City of Bowie
Regular City Council Meeting

Monday, December 5, 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

VII. CITY BOARDS AND COMMITTEES

- **A.** Appointments/Reappointments/Swearing-In

VIII. COUNCIL ANNOUNCEMENTS

IX. CITY MANAGER'S REPORT

X. CONSENT AGENDA

- **A.** Adoption of Resolution R-68-22 Approving the Award of the City's Arts Committee FY23 Grants
- **B.** Adoption of Resolution R-69-22 Authorizing the Issuance of a Purchase Order to Gant Brunnett Architects, Inc. for Task Order/RFP#7-14 in Accordance with the Master Contract Approved on January 7, 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), and to Update References to State Law **- Public Hearing/Eligible for Action**

XII. NEW BUSINESS

XIII. ADJOURNMENT

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 12/7/22 and 12/10/22 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 - TUESDAY, JANUARY 3, 2023 - COUNCIL CHAMBERS - 8:00 P.M.

Memorandum

TO: City Council

FROM: Awilda Hernandez, City Clerk

SUBJECT: City Committee Appointments/Reappointments/Swearing-In

DATE: 12/01/2022

Committee Appointments and Swearing-in:

1. Ms. Barbara Johnson was interviewed on November 7 for appointment to the Economic Development Committee. Council concurred to appoint her to the committee as a member for a 2-year term. Please move to appoint her.
2. Mr. Clinton Truesdale, Sr. was interviewed on November 21 for appointment to the Economic Development Committee. Council concurred to appoint him to the committee as a member for a 2-year term. Please move to appoint him.
3. Mr. Zachariah Lowe was interviewed on November 21 for appointment to the Education Committee. Council concurred to appoint him to the committee as a member for a 2-year term. Please move to appoint him.

ATTACHMENTS: None

Memorandum

TO: City Council

FROM: Alfred Lott, City Manager

SUBJECT: Arts Committee FY23 Grants
Resolution R-68-22

DATE: 12/01/2022

The FY23 budget appropriated $18,000 for Arts Grants, which are designed to support public awareness of artistic enterprises and involve Bowie residents in an interactive arts experience. Similar to last year, COVID concerns required that proposed grants follow all state and local COVID-19 mandates and have the ability to be implemented virtually if necessary.

The following summarizes the process followed and the FY23 awards:

Arts Committee Grants
The Arts grant program was advertised on the City website, the Bowie Spotlight, and social media. The announcement was also shared with more than 400 contacts that included previous grant applicants, artists and several arts organizations. Eleven (11) applications were received with requested amounts totaling over $40,000. The Arts Committee selected four (4) grant recipients from the compliant applications.

The 2022-23 Arts Grant recipients selected are:

Grantee	Grant Title	Amount
Kamryn Pittman	Kolor Me Awesome Masks	$ 1,600.00
Bowie-Crofton Camera Club	Art of Photography	$ 619.00
BSU Fine Arts Department	City Hall Art Exhibition	$ 4,874.00
Heather Hills Elementary School	Amplifying Our Voices	$10,172.00
	Total	**$17,265.00**

ATTACHMENTS: 1. 20221205 - Resolution R-68-22

RESOLUTION
OF THE COUNCIL OF THE CITY OF BOWIE, MARYLAND
APPROVING THE AWARD OF THE CITY'S ARTS COMMITTEE FY23 GRANTS

WHEREAS, the City Council of the City of Bowie has established the Arts Committee and has provided funding for grants to individuals or organizations who wish to support public awareness of artistic enterprises, creative excellence, artistic diversity and overall involvement of the arts in our community; and

WHEREAS, the grants are awarded in areas supporting multiple art forms and art education; and

WHEREAS, this year, $18,000 is available to be awarded to successful applicants through a competitive selection process; and

WHEREAS, the Arts Committee has reviewed grant applications for compliance with the City's requirements; and

WHEREAS, the Arts Committee determined that certain grant applicants have met the requirements of the grant program and recommends that Council award certain grants to said applicants; and

WHEREAS, the City Council accepts the recommendations of the Arts Committee as reasonable and well-considered.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Bowie, Maryland, that the Council awards the following grants:

Grantee	Grant Title	Amount
Kamryn Pittman	Kolor Me Awesome Masks	$ 1,600.00
Bowie-Crofton Camera Club	Art of Photography	$ 619.00
BSU Fine Arts Department	City Hall Art Exhibition	$ 4,874.00
Heather Hills ES	Amplifying Our Voices	$10,172.00
	Total	**$17,265.00**

INTRODUCED AND PASSED by the Council of the City of Bowie, Maryland at a meeting on December 5, 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 7-Architectural Design RFP/Task Order #7-14
Resolution R-69-22

DATE: 12/01/2022

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. Professional Services delivered through this Agreement are negotiated and procured on a Task Order basis as the City's needs arise.

On October 13, 2022, the Department of Community Services advertised a Notice of Intent to Negotiate for Task Order/RFP#7-14– Architectural/Engineering design and construction management/inspection for repairing the Golf Course clubhouse foundation 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 $59.361.31 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#7-14 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-69-22.

ATTACHMENTS: 1. 20221205 - Resolution R-69-22

RESOLUTION
OF THE COUNCIL OF THE CITY OF BOWIE, MARYLAND
AUTHORIZING THE ISSUANCE OF A PURCHASE ORDER TO GANT BRUNNETT ARCHITECTS, INC. FOR TASK ORDER/RFP#7-14 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 October 13, 2022, the Department of Community Services advertised a Notice of Intent to Negotiate for Task Order/RFP#7-14–Architectural/Engineering design and construction management/inspection for repairing the Golf Course Clubhouse foundation under the Architect/Engineering Open End Agreement; 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 $59,361.31 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#7-14 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 December 5, 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: 12/01/2022

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. 20221205 - Ordinance O-6-22

EXECUTIVE DEPARTMENT
STATE OF MARYLAND

LARRY HOGAN
GOVERNOR

COMMISSION MEMBERS:
JANET E. McHUGH, *Chair*
BONNIE A KIRKLAND
JAMES N. ROBEY, 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,

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), AND TO UPDATE REFERENCES TO STATE LAW

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

* * *

D. "DESIGNATED SECOND HOME" MEANS (1) IF AN INDIVIDUAL OWNS ONE SECOND HOME, THE INDIVIDUAL'S SECOND HOME; OR (2) IF AN INDIVIDUAL OWNS MORE THAN ONE SECOND HOME, ANY ONE SECOND HOME THE INDIVIDUAL IDENTIFIES TO THE COMMISSION AS THE INDIVIDUAL'S DESIGNATED SECOND HOME.

E. "Doing business with" means: Having or negotiating a contract that involves the commitment, either in a single transaction or a combination of transactions of Five Thousand Dollars ($5,000) or more of City or City-controlled funds or being regulated by or otherwise subject to the authority of the City; or being registered as a lobbyist in accordance with Section 2-73A of this Article.

~~E~~F. "Elected official" means any individual who holds an elective office of the City.

~~F~~G. "Employee" means an individual who is employed by the City. "Employee" does not include an elected official.

~~G~~H. "Financial interest" means:

1. Ownership of any interest as the result of which the owner has received, within any of the past three (3) years, or is presently receiving, or in the future is entitled to receive, more than One Thousand Dollars ($1,000) per year; or
2. Ownership, or the ownership of securities of the kind representing or convertible into ownership, of more than three (3) percent (3%) of a business entity by a City official or employee, or the spouse of an official or employee.

~~H~~I. "Gift" means the transfer of anything of economic value regardless of the form without adequate and lawful consideration. "Gift" does not include a political campaign contribution regulated under the Elections Article, Annotated Code of Maryland, or any other provision of state or local law regulating the conduct of elections or the receipt of political campaign contributions.

J. "HOME ADDRESS" MEANS THE ADDRESS OF AN INDIVIDUAL'S PRINCIPAL HOME AND DESIGNATED SECOND HOME, IF ANY.

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~~I~~K. "Immediate family" means an individual's spouse and dependent children.

~~J~~L. "Interest" means any legal or equitable economic interest, whether or not subject to an encumbrance or a condition, that is owned or held, in whole or in part, jointly or severally, directly or indirectly. For purposes of Section 2-71 of this Article, "interest" includes any interest(s) held at any time during the reporting period. "Interest" does not include:

1. An interest held in the capacity of an agent, custodian, personal representative, trustee, or other fiduciary unless the holder has an equitable interest therein;
2. An interest in a time or demand deposit in a financial institution;
3. An interest in an insurance or endowment policy or annuity contract under which an insurer promises to pay a fixed number of dollars either in a lump sum or periodically for life or some other specified period;
4. A common trust fund or a trust that forms part of a pension or profit sharing plan that has more than twenty-five (25) participants and that has been determined by the Internal Revenue Service to be a qualified trust under the Internal Revenue Code;
5. A college savings plan under the Internal Revenue Code; or
6. A mutual fund that is publicly traded on a national scale unless the mutual fund is composed primarily of holdings of stocks and interests in a specific sector or area that is regulated by the City.

~~K~~M. "Lobbying" means:

1. Communicating in the presence of a City official or employee with the intent to influence any official action of that official or employee; or
2. Soliciting others to communicate with a City official or employee with the intent to influence that official or employee.

~~L~~N. "Lobbyist" means a person or entity that engages in lobbying.

~~M~~O. "Official " means any person elected or appointed to the Bowie City Council, and any person appointed to any City committee, board, commission, or similar entity having decision making authority: (1) whether or not paid in whole or in part with City funds; and (2) whether or not compensated.

~~N~~P. "Person" includes an individual or business entity.

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Q. "PRINCIPAL HOME: MEANS THE SOLE RESIDENTIAL PROPERTY THAT AN INDIVIDUAL OCCUPIES AS THE INDIVIDUAL'S PRIMARY RESIDENCE, WHETHER OWNED OR RENTED BY THE INDIVIDUAL.

~~O~~R. "Qualified relative" means a spouse, parent, child, brother or sister.

S. "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.

T. "SECOND HOME" MEANS A RESIDENTIAL PROPERTY THAT:

(1) AN INDIVIDUAL OCCUPIES FOR SOME PORTION OF THE FILING YEAR; AND
(2) IS NOT A RENTAL PROPERTY OR A TIME SHARE.

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," § 2-69 "Administration," shall be and hereby is amended as follows:

§ 2-69 Administration.

* * *

H. The Commission shall certify to the State Ethics Commission on or before October 1 of each year that the City is in compliance with the requirements of ~~State Government Article, Title 15, Subtitle 8,~~ GENERAL PROVISIONS ARTICLE, TITLE 5, SUBTITLE 8, Annotated Code of Maryland for elected officials.

I. The Commission may recommend changes to this Article that, in the Commission's opinion, may be required for the city to be in compliance with the requirements of ~~State Government Article, Title 15, Subtitle 8,~~ General Provisions Article, Title 5, Subtitle 8, Annotated Code of Maryland, and shall forward any such recommended changes and amendments to the City Council for its consideration.

* * *

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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," § 2-70 "Prohibited conduct and interests," shall be and hereby is amended as follows:

§ 2-70. Prohibited conduct and interests.

A. Participation Prohibitions.

* * *

3. A FORMER REGULATED LOBBYIST WHO IS OR BECOMES SUBJECT TO THIS CHAPTER AS AN EMPLOYEE OR OFFICIAL, OTHER THAN AN ELECTED OFFICIAL OR AN APPOINTED OFFICIAL, MAY NOT PARTICIPATE IN A CASE, CONTRACT, OR OTHER SPECIFIC MATTER AS AN EMPLOYEE OR OFFICIAL, OTHER THAN AN ELECTED OFFICIAL OR APPOINTED OFFICIAL, FOR ONE CALENDAR YEAR AFTER THE TERMINATION OF THE REGISTRATION OF THE FORMER REGULATED LOBBYIST IF THE FORMER REGULATED LOBBYIST PREVIOUSLY ASSISTED OR REPRESENTED ANOTHER PARTY FOR COMPENSATION IN THE MATTER.

* * *

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

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

* * *

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 4. 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.

* * *

3. If a candidate fails to file a statement required by this section after written notice of his obligation to do so is provided by the City Clerk or Board of Election Supervisors, given at least ~~twenty (20)~~ EIGHT (8) days before the last day for the withdrawal of candidacy, he shall be deemed to have withdrawn his candidacy

* * *

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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, FOR STATEMENTS FILED AFTER JANUARY 1, 2019, the City Clerk may not make available for examination and 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

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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

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:

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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.

* * *

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.

* * *

~~I~~J. 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 5. **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

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following its adoption to the Maryland State Ethics Commission to request its approval of the contents hereof.

Section 6. **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.

ATTEST: **THE CITY OF BOWIE, MARYLAND**

_____ By: _____
Awilda Hernandez, City Clerk Timothy J. Adams, Mayor

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

_____
Elissa D. Levan, City Attorney

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