restoration approach focuses on customer safety as well as medical and emergency services receiving first priority. Next, main power lines and equipment that restore largest number of customers. Finally,

individual transformers/smaller lines to individual homes/businesses, as well as customers out the longest.

Councilmember Esteve asked how does BGE get initially notified of storm damages and/or power outages. Mr. Wright responded that due to the technology in the new smart meters, they start receiving pings from the meters once service has been interrupted. At that point they dispatch actual people to the locations to access disruption/damages.

Councilmember Esteve then stated that another complaint he received from his constituents was the incorrect restoration timeframes they were getting from the automated system from BGE. The days and times were never accurate. Mr. Wright responded that with the magnitude of this storm they did experience a challenge in providing accurate timeframes. BGE is working on a better automated system for reporting repair time frames to customers.

Another question from Councilmember Esteve was in regard to residents being told by contractors they hire for yard/tree work, that they are not able to do it if its within 10 feet of power line poles. Mr. Wright replied that that is accurate, it is a state law.

Councilmember Woolfley commented that he would like to see a better line of communication between BGE and the City's departments, mainly Emergency Management, Police and Communications.

Mayor Adams thanked Mr. Wright for his presentation.

B. Friendship Aspire Academy Public Charter School Information Presentation – Mr. Joe Harris, CEO of Friendship Schools described the concept of the charter school to Council. The school design would include Science, Technology, Engineering, Arts and Math (STEM Program) in a project-based environment. They envision starting with a K-1 for the first year and then growing one grade level each year until they reach 5th grade. The max enrollment once they reach the 5th grade level would be about 480 students. They have looked at several properties within Bowie as potential sites for the school, one of them being the old montesorri school off Rustic Hill Dr. Mr. Harris also requested from Council a letter of support to be used for their application to PGCPs. Council concurred to provide a letter of support.

Mayor Adams thanked Mr. Harris for his presentation.

C. Adoption of Resolution R-57-22 Adopting the Housing and Community Development Consolidated Annual Performance and Evaluation Plan (CAPER) for Fiscal Year 2022 (HUD FY21) – Mr. George Jones, Grants Manager summarized the staff report. The Consolidated Annual Performance and Evaluation Report (CAPER), developed with citizen participation, identified the extent to which the City has satisfied specific goals and objectives delineated in its Annual Action Plan for Fiscal Year 2022. The CDBG program supports the Single-Family Housing Rehabilitation Program, Fair Housing Training and Workforce Development Training.

Public Hearing:

Since there were no comments submitted and no one signed up to speak, Mayor Adams declared the Public Hearing to have been held.

Councilmember Gardner motioned to adopt Resolution R-57-22. Councilmember Esteve second the motion. Motion passed 5-0 (Ndebumadu not present).

D. Adoption of Emergency Ordinance O-5-22 Amending the Adopted Budget for the Fiscal Year Beginning July 1, 2022 and Ending June 30, 2023, as Embodied in Ordinance O-1-22, as Amended to Reflect Appropriate Funds for the Following Project: Emergency Procurement for the Repair of a Collapsed Sewer – Finance Director, H. Byron Matthews summarized the ordinance. The emergency procurement is needed for a collapsed sewer at Violetwood Place. The 8” sewer line unexpectedly collapsed which caused sanitary sewer overflow into an adjacent stream, a tributary to the Patuxent River. The bypass pumping and emergency repairs of the sewer line was quoted at \$154,000. There is a 20% contingency on top of the quote to account for the price spike associated with the supply chain issues. A supplemental budget appropriation in the amount of \$184,800.00 is needed for this emergency repair.

Public Hearing:

Since there were no comments submitted and no one signed up to speak, Mayor Adams declared the Public Hearing to have been held.

Councilmember Esteve motioned to adopt Emergency Ordinance O-5-22. Councilmember Gardner second the motion. Motion passed 5-0 (Ndebumadu not present).

E. Adoption of Resolution R-59-22 Waiving the Competitive Bidding Requirements of Section 61 “Purchasing and Contracting” of the Charter of the City of Bowie to Allow for Emergency Procurement of Sewer Repair at Violetwood Place – Authorizing an agreement with Ross Contracting, Inc. for the repair of the collapsed sewer line on Violetwood Place.

Councilmember Esteve motioned to adopt Resolution R-59-22. Councilmember Harrison second the motion. Motion passed 6-0.

ADJOURNMENT AND MOVE TO CLOSE SESSION:

Councilmember Woolfley motioned to adjourn the Regular City Council meeting and move to Close Session under the statutory authority of the Md. Annotated Code, General Provisions Article §3-305(b)(7): “To consult with counsel to obtain legal advice.” Councilmember Esteve second the motion. Motion passed 6-0. The meeting adjourned at 10:13 p.m.

Respectfully submitted,

Awilda Hernandez, MMC
City Clerk

From: nurbiz@verizon.net
To: [Awilda Hernandez](#)
Cc: [Timothy Adams](#); [Rosann Ndebumadu](#); [Michael Esteve](#); [Dufour Woolfley](#); [Adrian Boafu](#); [Ingrid Harrison](#); [Henri Gardner](#)
Subject: {EXTERNAL}: Nov. 7, 2022 Meeting; V. Citizen Participation & XII. New Business: Friendship Aspire Academy Public Charter School
Date: Monday, November 7, 2022 5:37:55 AM

DATE: Monday, November 7, 2022

TO: Awilda Hernandez, City Clerk
City of Bowie, Maryland

FR: Mrs. Terry Nuriddin, 15201 Johnstone Lane, Bowie, MD 20721

RE: November 7, 2022 City Council Meeting; V. Citizen Participation and XII. New Business: Friendship Aspire Academy Public Charter School Information Presentation

cc: Public Files

Good Day. This is Terry Nuriddin of Collington Station. Hope all is well.

My family opposes the establishment of the Friendship Aspire Academy Public Charter School. We believe public funds should be used for public education in traditional public schools as the Founding Fathers intended in order to enlighten, unite, and balance young minds in one generation to become the befriended adults in the next generation who, together, will be aspired to preserve our democracy.

The promotion that Charter Schools provide a meaningful education is marketed vigorously by public officials. In Prince George's County, the opportunity for that meaningful education is by chance, i.e., a lottery. That our society must use a lottery system as selection criteria is not only a sad commentary on the Charter School value system, but also on our contemporary mores. Why must striving for academic achievement be dependent on a forced faith in chance? We believe this implied message sent by the explicit actions of public and education leaders harms the core values of our youth over time. And, are the students' well-being ever assessed after a charter school is closed for mismanagement, non-compliance, or any other reason?

As we have shared before, education for our children should be our foremost priority because they are the future. Yet, testimonies at public school board meeting have revealed that County traditional public schools are still plagued with poor maintenance issues, non-ADA compliance, and teacher and bus driver shortages. On a 2022-23 school supply list one will find a request for janitorial and sanitation supplies even though we have had additional federal money flow into the County.

My family values the traditional public school. We have participated in efforts to save Pointer Ridge Elementary School; and we realize this struggle will be ongoing.... But the research has been enlightening. We have learned that 10 years ago, efforts by a former Bowie Councilmember and others helped provide "an updated playground" for Pointer Ridge. Today, the community strives to keep the school doors open and the academic achievers in a happy familiar learning environ after enduring an historic jarring event, the pandemic.

A nourishing K-12 traditional public education strategy is essential for our well-being as a functioning society. Let not our public officials continue to leave this important task to chance. It is for these reasons, we oppose the establishment of the Friendship Aspire Academy Public Charter School in Bowie, and ask public officials to do the same.

This email has been scanned for spam and viruses by Proofpoint Essentials. Click [here](#) to

report this email as spam.

R-62-22 ESTABLISHING A “NO NET LOSS” POLICY FOR THE CITY’S TREE CANOPY COVERAGE

The Environmental Advisory Committee has been a strong advocate for maintaining the urban tree canopy in Bowie for many years. In 2012, we proposed the urban tree canopy goal of 45% that was approved in resolution R-56-12. In 2020, the EAC played a key role in developing the City Climate Action Plan that calls for expanding the City tree canopy to sequester more carbon from the atmosphere. In 2013, EAC advocated for a no-net-loss policy for city street trees, and in 2021, for a similar no-net-loss policy for woodlands in the Development Review Guidelines.

Verification of our urban tree canopy goal was limited for many years by the inability to accurately measure the tree canopy cover. Recently, the City has obtained access to accurate remote sensing data that will provide the means to measure the City urban tree canopy on a regular basis. The most recent data shows the Bowie tree canopy to be 44.1%, close to, but not yet at our 45% goal. The no-net-loss policy will ensure that we do not lose ground in our efforts to meet our tree canopy objectives.

This policy should become a particularly important reference point when considering several development projects that have been or will be reviewed by the City and Council in coming months. The innumerable benefits that trees provide to the City must be considered along with the economic gains from development. Note that intact forests are particularly beneficial for providing ecological services compared to a fragmented tree canopy.

I recently visited a girl scout troop in Bowie and their greatest concern was not cutting down trees. The presence and absence of trees can be readily perceived by all Bowie residents, from the youngest to the oldest, from casual observation to measurement with the most sophisticated remote sensing technology. Adoption of the no-net-loss resolution by Council will signal to Bowie residents an intent to protect the Bowie urban tree canopy. And even more important, will signal that serious consideration is given to the implications of this policy when development and other issues that come before the City are considered.

Thank you,

John Teasdale, Vice-Chair
Environmental Advisory Committee

**PRESIDING OFFICER'S WRITTEN STATEMENT FOR CLOSING A MEETING ("CLOSING STATEMENT")
UNDER THE OPEN MEETINGS ACT (General Provisions Article § 3-305)**

This form has two sides. *Complete items 1 – 4 before closing the meeting.*

1. **Recorded vote to close the meeting:** Date: 11-7-22; Time: 10:11; Location: City Hall;
Motion to close meeting made by: Wolfley Seconded by Maehr Esteve;
Members in favor: All; Opposed: _____;
Abstaining: _____; Absent: Boafo

2. **Statutory authority to close session (check all provisions that apply).**
This meeting will be closed under General Provisions Art. § 3-305(b) only:

(1) ☐ "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"; (2) ☐ "To protect the privacy or reputation of individuals concerning a matter not related to public business"; (3) ☐ "To consider the acquisition of real property for a public purpose and matters directly related thereto"; (4) ☐ "To consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State"; (5) ☐ "To consider the investment of public funds"; (6) ☐ "To consider the marketing of public securities"; (7) ☒ "To consult with counsel to obtain legal advice"; (8) ☐ "To consult with staff, consultants, or other individuals about pending or potential litigation"; (9) ☐ "To conduct collective bargaining negotiations or consider matters that relate to the negotiations"; (10) ☐ "To discuss public security, if the public body determines that public discussion would constitute a risk to the public or to public security, including: (i) the deployment of fire and police services and staff; and (ii) the development and implementation of emergency plans"; (11) ☐ "To prepare, administer, or grade a scholastic, licensing, or qualifying examination"; (12) ☐ "To conduct or discuss an investigative proceeding on actual or possible criminal conduct"; (13) ☐ "To comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter"; (14) ☐ "Before a contract is awarded or bids are opened, to discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process." (15) ☐ "To discuss cybersecurity, if the public body determines that public discussion would constitute a risk to: (i) security assessments or deployments relating to information resources technology; (ii) network security information . . . or (iii) deployments or implementation of security personnel, critical infrastructure, or security devices."

Continued →

3. For each provision checked above, disclosure of the topic to be discussed and the public body's reason for discussing that topic in closed session.

Citation (insert # from above)	Topic	Reason for closed-session discussion of topic
§3-305(b) ☒	Consult with Counsel	Legal issues with property development
§3-305(b) ☐		
§3-305(b) ☐		
§3-305(b) ☐		
§3-305(b) ☐		

4. This statement is made by Samuel J. ARS, Presiding Officer.

WORKSHEET FOR OPTIONAL USE IN CLOSED SESSION: INFORMATION FOR SUMMARY TO BE DISCLOSED IN THE MINUTES OF THE NEXT OPEN MEETING. (See also template for summary.)

- For a meeting closed under the statutory authority cited above:

Time of closed session: 10:17

Place: City Hall

Purpose(s): (7) Consult with Counsel

Members who voted to meet in closed session: Atkins Harrison Gardner Estab Woolley Nieburdu

Persons attending closed session: Atkins Gardner Harrison Estab Woolley Nieburdu Loan Lott Mears

Authority under § 3-305 for the closed session: (7)

Topics actually discussed: Legal issues with property development

Actions taken: _____

Each recorded vote: _____

- For a meeting recessed to perform an administrative function (§ 3-104): Time: _____

Place: _____

Persons present: _____

Subjects discussed: _____



Memorandum

TO: City Council

FROM: Alfred Lott, City Manager

SUBJECT: Architect/Engineering Open End Contract Category 7-Architectural Design RFP/Task Order #7-10
Resolution R-66-22

DATE: 11/17/2022

On January 7, 2019, the City entered into an Architect/Engineering Open End Agreement with Gant Brunneth Architects, Inc. (GBA), Frederick Ward Associates (FWA), Wheeler Goodman Masek & Associates, Inc. (WGMA), Buchart-Horn, Inc. (BH), and Bignell Watkins Hasser Architects, PC (BWhA) for Category 7-Architectural Design. Professional Services delivered through this Agreement are negotiated and procured on a Task Order basis as the City's needs arise.

On July 29, 2022, the Department of Community Services advertised a Notice of Intent to Negotiate for Task Order/RFP#7-10– Architectural/Engineering design and construction management/inspection for new Bowie Golf Course maintenance building under the Architect/Engineering Open End Agreement. Proposals were accepted from firms BWhA, FWA, and GBA which have Open End Professional Services Agreements with the City for Architectural Design. For this task, the proposal from GBA was selected based on cost, capacity to perform in a timely manner and understanding of the project.

In accordance with City Charter Section 61(b)(4), a fee of \$225,420.12 for the required services was negotiated. This is within the amount budgeted in the FY23 Bowie Golf Course Capital Outlay Account.

The Department of Community Services recommends that Council authorize the issuance of a Purchase Order to GBA for Task Order/RFP#7-10 pursuant to the Master Contract approved on January 7, 2019.

I concur with the recommendation of the Department of Community Services and request your approval of Resolution R-66-22.

ATTACHMENTS: 1. 20221121 - Resolution R-66-22

RESOLUTION
OF THE COUNCIL OF THE CITY OF BOWIE, MARYLAND
AUTHORIZING THE ISSUANCE OF A PURCHASE ORDER TO
GANT BRUNETT ARCHITECTS, INC. FOR TASK ORDER/RFP#7-10
IN ACCORDANCE WITH THE MASTER CONTRACT
APPROVED ON JANUARY 7, 2019

WHEREAS, on January 7, 2019, the City entered into an Architect/Engineering Open End Agreement with Gant Brunnett Architects, Inc. (GBA), Frederick Ward Associates (FWA), Wheeler Goodman Masek & Associates, Inc. (WGMA), Buchart-Horn, Inc. (BH), and Bignell Watkins Hasser Architects, PC (BWHA) for Category 7-Architectural Design; and

WHEREAS, on July 29, 2022, the Department of Community Services advertised a Notice of Intent to Negotiate for Task Order/RFP#7-10–Architectural/Engineering design and construction management/inspection for new Bowie Golf Course maintenance building under the Architect/Engineering Open End Agreement; and

WHEREAS, the \$100,000 cap was waived for this Task Order; and

WHEREAS, proposals were accepted from the three (3) firms BWHA, FWA, and GBA which have Open End Professional Services Agreements with the City for Architectural Design; and

WHEREAS, for this task, the proposal from GBA was selected based on cost, capacity to perform in a timely manner and understanding of the project; and

WHEREAS, in accordance with City Charter Section 61(b)(4), a fee of \$225,420.12 for the required services was negotiated. This is within the amount budgeted in the FY23 Golf Course Capital Outlay Account.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Bowie, Maryland that the Council authorizes the issuance of a Purchase Order to GBA for Task Order/RFP#7-10 in accordance with the Master Contract approved on January 7, 2019.

INTRODUCED AND PASSED by the Council of the City of Bowie, Maryland at a Meeting on November 21, 2022.

ATTEST:

THE CITY OF BOWIE, MARYLAND

Awilda Hernandez
City Clerk

Timothy J. Adams
Mayor



Memorandum

TO: City Council

FROM: Alfred Lott, City Manager

SUBJECT: Architect/Engineering Open End Contract
Category 5-Roadways/Bridges Design
RFP/Task Order #5-03 Award
Resolution R-67-22

DATE: 11/17/2022

On January 22, 2019, the City entered into an Architect/Engineering Open End Agreement with Brudis & Associates, Inc. (BAI) of Columbia, MD, EBA Engineering, Inc. (EBA) of Laurel, MD, and McLaren Technical Services, Inc. (McLaren) of Baltimore, MD and on February 20, 2019 with A. Morton Thomas & Associates, Inc. (AMT) of Rockville, MD for Category 5-Roadways/Bridges Design. Professional Services delivered through this agreement are negotiated and procured on a Task Order basis as the City's needs arise.

On October 17, 2022, the Public Works Department advertised a Notice of Intent to negotiate for Task Order/RFP#5-03-Complete Streets Implementation on Kenhill Drive and MD 197 under the Architect/Engineering Open End Agreement. Proposals were accepted from BAI, EBA & AMT which have Open End Professional Services Agreements with the City for Roadways/Bridges Design. For this task, the proposal from EBA was selected based on cost, experience and understanding of the project.

In accordance with City Charter Section 61(b)(4), a total fee of \$90,690.17 for the required services was negotiated. This will be funded through the FY23 Public Works Streets Resurfacing Budget.

The Public Works Department recommends that Council authorize the issuance of a Purchase Order to EBA for Task Order/RFP#5-03 pursuant to the Master Contract approved on January 22, 2019.

I concur with the recommendation of the Public Works Department and request your approval of Resolution R-67-22.

ATTACHMENTS: 1. 20221121 - Resolution R-67-22

RESOLUTION
OF THE COUNCIL OF THE CITY OF BOWIE, MARYLAND
AUTHORIZING THE ISSUANCE OF A PURCHASE ORDER TO EBA
ENGINEERING, INC. FOR TASK ORDER/RFP#5-03 IN ACCORDANCE WITH
THE MASTER CONTRACT APPROVED ON JANUARY 22, 2019

WHEREAS, on January 22, 2019, the City entered into an Architect/Engineering Open End Agreement with Brudis & Associates, Inc. (BAI) of Columbia, MD, EBA Engineering, Inc. (EBA) of Laurel, MD, and McLaren Technical Services, Inc. (McLaren) of Baltimore, MD and on February 20, 2019 with A. Morton Thomas & Associates, Inc. (AMT) of Rockville, MD for Category 5-Roadways/Bridges Design; and

WHEREAS, on October 17, 2022, the Public Works Department advertised a Notice of Intent to Negotiate for Task Order/RFP#5-03-Complete Streets Implementation on Kenhill Drive and MD 197 under the Architect/Engineering Open End Agreement; and

WHEREAS, proposals were accepted from three (3) firms BAI, EBA & AMT which have Open End Professional Services Agreements with the City for Roadways/Bridges Design; and

WHEREAS, for this task, the proposal from EBA was selected based on cost, experience and understanding of the project; and

WHEREAS, following negotiations in accordance with City Charter Section 61(b)(4) a total fee of \$90,690.17 for the required services was negotiated. This will be funded through the FY23 Public Works Streets Resurfacing Budget.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Bowie, Maryland that the Council authorizes the issuance of a Purchase Order to EBA for Task Order/RFP#5-03 in accordance with the Master Contract approved on January 22, 2019.

INTRODUCED AND PASSED by the Council of the City of Bowie, Maryland at a meeting on November 21, 2022.

ATTEST:

THE CITY OF BOWIE, MARYLAND

Awilda Hernandez
City Clerk

Timothy J. Adams
Mayor



Memorandum

TO: City Council

FROM: Alfred Lott, City Manager

SUBJECT: Ordinance Amending Chapter 2, Ethics
Ordinance O-6-22

DATE: 11/17/2022

House Bill 363 and House Bill 1058 were enacted during the 2021 General Assembly session, which made multiple modifications to the State Ethics Law, which change the requirements for local government ethics laws. Those changes include new conflict of interest provisions and additional disclosures for State elected officials that local governments must incorporate into their ethics ordinances for their elected officials. The State Ethics Commission updated its local government regulations in COMAR 19A.04 to reflect the required changes. The City's Ethics Commission reviewed the required changes at their October 12, 2022 meeting and unanimously voted to recommend the changes included in this Ordinance which must be included in a law to be compliant with State law.

ATTACHMENTS:

1. 8.26.22 Letter Regarding Changes to Ethics Law
2. 20221121 - Ordinance O-6-22



COMMISSION MEMBERS:

JANET E. McHUGH, *Chair*
BONNIE A KIRKLAND
JAMES N. ROBES, JR.
CRAIG D. ROSWELL
GENEAU M. THAMES

STATE ETHICS COMMISSION

**45 CALVERT STREET, 3rd FLOOR
ANNAPOLIS, MARYLAND 21401
410-260-7770 / 1-877-669-6085
FAX: 410-260-7746**

JENNIFER K. ALLGAIR
Executive Director
WILLIAM J. COLQUHOUN
General Counsel
KATHERINE P. THOMPSON
Staff Counsel
ANA L. HENRY
Assistant General Counsel

August 26, 2022

Re: Required Amendments to Local Ethics Laws

Dear Municipal Official:

I am writing to notify your municipality that the requirements under the State Ethics Law are changing. House Bill 363 and House Bill 1058 were enacted during the 2021 General Assembly session, which made multiple modifications to the State Ethics Law, which will change the requirements for local government ethics laws. Those changes include new conflict of interest provisions and additional disclosures for State elected officials that local governments must incorporate into their ethics ordinances for their elected officials. The State Ethics Commission updated its local government regulations in COMAR 19A.04 to reflect the required changes. I have included an attachment describing the changes that need to be included in the new drafts of the ethics law, highlighting the additional provisions that must be included in a law to be compliant with State law. In addition, I have also included our new model laws with the changes highlighted.

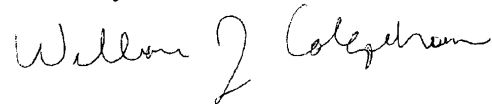
As you are aware, counties and municipalities are required to adopt local ethics laws or ordinances that must include conflict of interest and financial disclosure provisions for local elected officials that are at least equivalent to the State's provisions; financial disclosure provisions for candidates for local elected office that are at least equivalent to State provisions; conflict of interest and financial disclosure provisions for local employees and appointed officials that are similar to State provisions; and local lobbying provisions that are substantially similar to State provisions. (SB315 – Chapter 277 of the Acts of 2010 and Subtitle 8 of Maryland Public Ethics Law).

Commission staff is available to provide guidance and assistance to your municipality as you work through updating your law to incorporate the new changes. Please do not hesitate to contact us should you have any questions regarding the new local government ethics law requirements. As a reminder, any and all future changes to the ethics ordinance must be submitted to the Commission for review and approval in compliance with Subtitle 8 of the Maryland Public Ethics Law and COMAR 19A.04.

Please also note that there were changes that were required as a result of legislation passed in the 2017 General Assembly Session (House Bill 879). If your municipality has not updated your ordinance to reflect those required modifications, please let me know and I will send you information regarding those changes.

Finally, Section §5-807(c) of the Public Ethics Law requires each local jurisdiction to file the Local Government Ethics Law Annual Certification by October 1 of each year. The certification form is attached to this email and may be returned electronically or by regular mail. Please contact our office if you have any questions regarding this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "William J. Colquhoun". The signature is fluid and cursive, with a large, stylized "W" and "C".

William J. Colquhoun
General Counsel

enc.

ORDINANCE
OF THE COUNCIL OF THE CITY OF BOWIE, MARYLAND
AMENDING THE CODE OF THE CITY OF BOWIE, MARYLAND,
CHAPTER 2, “ADMINISTRATION,” ARTICLE V “PUBLIC ETHICS,”
TO INCORPORATE CHANGES REQUIRED BY STATE LAW TO
LOCAL ETHICS ORDINANCES REGARDING CONFLICTS OF
INTEREST (CITY CODE, SEC. 2-70) AND FINANCIAL
DISCLOSURES (CITY CODE, SEC. 2-68 AND SEC. 2-71)

WHEREAS, pursuant to Md. Code Ann., Local Gov’t. Article, § 5-202 the Council of the City of Bowie has the authority to pass such ordinances as it deems necessary to assure the good government of the City; protect and preserve the City’s rights, property, and privileges; and preserve peace and good order; and

WHEREAS, Md. Code Ann., Gen. Provisions. Art., Title 5, the Maryland Public Ethics Law, provides in § 5-807 that, each municipal corporation in the State shall enact provisions to govern the public ethics of local officials relating to conflicts of interest, financial disclosure, and lobbying; and

WHEREAS, pursuant to this authority, the Council of the City of Bowier enacted Chapter 2, Article V “Public Ethics” of the Code of the City of Bowie, Maryland; and

WHEREAS, the Maryland General Assembly passed legislation during its 2021 session that made various modifications to the State Ethics Law that require changes to local government ethics laws regarding conflicts of interest and financial disclosures for State elected officials that local governments must incorporate into their ethics ordinances; and

WHEREAS, the Council of the City of Bowie desires to make the required amendments to the City’s Public Ethics Ordinance to incorporate revisions to State law.

Section 1. NOW THEREFORE BE IT ORDAINED AND ENACTED by the Council of the City of Bowie, that the Code of the City of Bowie, Chapter 2, Article V “Public Ethics,” § 2-68 “Definitions,” shall be and hereby is amended to read as follows:

§ 2-68. Definitions.

UNDERLINED SMALL CAPS: Indicate language added to the existing law.

*** Asterisks: Indicate language contained in the existing law that remains unchanged and is not reproduced in the ordinance.

~~Strikethrough~~: Indicates language deleted from the existing law.

The words used in this Article shall have their normal accepted meanings except as set forth below:

* * *

P. “QUASI-GOVERNMENTAL ENTITY” MEANS AN ENTITY THAT IS CREATED BY STATE STATUTE, THAT PERFORMS A PUBLIC FUNCTION, AND THAT IS SUPPORTED IN WHOLE OR IN PART BY THE STATE BUT IS MANAGED PRIVATELY.

Section 2. BE IT FURTHER ORDAINED AND ENACTED by the Council of the City of Bowie, that the Code of the City of Bowie, Chapter 2, Article V “Public Ethics,” § 2-70 “Prohibited conduct and interests,” shall be and hereby is amended as follows:

§ 2-70. Prohibited conduct and interests.

* * *

F. Solicitation or acceptance of gifts.

* * *

3. No official or employee may knowingly accept any gift, directly or indirectly, from any person that ~~he~~ THE OFFICIAL OR EMPLOYEE knows or has reason to know:

- a. Is doing business with or is seeking to do business with the City;
- b. Has financial interests that may be substantially and materially affected, in a manner distinguishable from the public generally, by the performance or nonperformance of ~~his~~ THE official duties OF THE OFFICIAL OR EMPLOYEE;
- c. Is engaged in an activity regulated or controlled by the City; ~~or~~
- d. Is a lobbyist with respect to matters within the jurisdiction of the official or employee; OR

E. IS AN ASSOCIATION OR ANY ENTITY ACTING ON BEHALF OF AN ASSOCIATION THAT IS ENGAGED ONLY IN REPRESENTING COUNTIES OR MUNICIPAL CORPORATIONS.

* * *

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G. Disclosure of confidential information. Other than in the discharge of his official duties, an official or employee OR FORMER OFFICIAL OR EMPLOYEE may not disclose or use for his own economic benefit or that of another confidential information ~~which he~~ THAT THE OFFICIAL OR EMPLOYEE has acquired by reason of his THE OFFICIAL'S OR EMPLOYEE'S public position OR FORMER PUBLIC POSITION and ~~which~~ THAT is not available to the public.

* * *

I. AN OFFICIAL OR EMPLOYEE MAY NOT RETALIATE AGAINST AN INDIVIDUAL FOR REPORTING OR PARTICIPATING IN AN INVESTIGATION OF A POTENTIAL VIOLATION OF THE LOCAL ETHICS LAW OR ORDINANCE.

Section 3. **BE IT FURTHER ORDAINED AND ENACTED** by the Council of the City of Bowie, that the Code of the City of Bowie, Chapter 2, Article V “Public Ethics,” § 2-71 “Financial Disclosure - Elected Officials and Candidates to be Elected Officials,” shall be and hereby is amended as follows:

§ 2-71. Financial Disclosure - Elected Officials and Candidates to be Elected Officials.

* * *

D. Candidates to be Elected Officials.

* * *

5. Within thirty (30) days of the receipt of a statement required by this section, the City Clerk or Board of Election Supervisors shall forward it to the Commission for the Commission to review in accordance with Section ~~H~~ I below.

E. Public Record. All Financial Disclosure Statements filed pursuant to this section shall be maintained by the City Clerk and shall be made available during normal office hours for examination and copying by the public, subject, however, to such reasonable fees and administrative procedures as the City Council may establish from time to time. The forms shall be retained for four (4) years from the date of receipt. Any person examining or copying these statements shall be required to record his OR HER name, home address, and the name of the person whose disclosure statement was examined or copied. This record shall be forwarded upon request to the person whose disclosure statement is so examined or copied. Notwithstanding the foregoing, the City Clerk may not make available for examination and

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copying by the public any portion of a Financial Disclosure Statement that includes an individual's home address that the individual has identified as the individual's home address. ADDITIONALLY, NEITHER THE COMMISSION NOR THE CITY CLERK SHALL PROVIDE PUBLIC ACCESS TO INFORMATION RELATED TO CONSIDERATION RECEIVED FROM:

1. THE UNIVERSITY OF MARYLAND MEDICAL SYSTEM;
2. A GOVERNMENTAL ENTITY OF THE STATE OR A LOCAL GOVERNMENT IN THE STATE; OR
3. A QUASI-GOVERNMENTAL ENTITY OF THE STATE OR A LOCAL GOVERNMENT IN THE STATE.

F. Contents of statement. All Financial Disclosure Statements filed pursuant to this section shall be on a form developed by the Commission with the assistance of the City Attorney, and shall disclose the following interests, if known:

* * *

4. Gifts. A statement filed under this section shall include a schedule of each gift exceeding \$20 in value, or a series of gifts totaling One Hundred Dollars (\$100) or more received during the reporting period, from, or on behalf of, directly or indirectly, any one person who does business with the City OR FROM AN ASSOCIATION, OR ANY ENTITY ACTING ON BEHALF OF AN ASSOCIATION THAT IS ENGAGED ONLY IN REPRESENTING COUNTIES OR MUNICIPAL CORPORATIONS. This schedule, as to each gift, shall include a description of the nature and value of the gift; and the identity of the person from whom, or on behalf of whom, directly or indirectly, the gift was received.

* * *

9. RELATIONSHIP WITH UNIVERSITY OF MARYLAND MEDICAL SYSTEM, STATE OR LOCAL GOVERNMENT, OR QUASI-GOVERNMENTAL ENTITY.

A. AN INDIVIDUAL SHALL DISCLOSE THE INFORMATION SPECIFIED IN GENERAL PROVISIONS ARTICLE §5-607(J)(1), ANNOTATED CODE OF MARYLAND, FOR ANY FINANCIAL OR CONTRACTUAL RELATIONSHIP WITH:

1. THE UNIVERSITY OF MARYLAND MEDICAL SYSTEM;
2. A GOVERNMENTAL ENTITY OF THE STATE OR LOCAL GOVERNMENT IN THE STATE; OR

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3. A QUASI-GOVERNMENTAL ENTITY OF THE STATE OR LOCAL GOVERNMENT IN THE STATE.

B. FOR EACH FINANCIAL OR CONTRACTUAL RELATIONSHIP REPORTED, THE SCHEDULE SHALL INCLUDE:

1. A DESCRIPTION OF THE RELATIONSHIP;
2. THE SUBJECT MATTER OF THE RELATIONSHIP; AND
3. THE CONSIDERATION.

10. Additional information. A statement filed under this section may also include such additional interests or information as the person making the statement wishes to disclose.

G. Interests Attributable to Person Making Statement. For the purposes of subsections F1, 2 and 3, the following interests shall be considered to be the interests of the person making the statement:

1. Any interest held by a member of the immediate family of the person making the statement, if such interest was, at any time during the reporting period, directly or indirectly controlled by the person making the statement.

2. ~~Any~~AN interest held, ~~by a business entity in which the individual held a thirty (30) percent (30%) or greater interest~~ at any time during the APPLICABLE reporting period, BY:

A. A BUSINESS ENTITY IN WHICH THE INDIVIDUAL HELD A 10% OR GREATER INTEREST;

B. A BUSINESS ENTITY DESCRIBED IN SECTION A OF THIS SUBSECTION IN WHICH THE BUSINESS ENTITY HELD A 25% OR GREATER INTEREST;

C. A BUSINESS ENTITY DESCRIBED IN SECTION B OF THIS SUBSECTION IN WHICH THE BUSINESS ENTITY HELD A 50% OR GREATER INTEREST; AND

D. A BUSINESS ENTITY IN WHICH THE INDIVIDUAL DIRECTLY OR INDIRECTLY, THROUGH AN INTEREST IN ONE OR A COMBINATION OF OTHER BUSINESS ENTITIES HOLDS, A 10% OR GREATER INTEREST.

*

*

*

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H. REQUIRED INFORMATION REGARDING AN IDENTIFIED BUSINESS. AN INDIVIDUAL WHO IS REQUIRED TO DISCLOSE THE NAME OF A BUSINESS UNDER THIS SECTION SHALL DISCLOSE ANY OTHER NAMES THAT THE BUSINESS IS TRADING AS OR DOING BUSINESS AS.

I. Review of statements.

*

*

*

IJ. The Commission may, after consulting with counsel, grant exemptions to or modifications of this section as to elected City officials or candidates to be elected City officials, where it finds that the application of the section would constitute an unreasonable invasion of privacy and would significantly reduce the availability of qualified persons for public service and it also finds that the exemption or modification would not be contrary to the purposes of this Article.

Section 4. **BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF BOWIE** that, the City Clerk is directed to promptly transmit a copy of this Ordinance following its adoption to the Maryland State Ethics Commission to request its approval of the contents hereof.

Section 5. **BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF BOWIE** that, this Ordinance shall become effective upon the later of its approval by the State Ethics Commission or thirty (30) days after its enactment by the Council of the City of Bowie, Maryland provided that a fair summary of this Ordinance is published at least once prior to the date of passage and at least once within ten (10) days after the date of passage in a newspaper having general circulation in the City.

INTRODUCED by the Council of the City of Bowie, Maryland at a regular meeting on the ____ day of _____, 2022.

PASSED by the Council of the City of Bowie, Maryland at a regular meeting on the ____ day of _____, 2022.

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ATTEST:

THE CITY OF BOWIE, MARYLAND

Awilda Hernandez, City Clerk

By: _____
Timothy J. Adams, Mayor

**APPROVED AS TO FORM AND LEGAL
SUFFICIENCY:**

Elissa D. Levan, City Attorney

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Memorandum

TO: City Council

FROM: Alfred Lott, City Manager

SUBJECT: South Lake Update

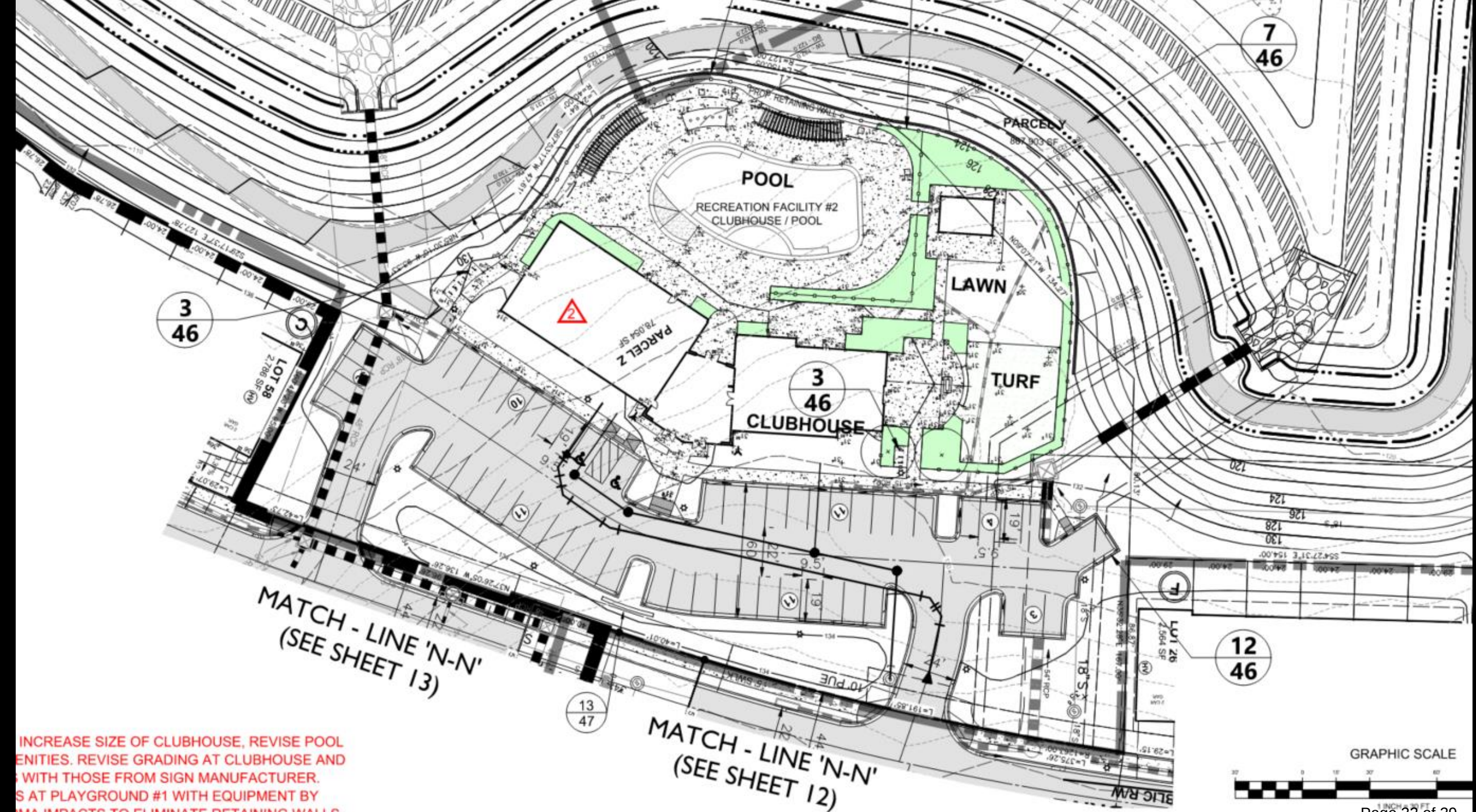
DATE: 11/17/2022

As requested, the developers of South Lake will provide the Council with an update on the development. The developer's presentation slides are attached for the Council's information.

ATTACHMENTS: 1. 20221121 - South Lake - Update Presentation

















Memorandum

TO: City Council

FROM: Alfred Lott, City Manager

SUBJECT: Discussion on possible creation of a Natural Exploration Area for Children and Families in the City of Bowie

DATE: 11/17/2022

Council will have a discussion on the possible creation of a natural exploration area for children and families in the City of Bowie. A draft resolution has been attached and will aid their discussion.

ATTACHMENTS: 1. 20221121 - Draft Resolution natural play areas v5 ga

Resolution xxx 2022
To create a Natural Exploration area for children and families
in the City of Bowie Maryland
October 24, 2022

Whereas the city of Bowie Maryland desire to strongly encourage children and families to spend more time outdoors offline and to develop sense of wonder and appreciation for the natural world and the environment of the city and

Whereas being outside gives children a sense of freedom, confidence, and exploration and

Whereas the natural world encourages a curiosity about the environment supporting good health. physical exercise and absence from the dangers of the internet and

Whereas the natural environment stimulates a child's imagination as they invent their own activities and play releasing stress and encouraging appreciation of the beauty, patterns, and variety of life around them and

Whereas being outside builds natural resilience as children encounter the challenges of natural world and

Whereas the city desires to set aside specific natural areas in one or more of its parks where children and their families can explore a variety of play elements including: water, plants, trees, wood, soil, and sand, that encourage touch balance, sound, smell, textures, climbing, silence, listening, and seeing natural beauty,

Now there be it resolved the City of Bowie will by the July 1, 2023, identify, plan, prepare and designate with appropriate signage areas in Whitemarsh Park and Allen Pond Park as natural exploration areas

Article 1 to accomplish this the city will follow the guidelines [*Nature Play & Learning Places: Creating and Managing Places Where Children Engage with Nature*](#), developed for the National learning Initiative and the National wildlife Federation:

Article 2 staff will consult Nature Play Space Resources at the Maryland Department of Natural Resources and other state examples of these areas

Article 3 the Council authorizes the use of up to \$50,000 for the preparation of the areas and the assignment of such staff time as may be required to accomplish opening the areas by July 1, 2023

Article 4 the Council directs the city manager to include the ongoing maintenance and management of these areas in the Budget for FY 24 and beyond

Article 5 the Council encourages the community, schools, and local nonprofits to partner with this effort, support the use of these areas and widely share their availability as natural park area space intentionally designated to integrate natural components into play and learning of children and families as an alternative to screen time indoors.

Article 6 the Council directs staff to widely promote and encourage the use of our parks and especially these areas to:

- Provide an important early connection for children with nature and create future environmental stewards.
- Provide an opportunity for both physical and creative play; and
- Support children's physical, intellectual, and socio-emotional development.

Adopted

Clerk

Mayor