



City of Bowie

Regular City Council Meeting

Monday, October 7, 2024
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.** The City of Bowie Diversity Committee will offer a presentation on Hispanic Heritage Month, highlighting Hispanic and Latine neighbors who have had notable impact on Bowie.
- VII. CITY BOARDS AND COMMITTEES**
 - A.** Appointments/Reappointments/Swearing-in
- VIII. COUNCIL ANNOUNCEMENTS**
- IX. CITY MANAGER'S REPORT**
- X. CONSENT AGENDA**
 - A.** Approval of September 16, 2024 Council Meeting Minutes
 - B.** Adoption of Proclamation P-14-24 Proclaiming October as Energy Action Month in the City of Bowie
 - C.** Adoption of Resolution R-62-24 Waiving the Competitive Bidding Requirements of Section 61 "Purchasing and Contracting" of the Charter of the City of Bowie and Awarding a Contract to E.H. Wachs in the Amount of \$83,045.07 for the Purchase of One Swivel Vac Trailer, by Piggybacking a BuyBoard Contract
 - D.** Adoption of Resolution R-63-24 Awarding a Contract to Pay Dirt, LLC for Underdrain Replacement and Installation in an amount not to exceed \$150,000.00
 - E.** Adoption of Resolution R-64-24 Waiving the Competitive Bidding Requirements of Section 61 "Purchasing and Contracting" of the Charter of the City of Bowie and Awarding a Contract to Humphrey & Son, Inc. in the Amount of \$1,300,000 for Sewer Main Rehabilitation, By Piggybacking a Frederick County, Maryland Contract
 - F.** Adoption of Resolution R-65-24 Awarding a Contract to P2 Cleaning Services, LLC for services to Haul and Dispose of Loose Leaves

- G.** Adoption of Resolution R-66-24 Accepting Bid from Com-Bro Contracting, Inc. for the Purchase and Installation of a Replacement Lime Pug Mill Located at the Wastewater Treatment Plant in the Amount of \$164,400
- H.** Approval of Letter to M-NCPPC re: FY 2026 Proposed Budget
- I.** Introduction of Charter Amendment Resolution CAR-1-24 Amending Sec. 2 "To Be Filed Certain Places," Sec. 18A. "Express Powers," Sec. 89 "Establishment, Taxes, Administration," and Sec. 98 "Charter Revision Procedures; Miscellaneous" of the City Charter to Amend Outdated References to State Law and to Departments of the State
- J.** Introduction of Charter Amendment Resolution CAR-2-24 Amending Sec. 4 "Qualifications of Councilmembers," of the City Charter to Add That a Councilmember Cannot Have Been Convicted of or Plead Guilty, Nolo Contendere or Entered an Alford Plea, to a Misdemeanor Involving Assault, Battery or Moral Turpitude
- K.** Introduction of Charter Amendment Resolution CAR-3-24 Amending the Following Sections of the Charter of the City of Bowie: Sec. 6 "Meetings," Sec. 8 "Chairperson," Sec. 9 "Quorum," Sec. 39 "Powers and Duties," Sec. 44 "Adoption of Budget," Sec. 47 "Expenditures in Excess of Appropriations Forbidden," Sec. 73 "City's Powers With Respect to Sidewalks," Sec. 74 "Powers of the City," and Sec. 83 "Right of Entry by City Employees" to Correct Typographical and Grammatical Errors
- L.** Introduction of Charter Amendment Resolution CAR-4-24 Amending Sec. 32 "Special Elections," and Sec. 33 "Counting Votes; Declaring Results" of the City Charter to Correct References to the City Board of Elections

XI. OLD BUSINESS

XII. NEW BUSINESS

XIII. ADJOURNMENT AND MOVE TO CLOSED SESSION

- A.** 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 10/9/2024 and 10/12/2024 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 2024 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, OCTOBER 21, 2024 - COUNCIL CHAMBERS - 8:00 P.M.



Memorandum

TO: City Council

FROM: Alfred Lott, City Manager

SUBJECT: Diversity Committee Hispanic Heritage Month Presentation

DATE: 10/03/2024

The City of Bowie Diversity Committee will conduct a brief presentation about Hispanic Heritage Month. Hispanic Heritage Month is celebrated every year from September 15 to October 15 and is an opportunity to honor the heritage, achievements, and experiences that impact our Hispanic and Latine neighbors.

ATTACHMENTS: 1. 20241007 - Hispanic Heritage Presentation 2024

Bowie Hispanic Heritage 2024 - “Pioneers of Change: Shaping the Future Together”

This month we honor the achievements of Hispanic Americans, and we invite everyone to reflect on the rich cultural heritage that continues to shape Maryland and our nation. Hispanic Heritage Month is celebrated from September 15 to October 15 to honor the achievements of Hispanic American champions. It began as Hispanic Heritage Week in 1968 under President Johnson and was expanded to a month by President Reagan in 1988.

Maryland, renowned for our cultural diversity and vibrant communities, is home to a thriving Hispanic American population that has enriched the state’s social, economic, and cultural landscape. Hispanics are the second largest minority group in Maryland, representing nearly 350,000 people and accounting for 6.0 percent of the State's population. The Hispanic community in Maryland is centered in Montgomery and right here in Prince George's County, where over two-thirds of the State's Hispanic Americans live.

This year's theme is “Pioneers of Change: Shaping the Future Together,” and in Bowie, we take pride in our diverse community and the contributions of our Hispanic neighbors that enrich our shared future. Among these neighbors are Mati Bazurto, the Director of Business Operations for the City of Bowie, overseeing key administrative tasks and resolving sensitive issues. Previously, she chaired the Green Team and helped develop the City’s Sustainability Plan. In 2009, she received recognition from the U.S. Congress for her dedication to the Latino community. With over two decades as a grassroots activist, Mati has advocated for civil rights, environmental protection, and literacy, contributing to organizations like the Council of Latino Agencies and the Latino Congressional Advisory Committee.

Another notable member of our Bowie community is Ashleigh Diaz, Sustainability Manager for the City of Bowie. Ashleigh leads initiatives that promote environmental stewardship and sustainable practices, focusing on energy efficiency and waste reduction. She is a key member of Bowie’s Green Team Executive Committee and co-founded the upcoming Green Team Veterans Day 5K. She also leads Bowie’s Food Waste Diversion Program which was recently given the 2024 Climate and Energy Leadership award by the Metropolitan Washington Council of Governments for its innovative efforts to reduce greenhouse gas emissions and advance equity in environmentalism.

Ashleigh's commitment to diversity stems from her Puerto Rican heritage, shaped by her grandmother's influence. During her time in school, she received a Multiculturalism Scholarship for her essay on the importance of diversity and inclusivity for her life in Bowie. She also trained in the Bahamas and U.S. Virgin Islands, collaborating with local fishermen to study the oppression locals faced amidst growing tourism. Beyond her professional role, Ashleigh practices yoga and meditation, respects traditional Indian yogic practices, and is passionate about sustainability, dog rescue, and gardening.

We should be proud to be part of a city that honors the diverse history of Hispanic Americans, who have shaped our nation for the betterment of all. Hispanic Heritage Month provides an opportunity for Bowie to reflect, learn, and celebrate together, engaging with the experiences of our Hispanic residents. As we observe Hispanic Heritage, The City of Bowie’s Diversity Committee encourages everyone to participate in the celebrations and events that will take place throughout the state. This includes our upcoming #BowieSpeaks – Community Conversation event on October 15 here at City Hall in which we speak with more of Hispanic and Latine community. Together, we can honor the pioneers of change and build a future where every culture is celebrated, and every voice is heard. On the behalf of the City of Bowie’s Diversity Committee, thank you for your time.



Memorandum

TO: City Council

FROM: Awilda Hernandez, City Clerk

SUBJECT: Committee Appointments/Reappointments/Swearing-in

DATE: 10/03/2024

Committee Appointments:

1. Ms. Gabrielle Sanchez was interviewed on September 16, 2024, for appointment to the Green Team Executive Committee. Council concurred to appoint her to the Committee as a Regular Member for a 2-year term. Please have Councilmember Rogers move to appoint her.

ATTACHMENTS: None

REGULAR CITY COUNCIL MEETING MINUTES

MONDAY, SEPTEMBER 16, 2024

CALL MEETING TO ORDER:

The Regular Meeting of the Bowie City Council was held on Monday, September 16, 2024, in Council Chambers at City Hall. Mayor Adams called the meeting to order at 8:02 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG:

Mayor Adams led the Pledge of Allegiance to the Flag of the United States of America.

QUORUM:

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

AGENDA ADDITIONS/DELETIONS/AMENDMENTS:

None.

CITIZEN PARTICIPATION:

None.

PRESENTATIONS:

Mayor Pro Tem Woolfley motioned to adopt Proclamation P-13-24 Congratulating the Bowie Crofton Garden Club on the Occasion of their 40th Anniversary. Councilmember Esteve seconded the motion. Motion passed 5-0. Council presented the proclamation to representatives of the Garden Club in attendance.

CITY BOARDS AND COMMITTEES:

A. Appointments/Reappointments/Swearing-In:

1. Councilmember Brady motioned to appoint Mr. Eric Ketterling to the Bowie Advisory Planning Board as a Regular Member for a 2-year term. Councilmember Esteve seconded the motion. Motion passed 5-0.
2. Councilmember Esteve motioned to appoint Ms. Leslie Rose to the Arts Committee as a Regular Member for a 2-year term. Councilmember Brady seconded the motion. Motion passed 5-0.

3. Mayor Adams motioned to appoint Ms. Darlene Stuart to the Ethics Commission as an Alternate Member for a 2-year term. Councilmember Brady seconded the motion. Motion passed 5-0.

Mayor Adams swore in the members to their respective committees.

COUNCIL ANNOUNCEMENTS:

Mayor Pro Tem Woolfley noted that the Bowie Crofton Garden Club will have a small festivity celebrating their 40th anniversary at the Senior Center on Tuesday, September 24 at 7:00p.m., all are welcome to attend.

Councilmember Ndebumadu commented that on August 26, Mayor Adams, Councilmember Brady and herself welcomed 164 new scholars at Friendship Academy in their temporary location in Upper Marlboro. They hope to be in their permanent location in Bowie by next year. She also commented on her attendance at several events in the County.

Mayor Adams commented and asked for a moment of silence for the passing of Lt. General Arthur J. Gregg, the first African American Three Star General in the United States Army.

CITY MANAGER'S REPORT:

City Manager Lott stated that staff continues to deliver seamless services to our residents. A staff golf tournament will be held on Tuesday and Wednesday at the Bowie Golf Course in the spirit of having camaraderie amongst staff.

CONSENT AGENDA:

Mayor Pro Tem Woolfley motioned to approve Consent Agenda items: A) Approval of September 3, 2024 Council Meeting Minutes; B) Adoption of Resolution R-57-24 Accepting Bid from Transteck, Inc. dba Freightliner Western Star of Elkton for the Purchase of a Hydro Vac Truck in the Amount of \$360,225; C) Adoption of Resolution R-58-24 Authorizing the City Manager to Enter Into an Agreement With Apex Petroleum Corporation for the Purchase of Regular Unleaded Gasoline Fuel in Tank Wagon Will Call Quantities Zone 3; D) Adoption of Resolution R-59-24 Authorizing the City Manager to Enter Into an Agreement with Sunoco, LLC for the Purchase of Regular Unleaded Gasoline Fuel in Truck Transport Will Call Quantities for Zone 3; E) Adoption of Resolution R-60-24 Awarding a Contract for Installation of Outdoor Fitness Equipment at Centennial Park; F) Adoption of Resolution R-61-24 Waiving the Bidding Requirements of Section 61 "Purchasing and Contracting" of the City Charter, for Good Cause Shown, to Allow the City to Enter Into a Contract With Turf Equipment and Supply Company for Irrigation Controls Upgrades. Councilmember Esteve seconded the motion. Motion passed 5-0.

OLD BUSINESS:

A. Adoption of Ordinance O-8-24 Amending Chapter 26 "Zoning," Article II, Sec. 26-48 "Final Decision of City Council" of the Code of the City of Bowie to Clarify the Timing of Actions Required of the City Council Regarding Recommendations of the Advisory Planning Board – City Attorney Levan summarized the ordinance. The proposed amendments to be added to the existing language, pertain to appeals from actions taken by the Advisory Planning Board and final decisions of the City Council. These changes will result in the provisions in the City Code being more consistent with standard practices of the County and other jurisdictions.

Public Hearing:

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

Mayor Pro Tem Woolfley motioned to adopt Ordinance O-8-24. Councilmember Esteve seconded the motion. Motion passed 5-0.

NEW BUSINESS:

A. Proposed Pin Oak Parkway Trail Extension Feasibility Study – Planning Director, Joe Meinert summarized the proposed recommendation. The proposed segment will be using existing road surfaces from Pink Oak Parkway/Dahlia Drive to Mount Oak Road/Nottingham Drive. A stakeholder meeting was held in Woodmore Estates, a total of 16 residents attended. Most residents had mixed feelings about the project. The meeting accomplished its goal of providing some insight into the project and gave residents a way of voicing their concerns. Staff determined that there is a need for the City to contract for a feasibility study to evaluate alternative alignments for the trail extension because there are several other alignments shown on the Trails Master Plan that may be viable alternatives to the route originally proposed by the City's Public Works Department. The FY25 budget already has funding for the design of the trail but not for the study. If there is a consensus of Council to do the study, funds could be used from the Contingency Fund. Staff obtained a cost estimate for the study, which will cost just over \$20,000.

Mayor Pro Tem Woolfley asked how much was in the budget for the design of the trail. Mr. Meinert responded \$129,000. Mayor Pro Tem then asked if the study determines that a longer route is better, is the current funding in the CIP of \$129k still viable? Mr. Meinert responded that he believes so but would confirm with the Public Works Department.

Councilmember Brady asked for clarification of the amount that was adopted in the FY25 budget. Mr. Meinert responded that \$129k is allocated for the design and then in the FY26 budget, staff would request funding for the construction.

Council gave a consensus to proceed with the study in FY25 using Contingency Funds based on the cost estimate received of about \$20,000.

ADJOURNMENT:

Mayor Pro Tem Woolfley motioned to adjourn the regular City Council meeting. Councilmember Brady seconded the motion. Motion passed 5-0. The meeting adjourned at 8:43 p.m.

Awilda Hernandez, MMC
City Clerk



Memorandum

TO: City Council

FROM: Alfred Lott, City Manager

SUBJECT: Proclaiming October as Energy Action Month
Proclamation P-14-24

DATE: 10/03/2024

ATTACHMENTS: 1. 20241007 - Proclamation P-14-24

PROCLAMATION
OF THE COUNCIL OF THE CITY OF BOWIE, MARYLAND
PROCLAIMING OCTOBER 2024 AS ENERGY ACTION MONTH IN
THE CITY OF BOWIE

WHEREAS, reliable, affordable energy is vital to our economic prosperity and energy efficiency is the most productive and cost-effective way to meet our energy needs as cutting energy waste saves U.S. consumers billions of dollars on their utility bills annually; and

WHEREAS, more than 2.2 million Americans work in the energy efficiency sector in local, good-paying, clean energy jobs that can't be outsourced and increasing efficiency will create more of them; and

WHEREAS, smarter energy use reduces the amount of electricity we need to power our lives, which helps avoid power plant emissions that can harm our health, pollute our air, and contribute to climate change; and

WHEREAS, residents of Bowie can continue to contribute to our energy efficiency efforts, by participating in City programs such as our Energy Audit Program, Electric Lawn Care Rebate Program, and LED Lightbulb Exchanges; and

WHEREAS, a nationwide network of energy efficiency groups and partners have designated October as the nation's Energy Action Month which includes Energy Efficiency Day on October 2; and

WHEREAS, together the residents of Bowie can continue to contribute to our sustainability efforts by learning more about energy efficiency and continuing to practice smarter energy use in their daily lives;

NOW THEREFORE BE IT PROCLAIMED THAT, the Council of the City of Bowie, hereby proclaims October 2024, as "**ENERGY ACTION MONTH**" and urges citizens to join us in supporting our clean energy goals and moving toward more energy efficiency now and in the future.

INTRODUCED AND PASSED by the Council of the City of Bowie, Maryland at a Regular Meeting on the Seventh Day of October 2024.

Timothy J. Adams, Mayor

Attest:

Awilda Hernandez, City Clerk



Memorandum

TO: City Council

FROM: Alfred Lott, City Manager

SUBJECT: Waive Bidding for the Replacement of Swivel Vac Trailer #474
Resolution R-62-24

DATE: 10/03/2024

The FY25 budget allows for the replacement of a swivel vac trailer, which will be used by the Utilities Division. The Public Works Department located a contract awarded by BuyBoard National Purchasing Cooperative, a cooperative formed by governmental entities to streamline the buying process for public schools, municipalities, and other governmental entities, to E.H. Wachs of Chicago, Illinois (Contract #684-22), including swivel vac trailers meeting the needs of the utilities division. The cost of the swivel vac trailer is \$83,045.07, which is within the budgeted amount of \$101,500.

The BuyBoard contract may be deemed not substantially equivalent to the City's procurement practices for purposes of applying the cooperative bidding section of the City Charter, because BuyBoard charges a fee to participating vendors. The Department investigated whether better results might be obtained through a City-initiated competitive procurement process, by obtaining several quotations from local dealers. All the quoted prices received were significantly greater than the price offered under the BuyBoard contract. Therefore, in the Department's judgment, good cause exists under Section 61(b)(3) of the Charter to waive the competitive procurement requirements of Section 62 to award the procurement to E.H. Wachs. The waiver requires the affirmative vote of 2/3 of the Council.

In accordance with City Charter Section 61, we are requesting that Council waive bidding requirements and allow for the issuance of a purchase order to E.H. Wachs in the amount of \$83,045.07.

I concur with the above recommendation and request your approval of Resolution R-62-24.

ATTACHMENTS: 1. 20241007 - Resolution R-62-24

RESOLUTION
OF THE COUNCIL OF THE CITY OF BOWIE, MARYLAND
WAIVING THE COMPETITIVE BIDDING REQUIREMENTS OF SECTION 61 "PURCHASING AND CONTRACTING" OF THE CHARTER OF THE CITY OF BOWIE AND AWARDING A CONTRACT TO E.H. WACHS IN THE AMOUNT OF \$83,045.07 FOR THE PURCHASE OF ONE SWIVEL VAC TRAILER, BY PIGGYBACKING A BUYBOARD CONTRACT

WHEREAS, the FY25 budget allows for the replacement of swivel vac trailer #474, which will be used by the Utilities Division; and

WHEREAS, the Public Works Department located a contract awarded by BuyBoard National Purchasing Cooperative, a cooperative formed by governmental entities to streamline the buying process for public schools, municipalities, and other governmental entities, to E.H. Wachs of Chicago, Illinois (Contract #684-22), including swivel vac trailers meeting the needs of the utilities division; and

WHEREAS, the cost of the backhoe is \$83,045.07, which is within the budgeted amount of \$101,500; and

WHEREAS, the BuyBoard contract may be deemed not substantially equivalent to the City's procurement practices for purposes of applying the cooperative bidding section of the City Charter, because BuyBoard charges a fee to participating vendors; and

WHEREAS, the Department investigated whether better results might be obtained through a City-initiated competitive procurement process, by obtaining several quotations from local dealers; and

WHEREAS, all prices received were significantly greater than the price offered under the BuyBoard contract; and

WHEREAS, in the Department's judgment, good cause exists under Section 61(b)(3) of the Charter to waive the competitive procurement requirements of Section 62 and to award the procurement to E.H. Wachs; and

WHEREAS, the waiver requires the affirmative vote of two-thirds of the Council.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Bowie, Maryland, by at least two-thirds vote, that:

Section 1. The competitive bidding requirements of Section 61 of the Bowie City Charter are for good cause shown, hereby waived.

Section 2. The City Manager is hereby authorized to issue a purchase order to the said company for the above-mentioned equipment in the amount of \$83,045.07.

INTRODUCED AND PASSED by the Council of the City of Bowie, Maryland, at a meeting on October 7, 2024, by a vote of at least two-thirds of the members of the Council.

ATTEST:

CITY OF BOWIE, MARYLAND

 Awilda Hernandez, City Clerk

 Timothy J. Adams, Mayor



Memorandum

TO: City Council

FROM: Alfred Lott, City Manager

SUBJECT: Underdrain Replacement and Installation
Resolution R-63-24

DATE: 10/03/2024

A legal notice advertising an Invitation for Bids for Underdrain Replacement and Installation was placed on eMaryland Marketplace Advantage and Bid Locker. The City received unit priced bids from the following six (6) companies:

L & S Dirt Work, LLC	Waldorf, Maryland
Pay Dirt, LLC	Edgewater, Maryland
Sunny Acres Landscaping Inc.	Davidsonville, Maryland
Dirt Plus Inc.	Upper Marlboro, Maryland
Alcoa Concrete & Masonry Inc.	Hyattsville, Maryland
E & R Services Inc.	Lanham, Maryland

This project aims to replace and install underdrains within the City. This work is being done in accordance with the Capital Improvement Program for the Neighborhood Drainage Solutions, with a budget of \$150,000.

After careful review of the bid submissions, the Public Works Department has determined that Pay Dirt, LLC submitted the lowest most responsive and responsible bid with consideration given to factors such as price, quality of work, ability to complete the work promptly and overall qualifications of the bidder. Further, Pay Dirt, LLC prices are in line with estimates received during FY25 budget preparation. Pay Dirt, LLC has vast experience with this type of work and has successfully completed similar projects for the City.

Based on the City's estimated quantity requirements and the qualified low bidder unit costs, the Public Works Department recommends that the bid from Pay Dirt, LLC of Edgewater, Maryland, be accepted and that the City Manager be authorized to enter into a contract with Pay Dirt, LLC. Unit prices are established in the bid, and the quantity of work is directed by the Public Works Department

to maximize work completed within the available budget of \$150,000.

I concur with the above recommendation and request your approval of Resolution R-63-24.

ATTACHMENTS: 1. 20241007 - Resolution R-63-24

RESOLUTION
OF THE COUNCIL OF THE CITY OF BOWIE, MARYLAND
AWARDING A CONTRACT TO PAY DIRT, LLC. FOR UNDERDRAIN REPLACEMENT
AND INSTALLATION IN AN AMOUNT NOT TO EXCEED \$150,000.00

WHEREAS, a legal notice advertising an Invitation for Bids for underdrain replacement and installation was placed on eMaryland Marketplace Advantage and Bid Locker; and

WHEREAS, at the close of bidding at 11:00 a.m., Thursday, September 12, 2024, the City received six (6) unit priced bids; and

WHEREAS, after careful review of the bids submitted, it was determined that Pay Dirt, LLC had submitted the most responsive and responsible bid.

NOW, THEREFORE BE IT RESOLVED, by the Council of the City of Bowie, Maryland, that the Council hereby accepts the bid of Pay Dirt, LLC and authorizes the City Manager to enter into a contract with Pay Dirt, LLC for undrain replacement and installation in an amount not to exceed \$150,000.

INTRODUCED AND PASSED by the Council of the City of Bowie, Maryland, at a Regular Meeting on October 7, 2024.

ATTEST:

CITY OF BOWIE, MARYLAND

Awilda Hernandez, City Clerk

Timothy J. Adams, Mayor



Memorandum

TO: City Council

FROM: Alfred Lott, City Manager

SUBJECT: Waive Bidding for Sewer Main Rehabilitation
Resolution R-64-24

DATE: 10/03/2024

A new multi-year Capital Improvement Project for sewer main rehabilitation was created in the FY25 budget. The City of Bowie sewer system was installed in the 1960's. The majority of the pipe is terra-cotta, with some cast iron. The sewer line lifecycle is 50-100 years. The City of Bowie has approximately 472,300 feet (89.5 miles) of sanitary sewer with pipes ranging from 6" to 24" in diameter. Cured-in-Place Pipe Lining (CIPP) is a trenchless method of sewer construction that requires little or no excavating. CIPP involves inserting a flexible liner inside the existing pipe, inflating the liner and exposing it to heat or ultraviolet light to dry and harden the liner inside the pipe. The liner forms a smooth surface inside the existing pipe, restoring it to near-new condition. This method of pipe rehabilitation can extend the life of an existing sewer pipe system by more than 50 years if properly maintained.

The Public Works Department located a contract awarded by Frederick County, Maryland, to Humphrey & Son, Inc. of Laurel, Maryland (Contract #23-633), for CIPP trenchless pipe rehabilitation. The Frederick County contract was awarded after a competitive request for proposal process and the bid prices in the contract are competitive. The base contract year will be for FY25 with the City's option to renew the contract for four (4) additional one-year terms (FY26-FY29), pending budget appropriation.

The FY25 budget for the Somerset Section, Phase I, is \$1,500,000, of which \$1,300,00 will be appropriated to CIPP rehabilitation. A \$200,000 contract for sewer manhole rehabilitation will be brought to the Council on a future agenda.

In accordance with City Charter Section 61, it is requested that Council waive bidding requirements and authorize the City Manager to enter into a contract with Humphrey & Son, Inc. in an amount not to exceed \$1,300,000 for FY25 sewer main rehabilitation.

I concur with the above recommendation and request your approval of Resolution R-64-24.

ATTACHMENTS: 1. 20241007 - Resolution R-64-24

RESOLUTION
OF THE COUNCIL OF THE CITY OF BOWIE, MARYLAND
WAIVING THE COMPETITIVE BIDDING REQUIREMENTS OF SECTION 61 "PURCHASING AND
CONTRACTING" OF THE CHARTER OF THE CITY OF BOWIE AND AWARDING A CONTRACT
TO HUMPHREY & SON, INC. IN THE AMOUNT OF \$1,300,000 FOR SEWER MAIN
REHABILITATION, BY PIGGYBACKING A FREDERICK COUNTY, MARYLAND CONTRACT

WHEREAS, a new multi-year Capital Improvement Project for sewer main rehabilitation was created in the FY25 budget; and

WHEREAS, the City of Bowie sewer system was installed in the 1960's and the majority of the pipe is terra-cotta, with some cast iron and a lifecycle of 50-100 years; and

WHEREAS, the City of Bowie has approximately 472,300 feet (89.5 miles) of sanitary sewer with pipes ranging from 6" to 24" in diameter; and

WHEREAS, cured-in-place pipe lining (CIPP) is a trenchless method of sewer construction that requires little or no excavating which involves inserting a flexible liner inside the existing pipe, inflating the liner and exposing it to heat or ultraviolet light to dry and harden the liner inside the pipe forming a smooth surface inside the existing pipe, restoring it to near-new condition and extending the life of an existing sewer pipe system by more than 50 years if properly maintained; and

WHEREAS, the Public Works Department located a contract awarded by Frederick County, Maryland, to Humphrey & Son, Inc. of Laurel, Maryland (Contract #23-633), for CIPP trenchless pipe rehabilitation; and

WHEREAS, Contract #23-633 was competitively bid through a request for proposal process and staff determined that the prices contained therein are competitive; and

WHEREAS, the base contract year will be for FY25 with the City's option to renew the contract for four (4) additional one-year terms (FY26-FY29), pending budget appropriation; and

WHEREAS, the FY25 budget for the Somerset Section, Phase I, is \$1,500,000, of which \$1,300,000 will be appropriated to CIPP rehabilitation; and

WHEREAS, in accordance with City Charter Section 61, it is requested that Council waive bidding requirements and authorize the City Manager to enter into a contract with Humphrey & Son, Inc.; and

WHEREAS, the waiver requires the affirmative vote of two-thirds of the Council.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Bowie, Maryland, by at least two-thirds vote, that:

Section 1. The competitive bidding requirements of Section 61 of the Bowie City Charter are hereby waived.

Section 2. The City Manager is hereby authorized to enter into a contract with Humphrey & Son, Inc. for sewer main rehabilitation in an amount not to exceed \$1,300,000.

INTRODUCED AND PASSED by the Council of the City of Bowie, Maryland, at a meeting on October 7, 2024, by a vote of at least two-thirds of the members of the Council.

ATTEST:

CITY OF BOWIE, MARYLAND

Awilda Hernandez, City Clerk

Timothy J. Adams, Mayor



Memorandum

TO: City Council

FROM: Alfred Lott, City Manager

SUBJECT: Leaf Hauling and Disposal - Resolution R-65-24

DATE: 10/03/2024

A legal notice advertising an Invitation for Bids for Leaf Hauling and Disposal was placed on eMaryland Marketplace Advantage and Bid Locker. At the close of bidding at 11:00 a.m., Wednesday, September 25, 2024, the City received three (3) bids from the following companies. Below is a tabulation of their bid proposals:

Location	Estimated Quantity (per ton)	Blended by Her	P2 Cleaning Services	Majestic Grounds
Load, Transport and Dispose from Public Works Yard	1600	\$80.38	\$80.00	\$150.00
Load, Transport and Dispose from Black Sox Park	200	\$150.38	\$155.00	\$178.00
Alternate: Process, Load, Transport and Dispose of Storm Debris	1	\$2,316.00	\$250.00	\$190.00

This FY25 curbside leaf collection program will run from November 4 – December 19, 2024. Based on the unit prices bid, and the three-year average estimated quantity of leaves collected, it is expected that costs will exceed the FY25 budget of \$174,500.00. Leaf disposal is a part of the City's overall waste disposal budget which has sufficient funds appropriated to support this contract award. Staff will monitor disposal spending through the year and seek a supplemental budget if it is required.

After careful review of the bid submissions, the Public Works Department has determined that P2 Cleaning Services, LLC submitted the most responsive and responsible bid. P2 Cleaning Services, LLC is a current contractor providing grounds maintenance services for the Public Works department.

The term of this contract is for one year (FY25), except that the City shall have the option to renew the contract for five (5) additional one-year terms (FY26 thru FY30). Prices quoted are firm for the first year of the contract. The contractor may request a price adjustment thereafter based on the annual percentage change of the Consumer Price Index (CPI) for the twelve-month period

immediately prior to the date of the request.

The Public Works Department recommends that the bid from P2 Cleaning Services, LLC of Laurel, Maryland, be accepted.

I concur with the above recommendation to award to P2 Cleaning Services, LLC and request your approval of Resolution R-65-24.

ATTACHMENTS: 1. 20241007 - Resolution R-65-24

RESOLUTION
OF THE COUNCIL OF THE CITY OF BOWIE, MARYLAND
AWARDING A CONTRACT TO P2 CLEANING SERVICES, LLC. FOR SERVICES TO
HAUL AND DISPOSE OF LOOSE LEAVES

WHEREAS, a legal notice advertising an Invitation for Bids for Leaf Hauling and Disposal was placed on eMaryland Marketplace Advantage and Bid Locker; and

WHEREAS, at the close of bidding at 11:00 a.m., Wednesday, September 25, 2024, the City received three (3) bids; and

Location	Estimated Quantity (per ton)	Blended by Her	P2 Cleaning Services	Majestic Grounds
Load, Transport and Dispose from Public Works Yard	1600	\$80.38	\$80.00	\$150.00
Load, Transport and Dispose from Black Sox Park	200	\$150.38	\$155.00	\$178.00
Alternate: Process, Load, Transport and Dispose of Storm Debris	1	\$2,316.00	\$250.00	\$190.00

WHEREAS, this FY25 curbside leaf collection program will run from November 4 – December 19, 2024. Based on the unit prices bid, and the three-year average estimated quantity of leaves collected, it is expected that costs will exceed the FY25 budget of \$174,500.00. Leaf disposal is a part of the City's overall waste disposal budget which has sufficient funds appropriated to support this contract award. Staff will monitor disposal spending through the year and seek a supplemental budget if it is required.

WHEREAS, after careful review of the bids submitted, it was determined that P2 Cleaning Services, LLC had submitted a responsible and responsive proposal. P2 Cleaning Services, LLC is a current contractor providing grounds maintenance services for the Public Works Department.

WHEREAS, the term of this contract is for one year (FY25), except that the City shall have the option to renew the contract for five (5) additional one-year terms (FY26 thru FY30). Prices quoted are firm for the first year of the contract. The contractor may request a price adjustment thereafter based on the annual percentage change of the Consumer Price Index (CPI) for the twelve-month period immediately prior to the date of the request.

NOW, THEREFORE BE IT RESOLVED, by the Council of the City of Bowie, Maryland, that the Council hereby accepts the bid of P2 Cleaning Services, LLC and authorizes the City Manager to enter into a contract with P2 Cleaning Services, LLC.

INTRODUCED AND PASSED by the Council of the City of Bowie, Maryland, at a Regular Meeting on October 7, 2024.

ATTEST:

CITY OF BOWIE, MARYLAND

Awilda Hernandez, City Clerk

Timothy J. Adams, Mayor



Memorandum

TO: City Council

FROM: Alfred Lott, City Manager

SUBJECT: Purchase and Installation of Replacement Lime Pug Mill - WWTP
Resolution R-66-24

DATE: 10/03/2024

A legal notice advertising an Invitation for Bids for the purchase and installation of a replacement lime pug mill located at the Wastewater Treatment Plant was placed on eMaryland Marketplace Advantage and Bid Locker on August 20, 2024. At the close of bidding at 11:00 a.m., Wednesday, September 25, 2024, the City received two (2) bids. Below is a tabulation of the bids received:

Com-Bro Contracting, Inc. Elkridge, Maryland	Purchase	\$140,000
	Installation	\$ 24,000
	Disposal of Old Unit	\$ 400
	TOTAL	\$164,400
EMH Environmental, Inc. Glenwood, Maryland	Purchase	\$146,000
	Installation	\$ 30,300
	Disposal of Old Unit	\$ 2,000
	TOTAL	\$178,300

The lime pug mill is being replaced in accordance with the FY25 schedule of equipment replacement of the water and sewer fund, with a budget of \$145,000. The bid included add alternate items to install the new unit and dispose of the old unit. Funding for the add alternate items will be funded from the wastewater plant capital outlay account for improvements other than buildings which has a budget of \$80,000 for miscellaneous equipment replacement.

The Public Works Department recommends awarding the bid from Com-Bro Contracting, Inc for \$164,400.

I concur with the above recommendation to award to Com-Bro Contracting, Inc. and request your approval of Resolution R-66-24.

ATTACHMENTS: 1. 20241007 - Resolution R-66-24

RESOLUTION
OF THE COUNCIL OF THE CITY OF BOWIE, MARYLAND
ACCEPTING BID FROM COM-BRO CONTRACTING, INC. FOR THE PURCHASE
AND INSTALLATION OF A REPLACEMENT LIME PUG MILL LOCATED AT THE
WASTEWATER TREATMENT PLANT IN THE AMOUNT OF \$164,400

WHEREAS, a legal notice advertising an Invitation for Bids for the purchase and installation of a replacement lime pug mill at the wastewater treatment plant was placed on eMaryland Marketplace Advantage and Bid Locker; and

WHEREAS, at the close of bidding at 11:00 a.m., Wednesday, September 25, 2024, the City received two (2) bids; and

WHEREAS, the lime pug mill is being replaced in accordance with the FY25 schedule of equipment replacement of the water and sewer fund; and

WHEREAS, the bid included add alternate items to install the new unit and dispose of the old unit; and

WHEREAS, funding for the add alternate items will be funded from the wastewater plant capital outlay account for improvements other than buildings; and

WHEREAS, after a careful review of the bid proposals submitted it was determined that Com-Bro Contracting, Inc. of Elkridge, Maryland had submitted a responsible and responsive bid in the amount of \$164,400.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Bowie, Maryland, that the Council hereby accepts the bid of Com-Bro Contracting, Inc., in the amount of \$164,400, and authorizes the City Manager to enter into a contract with Com-Bro Contracting, Inc.

INTRODUCED AND PASSED by the Council of the City of Bowie, Maryland, at a Regular Meeting on October 7, 2024.

ATTEST:

 Awilda Hernandez, City Clerk

 Timothy J. Adams, Mayor



Memorandum

TO: City Council

FROM: Alfred Lott, City Manager

SUBJECT: Approval of Letter to M-NCPPC re: FY 2026 Proposed Budget

DATE: 10/03/2024

Consideration of sending annual letter to M-NCCPC regarding City recommendations for Park and Trail improvements.

ATTACHMENTS: 1. 20241007 - M-NCPPC FY 2026 Budget Letter

October 7, 2024

The Honorable Peter A. Shapiro, Chair
M-NCCPC, Prince George's County Planning Board
1616 McCormick Drive
Largo, Maryland 20774

RE: Proposed Fiscal Year 2026 Maryland-National Capital Park and Planning Commission Budget

Dear Chair Shapiro:

The Bowie City Council respectfully offers the following comments regarding the FY 2026 Proposed Maryland-National Capital Park and Planning Commission Budget. Thank you for your review and consideration of these issues of importance to the City of Bowie and its residents.

1. CAPITAL IMPROVEMENT PROGRAM FUNDING

PARKS & RECREATION

Green Branch Athletic Complex – The City fully supports the M-NCPPC FY25 budget priority to advance the Green Branch Athletic Complex capital project. After nearly 20 years of discussions, it's exciting to see this long-awaited project move forward, enhancing recreational opportunities for the Bowie community.

Multi-Generational Community Recreation Center at Green Branch Athletic Complex – The City advocates for the construction of a Multi-Generational Community Recreation Center in Area 3 of the Commission-owned Green Branch property. We strongly support this being the next facility of its kind developed by M-NCPPC. A City-conducted indoor facility analysis in 2013 revealed a high demand for indoor aquatics and court sports, further highlighting the need for such a center.

2. TRAIL PLANNING

The City again asks for your leadership and cooperation in trail planning activities for the following specific projects, which are mostly located beyond the City limits:

Bowie Heritage Trail – The City supports continued funding of the Department of Parks and Recreation (DPR) plans to extend the WB & A Spur Trail from the new bridge, across the State of Maryland property to Bowie State University and the MARC train station. We believe that construction of a pedestrian underpass under MD 197 (outside the city limits) to connect Lemon's Bridge Road to the MARC Train Station at Bowie State University can be formally initiated with DPR now that the WB & A bridge construction is nearly completed. A feasibility study and preliminary engineering have already been completed for the pedestrian underpass, which will be a critical link in The Heritage Trail system, especially if the mixed-use, transit-oriented development planned north of Bowie State University does not come to fruition. The City would like to see funding prioritized to close these gaps, which would be a

major milestone in advancing the Bowie Heritage Trail. The City's Jericho Park Trail, consisting of a 2,200-foot-long hiker-biker trail, including a new trail segment across M-NCPPC parkland, will be completed this fiscal year.

The Bowie Heritage Trail (BHT) – is a five mile half circle that creates a complete loop from the WB& A Trail at Highbridge Road to the site of the Patuxent River Trail Bridge. The BHT has been divided into multiple segments. This project is for three segments of the BHT comprised of the link between the Bowie MARC station on the west end of the Bowie State University (BSU) campus, through the campus on the Loop Road, through forested BSU land on a dirt road, and across DNR lands (dirt road) to the Patuxent River Bridge site, a total distance of 1.3 miles. The City is urging M-NCPPC to fund the connection between WB&A Spur and Bowie State University.

Collington Branch Stream Valley Park/ Hall Road Sidewalk – The project includes construction of pedestrian facilities in front of M-NCPPC park property along the north side of Hall Road between the CSX railroad tracks and Pointer Ridge Drive. The pedestrian improvement will provide safe access for residents going to the County Library at Hall Station. It is critical that the \$396,000 commitment currently shown in Year 1 of the proposed CIP be maintained to help encourage the Maryland State Highway Administration (SHA) to fund the construction of the much-needed pedestrian link between the CSX railroad tracks and Pointer Ridge Drive, and eventually a grade separated crossing of MD 214. SHA recently advised that they have reinitiated the Hall Road sidewalk project, including a new pedestrian bridge over Collington Branch. Preliminary design is underway, and SHA plans on completing the 30% design this fall.

Mount Oak Road Trail – The construction of a trail to connect Dahlia Drive to Mount Oak Road remains a City priority, and the parcel of land between Dahlia Drive and Mount Oak Road is owned by M-NCPPC. The City is currently working with PG DPW&T on a feasibility study to investigate specific alignments and outreach to determine a proposed trail routing from this property to Mount Oak Road. The City requests an easement across the M-NCPPC lot, as well as agreement for reimbursement for any portion of the trail the City builds on Commission land, similar to what was done at the Adnell Park for the Jericho Park Trail.

We appreciate the opportunity to share the City's perspective on these needs and thank you for your thoughtful consideration of them as we work together on projects of mutual interest in the Bowie community.

Sincerely,

Bowie City Council
Timothy J. Adams
Mayor

cc: The Honorable Ingrid S. Watson



Memorandum

TO: City Council

FROM: Alfred Lott, City Manager

SUBJECT: Amending City Charter Sec. 2, Sec. 18A, Sec. 89 and Sec. 98
Charter Amendment Resolution CAR-1-24

DATE: 10/03/2024

Council have expressed the need to have the City's Charter and Code reviewed and updated to enhance the city's governance, operations, and service delivery. City staff contracted General Code, a vendor specializing in codification and unique code solutions.

The City Charter and Code has gone through a complete organizational analysis, legislative evaluation, and legal analysis by the vendor as well as City staff and City Counsel. The next step is for Council to discuss the proposed amendments, hold public hearings to gather feedback from the community, and adopt the Charter Amendments.

Pursuant to MD Code Ann., Local Gov't, Division II, Title 4, Subtitle 3, the City Council of the City of Bowie, is authorized to amend its Charter, provided it complies with the procedures established in Subtitle 3, and that the amendment to the Charter of the City of Bowie, shall be and become effective fifty (50) days after its passage by the City unless petitioned to referendum in accordance with Md. Code Ann., Local Gov't Art., § 4-304 within 40 days following its passage.

This Charter Amendment Resolution is for introduction only. The Public Hearing will be scheduled for November 4, 2024.

ATTACHMENTS: 1. 20241007 - Charter Amendment Resolution CAR-1-24

A CHARTER AMENDMENT RESOLUTION
OF THE COUNCIL OF THE CITY OF BOWIE, MARYLAND
AMENDING SEC. 2, “TO BE FILED CERTAIN PLACES,” SEC. 18A, “EXPRESS
POWERS,” SEC. 89, ESTABLISHMENT, TAXES AND ADMINISTRATION,” AND
SEC. 98, CHARTER REVISION PROCEDURES; MISCELLANEOUS” OF THE
CITY CHARTER TO AMEND OUTDATED REFERENCES TO STATE LAW AND
TO DEPARTMENTS OF THE STATE

WHEREAS, pursuant to MD Code Ann., Local Gov’t, Division II, Title 4, Subtitle 3 (“Subtitle 3”), the City Council of the City of Bowie, a Maryland municipality, is authorized to amend its Charter, provided it complies with the procedures established in Subtitle 3; and

WHEREAS, the City of Bowie is in the process of codifying its charter and code; and

WHEREAS, during the codification process it came to City staff’s attention that the City Charter contains outdated references to State law and to departments of the State of Maryland; and

WHEREAS, staff has recommended the changes set forth herein; and

WHEREAS, a public hearing was conducted regarding the proposed amendments to the City Charter as is required by Subtitle 3 and City Charter, Section 98, prior to the adoption of this Charter Amendment Resolution; and

WHEREAS, the City Council of the City of Bowie desires to correct the outdated references set forth in the City Charter.

Section 1: **NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Bowie, Maryland, that § 2, To be filed in certain places, of the Charter of the City of Bowie is amended as follows:

Sec. 2. To be filed in certain places.

The courses and distances showing the exact corporate limits of the city shall be filed at all times with the Clerk of the Circuit Court of Prince George's County[, the Commissioner of the Land Office,] and the Director of the Maryland Department of Legislative [Reference] **SERVICES**. In addition, a copy of the courses and distances describing the corporate boundaries shall be on file in the **OFFICE OF THE** City Manager. All the officials named in this section are hereby directed to file or record all such information so filed with them each in a suitable book or place, properly indexed and reasonably available for public inspection during normal business hours.

BOLD CAPITALS: Indicate matter added to existing law.
 Asterisks * * * Indicate matter retained in existing law but omitted herein
 [Boldface brackets]: Indicate matter deleted from the existing law.

Section 2: NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Bowie, Maryland, that § 18A, Express powers, of the Charter of the City of Bowie is amended as follows:

Sec. 18A. Express powers.

In addition to the powers which have been or may be granted to it, the Council shall have the power to pass ordinances, resolutions and regulations and to take any other action necessary to achieve the specific purposes enumerated in the remaining subsections of this section, subject to any restrictions imposed by the Public General Laws of the State, these specific purposes include:

* * *

26. HAWKERS: To license, tax, regulate, suppress, and prohibit hawkers and itinerant dealers, peddlers, pawnbrokers, and all other persons selling any articles on the streets of the City, and to revoke such [licensee] **LICENSE** for any action or threat of action by such a licensee in the course of his occupation which causes or threatens harm or injury to inhabitants of the City or to their welfare or happiness.

* * *

29. LICENSES AND PERMITS: To exercise the licensing authority granted in the Business Regulation Article of the State Code and other provisions of law, subject to the limitations of [Article 24 of the State] **LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED Code OF MARYLAND**, the Tax-General Article and the Tax-Property Article; to establish and collect reasonable fees and charges for all franchises, licenses, or permits issued by the City, or associated with the exercise by the City of any governmental or [propriety] **PROPRIETARY** function.

* * *

40. PURCHASES THROUGH [PURCHASING BUREAU] **OFFICE OF STATE PROCUREMENT**: To provide for the purchase of materials, supplies, and equipment through the [Purchasing Bureau] **OFFICE OF STATE PROCUREMENT** of the State Department of General Services whenever desirable.

* * *

BOLD CAPITALS: Indicate matter added to existing law.
 Asterisks * * * Indicate matter retained in existing law but omitted herein
 [Boldface brackets]: Indicate matter deleted from the existing law.

Section 3: **NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Bowie, Maryland, that § 89, Establishment, Taxes, Administration, of the Charter of the City of Bowie is amended as follows:

Sec. 89. Establishment, Taxes, Administration.

(a) Authority and purpose. Pursuant to [Article 23A, subsection 44] **DIVISION IV, TITLE 21, SUBTITLE 4 OF THE LOCAL GOVERNMENT ARTICLE** of the Maryland Annotated Code, the City of Bowie may establish Special Taxing Districts for the following purposes: (1) financing the design, construction, establishment, extension, alteration or acquisition of adequate storm drainage systems; (2) financing the design, acquisition, establishment, improvement, extension, operation or alteration of public parking facilities or pedestrian malls; (3) financing the design, acquisition, erection, construction, improvement and maintenance of street and area lighting; (4) financing the activities of commercial management authorities; and (5) financing the design, acquisition, establishment, equipping, improvement, extension, operation, alteration or maintenance of public bus or ride sharing systems. The City may levy on all real and personal property, within the districts, an ad valorem tax at a rate sufficient to provide adequate annual revenues to pay the principal and interest on any bonds or obligations of the City issued for these purposes as the principal and interest become due, and to pay the costs of operating and maintaining these facilities.

*

*

*

Section 4: **NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Bowie, Maryland, that § 98, Charter revision procedures; miscellaneous, of the Charter of the City of Bowie is amended as follows:

Sec. 98. Charter revision procedures; miscellaneous.

This Charter of the City of Bowie, Maryland has been adopted pursuant to the authority granted under Article XI-E of the Constitution of the State of Maryland. This Charter contains the general corporate powers of the City and grants the Bowie City Council the power to pass all ordinances not contrary to the United States Constitution or the Maryland Constitution for the preservation of peace and the promotion of the health, safety, convenience and welfare of the City residents and visitors.

Amendments to the Charter can be made by the Council or by residents only pursuant to Article XI-E of the Constitution of the State of Maryland. As set forth in State law, a Charter amendment shall be ordained or passed in the usual course of considering resolutions in the City. City procedures require a public hearing on a Charter amendment. A fair summary of the

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[amending]**AMENDMENT** proposed by the Council must be posted in the municipal building and published in a newspaper at least four times at weekly intervals within a period of forty (40) days after the adoption of the amendment by the Council. The Charter amendment will become effective fifty (50) days after enactment unless a proper petition for referendum signed by twenty percent (20%) of the registered voters, is presented to the Council within forty (40) days after its enactment. The referendum election shall take place at the next regular municipal election or at a special election at the direction of the Council.

A Charter amendment proposed by the residents must be presented to the Council in the format of a Charter amendment petition. This petition must be signed by twenty percent (20%) of the registered voters qualified to vote in a general City election. The requisite number of signatures must be verified by the Council. If signed by less than twenty percent (20%) of the registered voters, the petition shall have no effect. If a valid petition is submitted, the Council has the option of adopting the proposed amendment in legislative session or submitting it to referendum. If the Council chooses to enact the amendment, it proceeds in the same manner as for a legislatively sponsored amendment. If the Council chooses to submit the proposed amendment to referendum election, the Council shall set the date and time of the referendum election by resolution within sixty (60) days from the date it was presented with the Charter amendment petition. The election may be at the next scheduled regular election or at a special election which shall be within a period of not less than forty (40) days nor more than ninety (90) days of the passage of the resolution. The Mayor or City Manager is responsible for the posting and publication of a Charter Amendment.

Copies of the City's laws and Charter are available to residents in the municipal building. Additionally, Maryland law requires the City to provide copies of its laws and amendments, including Charter amendments, to the Department of Legislative Reference as they are enacted. The City must also prepare an update of its laws on an annual basis which update should include all Charter amendments which have been enacted. (Article 23A, Subsection 17D, Annotated Code of Maryland). The Department of Legislative Reference compiles municipal charters into a single document which is available as a public document both at the Department and at libraries. Additionally, the Department is required to forward these documents to the State Archives for permanent storage and retention at least once a year.

Copies of the City's laws and Charter are available to residents in the municipal building. Additionally, Maryland law requires the City to provide copies of its laws and amendments, including Charter amendments, to the Department of Legislative [Reference] **SERVICES** as they are enacted. The City must also prepare an update of its laws on an annual basis which update should include all Charter amendments which have been enacted ([Article 23A, Subsection 17D,] **§ 4-110 OF THE LOCAL GOVERNMENT ARTICLE OF THE** Annotated Code of

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Maryland). The Department of Legislative [Reference] **SERVICES** compiles municipal charters into a single document which is available as a public document both at the Department and at libraries. Additionally, the Department is required to forward these documents to the State Archives for permanent storage and retention at least once a year.

[Additional questions relating to the Charter amendment process may be directed to the City Manager's office (301) 262-6200.]

Section 5: **BE IT FURTHER RESOLVED** that this Charter Amendment Resolution is adopted this ____ day of November, 2024, and that the amendment to the Charter of the City of Bowie, hereby proposed by this enactment, shall be and become effective fifty (50) days after its passage by the City unless petitioned to referendum in accordance with Md. Code Ann., Local Gov't Art., § 4-304 within 40 days following its passage. A complete and exact copy of this Resolution shall be posted in the City Hall building for forty (40) days following its passage by the City, and a fair summary of the Charter Amendment shall be published in a newspaper having general circulation in the City not less than four (4) times at weekly intervals, also within the forty (40) days following its passage by City.

Section 6: **BE IT FURTHER RESOLVED** that as soon as the Charter Amendment Resolution hereby enacted becomes effective, either as herein provided or following referendum, the Bowie City Manager shall send to the Department of Legislative Services, the following information concerning the Charter Amendment Resolution: (i) the complete text of this Resolution; (ii) the date of referendum election, if any, held with respect thereto; (iii) the number of votes cast for and against this Resolution by the Council of the City of Bowie or in a referendum; and (iv) the effective date of the Charter Amendment.

Section 7: **BE IT FURTHER RESOLVED** that the City Manager of the City of Bowie, Maryland be, and hereby is specifically enjoined and instructed to carry out the provisions of Sections 5 and 6 hereof as evidence of compliance herewith; and the City Clerk shall cause to be affixed to the minutes of this meeting an appropriate Certificate of Publication of the newspaper in which the fair summary of the Charter Amendment shall have been published, and shall further cause to be completed and executed the Certificate of Effect.

INTRODUCED by the Council of the City of Bowie, Maryland at a Regular Meeting on the ____ day of November, 2024.

PASSED by the Council of the City of Bowie, Maryland at a Regular Meeting on the ____ day of November, 2024.

BOLD CAPITALS: Indicate matter added to existing law.
 Asterisks * * * Indicate matter retained in existing law but omitted herein
 [Boldface brackets]: Indicate matter deleted from the existing law.

WITNESS:

THE CITY OF BOWIE, MARYLAND

Awilda Hernandez
City Clerk

Timothy J. Adams, Mayor

APPROVED AS TO FORM
AND SUFFICIENCY:

Elissa D. Levan, City Attorney

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[Boldface brackets]: Indicate matter deleted from the existing law.



Memorandum

TO: City Council

FROM: Alfred Lott, City Manager

SUBJECT: Amending City Charter Sec. 4
Charter Amendment Resolution CAR-2-24

DATE: 10/03/2024

Council have expressed the need to have the City's Charter and Code reviewed and updated to enhance the city's governance, operations, and service delivery. City staff contracted General Code, a vendor specializing in codification and unique code solutions.

The City Charter and Code has gone through a complete organizational analysis, legislative evaluation, and legal analysis by the vendor as well as City staff and City Counsel. The next step is for Council to discuss the proposed amendments, hold public hearings to gather feedback from the community, and adopt the Charter Amendments.

Pursuant to MD Code Ann., Local Gov't, Division II, Title 4, Subtitle 3, the City Council of the City of Bowie, is authorized to amend its Charter, provided it complies with the procedures established in Subtitle 3, and that the amendment to the Charter of the City of Bowie, shall be and become effective fifty (50) days after its passage by the City unless petitioned to referendum in accordance with Md. Code Ann., Local Gov't Art., § 4-304 within 40 days following its passage.

This Charter Amendment Resolution is for introduction only. The Public Hearing will be scheduled for November 4, 2024.

ATTACHMENTS: 1. 20241007 - Charter Amendment Resolution CAR-2-24

A CHARTER AMENDMENT RESOLUTION
OF THE COUNCIL OF THE CITY OF BOWIE, MARYLAND
AMENDING SEC. 4, “QUALIFICATIONS OF COUNCILMEMBERS”, OF THE
CITY CHARTER TO ADD THAT A COUNCILMEMBER CANNOT HAVE BEEN
CONVICTED OF OR PLEAD GUILTY, NOLO CONTENDERE OR ENTERED AN
ALFORD PLEA, TO A MISDEMEANOR INVOLVING ASSAULT, BATTERY OR
MORAL TURPITUDE

WHEREAS, pursuant to MD Code Ann., Local Gov’t, Division II, Title 4, Subtitle 3 (“Subtitle 3”), the City Council of the City of Bowie, a Maryland municipality, is authorized to amend its Charter, provided it complies with the procedures established in Subtitle 3; and

WHEREAS, the City of Bowie is in the process of codifying its charter and code; and

WHEREAS, during the codification process, General Code recommended changes to City Charter, Sec. 4, Qualifications of Councilmembers, to require that councilmembers, in addition to not having been convicted of a felony, that they not have been convicted of a misdemeanor involving assault, battery or moral turpitude; and

WHEREAS, a public hearing was conducted regarding the proposed amendments to the City Charter as is required by Subtitle 3 and City Charter, Section 98, prior to the adoption of this Charter Amendment Resolution; and

WHEREAS, the City Council of the City of Bowie desires to add the suggested change to the City Charter.

Section 1: **NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Bowie, Maryland, that § 4, Qualifications of Councilmembers, of the Charter of the City of Bowie is amended as follows:

Sec. 4. Qualifications of Councilmembers.

Each Councilmember shall be at least eighteen years of age, shall have resided in the City **FOR** at least one (1) year immediately preceding the date of election, shall be a qualified voter in the City, and shall not have been convicted of either a felony[,] or **A MISDEMEANOR INVOLVING ASSAULT, BATTERY, OR MORAL TURPITUDE**, [been convicted of,] or **HAVE** entered a plea[, leading to a conviction of a misdemeanor involving assault, battery, fraud or a crime of moral turpitude] **OF GUILTY OR NOLO CONTENDERE OR AN ALFORD PLEA TO SUCH A CRIME**. Each Councilmember shall be a resident of the council district[, which] **THAT** the candidate seeks to represent at the time of filing for candidacy and during [the] **HIS OR HER** full term of office.

BOLD CAPITALS: Indicate matter added to existing law.
 Asterisks * * * Indicate matter retained in existing law but omitted herein
 [Boldface brackets]: Indicate matter deleted from the existing law.

Section 2: BE IT FURTHER RESOLVED that this Charter Amendment Resolution is adopted this _____ day of November, 2024, and that the amendment to the Charter of the City of Bowie, hereby proposed by this enactment, shall be and become effective fifty (50) days after its passage by the City unless petitioned to referendum in accordance with Md. Code Ann., Local Gov't Art., § 4-304 within 40 days following its passage. A complete and exact copy of this Resolution shall be posted in the City Hall building for forty (40) days following its passage by the City, and a fair summary of the Charter Amendment shall be published in a newspaper having general circulation in the City not less than four (4) times at weekly intervals, also within the forty (40) days following its passage by City.

Section 3: BE IT FURTHER RESOLVED that as soon as the Charter Amendment Resolution hereby enacted becomes effective, either as herein provided or following referendum, the Bowie City Manager shall send to the Department of Legislative Services, the following information concerning the Charter Amendment Resolution: (i) the complete text of this Resolution; (ii) the date of referendum election, if any, held with respect thereto; (iii) the number of votes cast for and against this Resolution by the Council of the City of Bowie or in a referendum; and (iv) the effective date of the Charter Amendment.

Section 4: BE IT FURTHER RESOLVED that the City Manager of the City of Bowie, Maryland be, and hereby is specifically enjoined and instructed to carry out the provisions of Sections 2 and 3 hereof as evidence of compliance herewith; and the City Clerk shall cause to be affixed to the minutes of this meeting an appropriate Certificate of Publication of the newspaper in which the fair summary of the Charter Amendment shall have been published, and shall further cause to be completed and executed the Certificate of Effect.

INTRODUCED by the Council of the City of Bowie, Maryland at a Regular Meeting on the _____ day of November, 2024.

PASSED by the Council of the City of Bowie, Maryland at a Regular Meeting on the _____ day of November, 2024.

WITNESS:

THE CITY OF BOWIE, MARYLAND

Awilda Hernandez
City Clerk

Timothy J. Adams, Mayor

BOLD CAPITALS: Indicate matter added to existing law.
Asterisks * * * Indicate matter retained in existing law but omitted herein
[Boldface brackets]: Indicate matter deleted from the existing law.

APPROVED AS TO FORM
AND SUFFICIENCY:

Elissa D. Levan, City Attorney

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[Boldface brackets]: Indicate matter deleted from the existing law.



Memorandum

TO: City Council

FROM: Alfred Lott, City Manager

SUBJECT: Amending City Charter Sec. 6, Sec. 8, Sec. 9, Sec. 39, Sec. 44, Sec. 47, Sec. 73, Sec. 74 and Sec. 83
Charter Amendment Resolution CAR-3-24

DATE: 10/03/2024

Council have expressed the need to have the City's Charter and Code reviewed and updated to enhance the city's governance, operations, and service delivery. City staff contracted General Code, a vendor specializing in codification and unique code solutions.

The City Charter and Code has gone through a complete organizational analysis, legislative evaluation, and legal analysis by the vendor as well as City staff and City Counsel. The next step is for Council to discuss the proposed amendments, hold public hearings to gather feedback from the community, and adopt the Charter Amendments.

Pursuant to MD Code Ann., Local Gov't, Division II, Title 4, Subtitle 3, the City Council of the City of Bowie, is authorized to amend its Charter, provided it complies with the procedures established in Subtitle 3, and that the amendment to the Charter of the City of Bowie, shall be and become effective fifty (50) days after its passage by the City unless petitioned to referendum in accordance with Md. Code Ann., Local Gov't Art., § 4-304 within 40 days following its passage.

This Charter Amendment Resolution is for introduction only. The Public Hearing will be scheduled for November 4, 2024.

ATTACHMENTS: 1. 20241007 - Charter Amendment Resolution CAR-3-24

A CHARTER AMENDMENT RESOLUTION
OF THE COUNCIL OF THE CITY OF BOWIE, MARYLAND
AMENDING THE FOLLOWING SECTIONS OF THE CHARTER OF THE CITY OF
BOWIE: SEC. 6 “MEETINGS,” SEC. 8 “CHAIRPERSON,” SEC. 9 “QUORUM,”
SEC. 39, “POWERS AND DUTIES”, SEC. 44 “ADOPTION OF BUDGET,” SEC. 47
“EXPENDITURES IN EXCESS OF APPROPRIATIONS FORBIDDEN,” SEC. 73
“CITY’S POWERS WITH RESPECT TO SIDEWALKS,” SEC. 74 “POWERS OF
THE CITY,” AND SEC. 83 “RIGHT OF ENTRY BY CITY EMPLOYEES” TO
CORRECT TYPOGRAPHICAL AND GRAMMATICAL ERRORS

WHEREAS, pursuant to MD Code Ann., Local Gov’t, Division II, Title 4, Subtitle 3 (“Subtitle 3”), the City Council of the City of Bowie, a Maryland municipality, is authorized to amend its Charter, provided it complies with the procedures established in Subtitle 3; and

WHEREAS, the City of Bowie is in the process of codifying its charter and code; and

WHEREAS, during the codification process it came to light that several provisions of the City Charter contain typographical and/or grammatical errors; and

WHEREAS, a public hearing was conducted regarding the proposed amendments to the City Charter as is required by Subtitle 3 and City Charter, Section 98, prior to the adoption of this Charter Amendment Resolution; and

WHEREAS, the City Council of the City of Bowie desires to correct these errors prior to the codification of the City Charter.

Section 1: **NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Bowie, Maryland, that § 6, Meetings, of the Charter of the City of Bowie is amended as follows:

Sec. 6. Meetings.

A. The Council shall have an organizational meeting on the first Monday in November following the election. At that meeting the Council shall establish regular meeting dates and times. Regular meetings shall not be less frequent than one each month. A notice shall be published at least once in a newspaper of general circulation in the City stating the date, time, and place of regular meetings. Special meetings shall be called by the City Manager upon the request of the Mayor or a majority of the members of the Council. Except as provided otherwise in the Charter, all meetings of the Council shall be open to the public. The rules of the Council shall **PROVIDE** a reasonable opportunity for residents to address the Council at regular and special meetings of the Council.

BOLD CAPITALS: Indicate matter added to existing law.
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 [Boldface brackets]: Indicate matter deleted from the existing law.

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Section 2: NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Bowie, Maryland, that § 8, Chairperson, of the Charter of the City of Bowie is amended as follows:

Sec. 8. Chairperson.

The Mayor shall serve as Chairperson of the Council. The Mayor may take part in all discussions, and may vote on all matters coming before the Council. At the first Council Meeting following each Regular City Election, the Council shall elect a Mayor Pro Tem to serve as the Chairperson of the Council in the absence of the Mayor. The term of the Mayor Pro Tem shall be until the next Regular City Election. In the event of the resignation of the Mayor Pro Tem or if the Mayor Pro Tem becomes the Mayor as provided for in Section [36(a)] **35.A** of this Charter, the Council shall elect a new Mayor Pro Tem at its next meeting to serve the balance of the term.

Section 3: NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Bowie, Maryland, that § 9, Quorum, of the Charter of the City of Bowie is amended as follows:

Sec. 9. Quorum.

A majority of the members of the Council shall constitute a quorum for the transaction of business, but no ordinance shall be approved without the favorable recorded votes of a majority of the [of] members elected to the entire Council.

Section 4: NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Bowie, Maryland, that § 39, Powers and duties, of the Charter of the City of Bowie is amended as follows:

Sec. 39. Powers and duties.

The City Manager shall have the authority to and shall be required to:

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8. Maintain a general accounting system for the city in the form [as] **APPROVED BY** the Council, but not contrary to state law;

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Section 5: NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Bowie, Maryland, that § 44, Adoption of budget, of the Charter of the City of Bowie is amended as follows:

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Sec. 44. Adoption of budget.

Before adopting the budget, and after [provided] **PROVIDING** two [weeks] **WEEKS'** notice in a newspaper or newspapers having general circulation in the City, the Council shall hold a public hearing. The Council may insert new items and may increase or decrease items in the budget submitted by the City Manager. If the Council increases total proposed expenditures in the budget, it shall also increase the total anticipated revenues in an amount at least equal to total proposed expenditures. The budget shall be prepared and adopted in the form of an ordinance. A favorable vote of a majority of the total elected membership of the council shall be necessary for adoption.

Section 6: **NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Bowie, Maryland, that § 47, Expenditures in excess of appropriations forbidden, of the Charter of the City of Bowie is amended as follows:

Sec. 47. Expenditures in excess of appropriations forbidden.

During any budget year, no officer or employee shall expend or contract to expend any money or incur any liability or enter into any contract which by its terms involves the expenditure of money for any purpose, in excess of the amounts appropriated for or transferred to that general classification of expenditure. Any contract, verbal or written, made in violation of this Charter shall be null and void. Nothing in this section, however, shall prevent the making of [contacts] **CONTRACTS** or the spending of money for capital improvements to be financed in whole or in part by the issuance of bonds, nor does this section preclude the making of contracts of lease or for services for a period exceeding the budget year in which such contract is made, when the contract is permitted by law.

Section 7: **NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Bowie, Maryland, that § 73, City's powers with respect to sidewalks, of the Charter of the City of Bowie is amended as follows:

Sec. 73. City's powers with respect to sidewalks.

The City shall have the power:

(a) to establish, regulate, and change from time to time the grade lines, width, and construction materials of any sidewalk or part thereof on City property along any public way or part thereof[.];

(b) [To]TO grade, lay out, construct, reconstruct, pave, repave, repair, extend, or otherwise alter sidewalks on City property along any public way or **PART** thereof [.]

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(c) [To]TO require that the owners of any property abutting on a sidewalk keep the sidewalk clear of all ice, snow, and other obstructions[,]; and

(d) [To]TO require and order the owner of any property abutting on any public way in the City to perform any projects authorized by this section at the owner's expense according to reasonable plans and specifications. If, after due notice, the owner fails to comply with the order within a reasonable time, the City may do the work, and the expense shall be a lien on the property collectible in the same manner as City taxes or by suit at law.

Section 8: NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Bowie, Maryland, that § 74, Powers of the City, of the Charter of the City of Bowie is amended as follows:

Sec. 74. Powers of the city.

(a) The City shall have the power to plan, construct, erect, purchase, lease, operate, and maintain water systems and water plants, sanitary sewerage systems and [sewerage] SEWAGE treatment plants, and storm water drainage systems.

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Section 9: NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Bowie, Maryland, that § 83, Right of entry by City employees, of the Charter of the City of Bowie is amended as follows:

Sec. 83. Right of entry by City employees.

Any employee or agent of the City, while in the necessary conduct of official duties with the water or sewage disposal systems operated by the City, shall have the right of entry to access [to] THE water or sewer installation[,] on any premises and in any building in the City or county served by the City's water or sewage disposal systems. Entry shall be provided at all reasonable hours after reasonable advance notice to the owner, tenant or person in possession, and upon proper identification of the City employee or agent. Any restraint or hindrance to such entry be any owner, tenant, person in possession, or the agent of any of them, may, by ordinance, be made a misdemeanor.

Section 10: BE IT FURTHER RESOLVED that this Charter Amendment Resolution is adopted this _____ day of November, 2024, and that the amendments to the Charter of the City of Bowie, hereby proposed by this enactment, shall be and become effective fifty (50) days after its passage by the City unless petitioned to referendum in accordance with Md. Code Ann., Local Gov't Art., § 4-304 and § 4-307 within 40 days following its passage. A complete and exact copy of this Resolution shall be posted in the City Hall building for forty (40) days following its passage by the City, and a fair summary of the Charter Amendment shall be

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published in a newspaper having general circulation in the City not less than four (4) times at weekly intervals, also within the forty (40) days following its passage by City.

Section 11: BE IT FURTHER RESOLVED that as soon as the Charter Amendment Resolution hereby enacted becomes effective, either as herein provided or following referendum, the Bowie City Manager shall send to the Department of Legislative Services, the following information concerning the Charter Amendment Resolution: (i) the complete text of this Charter Amendment Resolution; (ii) the date of referendum election, if any, held with respect thereto; (iii) the number of votes cast for and against this Resolution by the Council of the City of Bowie or in a referendum; and (iv) the effective date of the Charter Amendment.

Section 12: BE IT FURTHER RESOLVED that the City Manager of the City of Bowie, Maryland be, and hereby is specifically enjoined and instructed to carry out the provisions of Sections 10 and 11 hereof as evidence of compliance herewith; and the City Clerk shall cause to be affixed to the minutes of this meeting an appropriate Certificate of Publication of the newspaper in which the fair summary of the Charter Amendment shall have been published, and shall further cause to be completed and executed the Certificate of Effect.

INTRODUCED by the Council of the City of Bowie, Maryland at a Regular Meeting on the ____ day of November, 2024.

PASSED by the Council of the City of Bowie, Maryland at a Regular Meeting on the ____ day of November, 2024.

WITNESS:

THE CITY OF BOWIE, MARYLAND

Awilda Hernandez
City Clerk

Timothy J. Adams, Mayor

APPROVED AS TO FORM
AND SUFFICIENCY:

Elissa D. Levan, City Attorney

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Memorandum

TO: City Council

FROM: Alfred Lott, City Manager

SUBJECT: Amending City Charter Sec. 32 and Sec. 33
Charter Amendment Resolution CAR-4-24

DATE: 10/03/2024

Council have expressed the need to have the City's Charter and Code reviewed and updated to enhance the city's governance, operations, and service delivery. City staff contracted General Code, a vendor specializing in codification and unique code solutions.

The City Charter and Code has gone through a complete organizational analysis, legislative evaluation, and legal analysis by the vendor as well as City staff and City Counsel. The next step is for Council to discuss the proposed amendments, hold public hearings to gather feedback from the community, and adopt the Charter Amendments.

Pursuant to MD Code Ann., Local Gov't, Division II, Title 4, Subtitle 3, the City Council of the City of Bowie, is authorized to amend its Charter, provided it complies with the procedures established in Subtitle 3, and that the amendment to the Charter of the City of Bowie, shall be and become effective fifty (50) days after its passage by the City unless petitioned to referendum in accordance with Md. Code Ann., Local Gov't Art., § 4-304 within 40 days following its passage.

This Charter Amendment Resolution is for introduction only. The Public Hearing will be scheduled for November 4, 2024.

ATTACHMENTS: 1. 20241007 - Charter Amendment Resolution CAR-4-24

A CHARTER AMENDMENT RESOLUTION
OF THE COUNCIL OF THE CITY OF BOWIE, MARYLAND
AMENDING SEC. 32, “SPECIAL ELECTIONS,” AND SEC. 33, “COUNTING
VOTES; DECLARING RESULTS” OF THE CITY CHARTER TO CORRECT
REFERENCES TO THE CITY BOARD OF ELECTIONS

WHEREAS, pursuant to MD Code Ann., Local Gov’t, Division II, Title 4, Subtitle 3 (“Subtitle 3”), the City Council of the City of Bowie, a Maryland municipality, is authorized to amend its Charter, provided it complies with the procedures established in Subtitle 3; and

WHEREAS, the City of Bowie is in the process of codifying its charter and code; and

WHEREAS, during the codification process it came to staff’s attention that the City Charter contains two references to a Board of Supervisors of Elections, however, they should be the Board of Elections; and

WHEREAS, staff has recommended that these references be changed; and

WHEREAS, a public hearing was conducted regarding the proposed amendments to the City Charter as is required by Subtitle 3 and City Charter, Section 98, prior to the adoption of this Charter Amendment Resolution; and

WHEREAS, the City Council of the City of Bowie desires to correct the references to the Board of Elections.

Section 1: **NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Bowie, Maryland, that § 32, Special elections, of the Charter of the City of Bowie is amended as follows:

Sec. 32. Special elections.

All special city elections shall be conducted by the [board of supervisors of elections] **BOARD OF ELECTIONS** in the same manner and with the same personnel, as far as practicable, as regular city elections.

Section 2: **NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Bowie, Maryland, that § 33, Counting votes; declaring results, of the Charter of the City of Bowie is amended as follows:

Sec. 33. Counting votes; declaring results.

After the closing of the polls, the [board of supervisors of elections]**BOARD OF ELECTIONS** shall determine the vote cast for each candidate or question and shall certify the results of the

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election to the City Manager who shall cause the results to be recorded in the minutes of the Council. The candidate for Mayor with the highest number of votes shall be declared elected as Mayor. The candidate for Councilmember for each Council district with the highest number of votes shall be declared elected as Councilmember.

Section 3: BE IT FURTHER RESOLVED that this Charter Amendment Resolution is adopted this _____ day of November, 2024, and that the amendment to the Charter of the City of Bowie, hereby proposed by this enactment, shall be and become effective fifty (50) days after its passage by the City unless petitioned to referendum in accordance with Md. Code Ann., Local Gov't Art., § 4-304 within 40 days following its passage. A complete and exact copy of this Resolution shall be posted in the City Hall building for forty (40) days following its passage by the City, and a fair summary of the Charter Amendment shall be published in a newspaper having general circulation in the City not less than four (4) times at weekly intervals, also within the forty (40) days following its passage by City.

Section 4: BE IT FURTHER RESOLVED that as soon as the Charter Amendment Resolution hereby enacted becomes effective, either as herein provided or following referendum, the Bowie City Manager shall send to the Department of Legislative Services, the following information concerning the Charter Amendment Resolution: (i) the complete text of this Resolution; (ii) the date of referendum election, if any, held with respect thereto; (iii) the number of votes cast for and against this Resolution by the Council of the City of Bowie or in a referendum; and (iv) the effective date of the Charter Amendment.

Section 5: BE IT FURTHER RESOLVED that the City Manager of the City of Bowie, Maryland be, and hereby is specifically enjoined and instructed to carry out the provisions of Sections 3 and 4 hereof as evidence of compliance herewith; and the City Clerk shall cause to be affixed to the minutes of this meeting an appropriate Certificate of Publication of the newspaper in which the fair summary of the Charter Amendment shall have been published, and shall further cause to be completed and executed the Certificate of Effect.

INTRODUCED by the Council of the City of Bowie, Maryland at a Regular Meeting on the _____ day of November, 2024.

PASSED by the Council of the City of Bowie, Maryland at a Regular Meeting on the _____ day of November, 2024.

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WITNESS:

THE CITY OF BOWIE, MARYLAND

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APPROVED AS TO FORM
AND SUFFICIENCY:

Elissa D. Levan, City Attorney

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