



City of Bowie

15901 Fred Robinson Way
Bowie, Maryland 20716

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 Brunnett 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 montessorri 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,

A handwritten signature in black ink, appearing to read 'Awilda Hernandez', with a stylized flourish at the end.

Awilda Hernandez, MMC
City Clerk

Awilda Hernandez

From: nurbiz@verizon.net
Sent: Monday, November 7, 2022 5:38 AM
To: Awilda Hernandez
Cc: Timothy Adams; Rosann Ndebumadu; Michael Esteve; Dufour Woolfley; Adrian Bofo; 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

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 Maeb Estevé;
Members in favor: All; Opposed: _____;
Abstaining: _____; Absent: Boato.

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) ☒ 7	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. Ar, 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: Alans Harrison Gardner Esteve Woolley Niekumdu

Persons attending closed session: Alans Gardner Harrison Esteve Woolley Niekumdu Leann 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: _____