



City of Bowie

15901 Fred Robinson Way
Bowie, Maryland 20716

REGULAR CITY COUNCIL MEETING MINUTES

TUESDAY, JUNE 20, 2023

CALL MEETING TO ORDER:

The Regular Meeting of the Bowie City Council was held on Tuesday, June 20, 2023, in the Council Chambers at City Hall. Mayor Adams called the meeting to order at 8:00 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG:

Mayor Adams led the Pledge of Allegiance to the Flag.

QUORUM:

In attendance were Mayor Adams, Mayor Pro Tem Ndebumadu, Councilmembers Estève, Gardner, Hawkins, Truesdale, and Woolfley, City Manager Lott, Assistant City Manager Mears, City Attorney Levan, City Clerk Hernandez, and Staff.

CITY BOARDS AND COMMITTEES:

Councilmember Woolfley motioned to appoint Ms. Susan Fru-Ndi to the Arts Committee for a - year term. Councilmember Esteve seconded the motion. Motion passed 6-0.

Councilmember Woolfley motioned to appoint Ms. Elissa Dunston to the Diversity Committee for a 2-year term. Councilmember Esteve seconded the motion. Motion passed 6-0.

Mr. Richard Sexton was appointed during the May 1 meeting to the Board of Personnel Appeals for a 2-year term.

Mayor Adams swore in Ms. Fru-Ndi, Ms. Dunston, and Mr. Sexton to their respective committees.

COUNCIL ANNOUNCEMENTS:

Council thanked staff for their organization of the Juneteenth events around the City.

CITY MANAGER'S REPORT:

City Manager Lott thanked Council for their efforts and adoption of the Fiscal Year 2024 budget.

CONSENT AGENDA:

Councilmember Estève made a motion to approve Consent Agenda items: A) Approval of May 1, 2023 Council Meeting Minutes; B) Approval of May 8, 2023 Special Council Meeting Minutes; C) Approval of May 15, 2023 Council Meeting Minutes; D) Adoption of Proclamation P-12-23 Proclaiming June 19-25, 2023 as Pollinator Week in the City of Bowie; E) Adoption of Resolution R-36-23 Awarding a Contract

to A.C. Schultes of Maryland, Inc. for the Purchase of Equipment to Redevelop Well #5 in the amount of \$162,150; F) Adoption of Resolution R-42-23 Authorizing the City Manager to Execute a Memorandum of Understanding With the Maryland-National Capital Park and Planning Commission Concerning the Development of a State of Place Analysis for the City. Councilmember Gardner seconded the motion. Motion passed 6-0.

OLD BUSINESS:

A. Revision to Specific Design Plan SDP-8945-08 (Ternberry) – The developer, A.R. Builders, is requesting the City's approval recommendation for a Specific Design Plan revision to approve architecture, access, house locations and landscaping on 11 vacant lots situated at several locations on Pennsbury Drive currently owned by NAHB Research Center, Inc. The development proposal includes seven single-family detached homes and four townhouse units on 1.3 acres, to be developed under the R-S (Residential Suburban) standards within the LCD (Legacy Comprehensive Design) Zone.

At the June 5th Council meeting, City Council concurred to have developers meet with HOA and residents of the community to better inform them of the development plans and come back before Council at the June 20th meeting with an updated presentation of their concept based on the meetings with HOA and residents. Mr. Edward Gibbs with the law firm, Gibbs and Haller, representing the developer, briefed the Council on their meeting, and addressed the questions and concerns of the residents and HOA.

Public Hearing:

Since there was no one signed up to speak, Mayor Adams declared the Public Hearing to have been held.

Mayor Pro Tem Ndebumadu moved to approve SDP-8945-08. Councilmember Gardner seconded the motion. Motion passed 6-0 (Ndebumadu did not vote).

B. Introduction and Adoption of Emergency Ordinance O-10-23 Repealing Ordinance O-7-23, Amending the Adopted Budget for the Fiscal Year Beginning July 1, 2022, and Ending June 30, 2023 to Appropriate Funds for Planning, Design, Engineering and Permitting Services for the City's New Single Sheet Ice Arena and Declaring the Ordinance and Emergency Ordinance so that it May Become Effective Immediately – Mr. Matthews, Finance Director, briefed Council on Emergency Ordinance O-7-23 and the reason why it needs to be adopted as an Emergency Ordinance in order to be able to execute the proper purchase orders before the end of Fiscal Year 2023.

Councilmember Woolfley moved to adopt Emergency Ordinance O-10-23. Councilmember Esteve seconded the motion. Motion passed 6-0 (Ndebumadu did not vote).

C. Adoption of Emergency Ordinance O-9-23 Amending the Adopted Budget for the Fiscal Year Beginning July 1, 2022, and Ending June 30, 2023, Embodied in Ordinance O-1-22, as Amended by Ordinance O-5-22, O-6-23 and O-7-23, to Authorize the Transfer of Certain Amounts in the FY 2023 Budget to Pay for Anticipated Expenses - Mr. Matthews, Finance Director, summarized the Ordinance. During the fiscal year, it becomes necessary to transfer amounts within funds to provide for the proper operation of the City. These adjustments in total amount to 1.79% percent of the adopted FY2023 final budget of \$102,462,800 (all funds).

Public Hearing:

Since there was no one signed up to speak, Mayor Adams declared the Public Hearing to have been held.

Councilmember Esteve moved to accept the amendments reflected in amended Ordinance O-9-23. Councilmember Woolfley second the motion. Motion passed 6-0 (Ndebumadu did not vote). Councilmember Esteve moved to adopt amended Ordinance O-9-23. Councilmember Woolfley second the motion. Motion passed 6-0 (Ndebumadu did not vote).

NEW BUSINESS:

A. Briefing on County Transit System – Efon Epanty, Chief, Transit Planning & Innovation briefed Council on the County's plans to improve and expand public transportation in Prince George's County. The County's Transit Forward Initiative includes stakeholder engagement, full service improvements, and workforce development. They are also working closely with WMATA to redesign the County's bus network.

Mayor Adams thanked Mr. Epanty for his presentation.

B. Adoption of Resolution R-41-23 Adopting the Housing and Community Development Cares Act Amendment: FY2023 (HUD FY2022) Amended Annual Action Plan – Ms. Kay Starr, Grant Writer, summarized the resolution. The CARES Act allows for COVID-19 related pre-award costs for eligible reimbursable costs funded through CDBG-CV only. This does not apply to the City's 2019 and 2020 CDBG funds; pre-award costs are limited to no more than 25% or \$15,801 of the City's CDBG CV-4 grant amount. Some of the proposed projects include emergency food assistance and supplies for families and individuals in need, emergency housing, homeless services, and supplies assistance program.

Public Hearing:

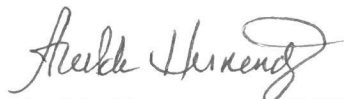
Since there was no one signed up to speak, Mayor Adams declared the Public Hearing to have been held.

Councilmember Esteve moved to adopt Resolution R-41-23. Councilmember Gardner second the motion. Motion passed 6-0 (Ndebumadu did not vote).

ADJOURNMENT AND MOVE TO CLOSE SESSION:

Councilmember Esteve motioned to adjourn to closed 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 Gardner second the motion. Motion passed 6-0. The meeting adjourned at 9:08 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Awilda Hernandez".

Awilda Hernandez, MMC
City Clerk

**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: 6-20-23 Time: 9:07; Location: City Hall;
Motion to close meeting made by: Estate Seconded by Gardner;
Members in favor: All Aye; Opposed: _____;
Abstaining: _____; Absent: _____.

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 legal counsel	Discussion of litigation
§3-305(b) ☐		
§3-305(b) ☐		
§3-305(b) ☐		
§3-305(b) ☐		

4. This statement is made by Samuel J. Adams, 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: 9:13

Place: City Hall

Purpose(s): (7) Consult with legal counsel

Members who voted to meet in closed session: TA, HG, JH, ME, DW, CT, RN

Persons attending closed session: TA, HG, JH, ME, DW, CT, McCarren, Levan, Cott, Mears

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

Topics actually discussed: Litigation Status

Actions taken: _____

Each recorded vote: _____

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

Place: _____

Persons present: _____

Subjects discussed: _____