



City of Bowie

Regular City Council Meeting

Tuesday, September 8, 2026
Council Chambers - 7 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.** Adoption and Presentation of Proclamation P-8-26 Recognizing Teen Summer Camp – Two-Week Financial Literacy Program Participants
 - B.** Adoption and Presentation of Proclamation P-9-26 Recognizing Teen Summer Camp – Two-Week Financial Literacy Program Sponsors
- VII. CITY BOARDS AND COMMITTEES**
 - A.** Appointments/Reappointments/Swearing-in
- VIII. COUNCIL ANNOUNCEMENTS**
- IX. CITY MANAGER'S REPORT**
- X. CONSENT AGENDA**
 - A.** Approval of July 6, 2026 Council Meeting Minutes
 - B.** Approval of August 3, 2026 Council Meeting Minutes
 - C.** Adoption of Resolution R-72-26 Accepting a Proposal for Police Testing Services to Emergency Services Consulting International in the Amount Not to Exceed \$51,000.00
 - D.** Adoption of Resolution R-73-26 Authorizing the Release of Construction Securities Provided Under Permit ROW-0001-23 for the South Lake Sheetz Project at Marketplace Boulevard and US 301
 - E.** Adoption of Resolution R-74-26 Authorizing the Issuance of a Purchase Order to Frederick Ward Associates, Inc. in the Amount of \$170,000 for Task Order #1 Professional Services-Development Plan Review, Engineering, & Design Services in Accordance with the Master Contract Approved on January 21, 2025
 - F.** Adoption of Resolution R-75-26 Regarding Variance Application BV-1-26, a Request by the Jeremiah 29:11 Living Trust for Three Variances to Section 27-4202(E)(2) of the Prince George's County Zoning Code for Setback Requirements at 13200 11th Street

- G.** Adoption of Resolution R-76-26 In Support of the Task Force to Modernize County and Municipal Revenue Structures
- H.** Adoption of Resolution R-77-26 Waiving the Competitive Bidding Requirements of Section 61 "Purchasing and Contracting" of the Charter of the City of Bowie to Allow the Purchase of Seven (7) Police Vehicles and Authorizing the City Manager to Issue a Purchase Order Through a State of Maryland Procurement Contract
- I.** Adoption of Resolution R-78-26 Waiving the Competitive Bidding Requirements of Section 61 "Purchasing and Contracting" of the Charter of the City of Bowie to Allow the Purchase of Police Vehicle Upfitting Services and Authorizing the City Manager to Issue a Purchase Order Through a Howard County, Maryland Procurement Contract
- J.** Adoption of Resolution R-79-26 Declaring the Official Intent of the City to Reimburse from Proceeds of Tax-Exempt Debt a Portion of Expenditures Paid with Respect to Certain Water and Sewer Projects
- K.** Adoption of Resolution R-80-26 Approving a Lease Addendum and Indemnification Agreement Relating to Bowie Commons and Authorizing the City Manager to Execute the Agreements
- L.** Adoption of Resolution R-81-26 Waiving the Competitive Bidding Requirements of Section 61 "Purchasing and Contracting" of the Charter of the City of Bowie to Allow for the Emergency, Weekly, Monthly and Annual Wastewater Pumping and Hauling Services by Piggybacking Anne Arundel County Contract #SSF2600264, and Authorizing the City Manager to Issue a Purchase Order to Robert F. Beall & Sons Inc.
- M.** Introduction of Ordinance O-12-26 To Authorize and Empower the City of Bowie (the "City") to Sell and Issue from Time to Time, Upon Its Full Faith and Credit, One or More Series of (1)(A) General Obligation Bonds and (B) General Obligation Bond Anticipation Notes, Each in an Original Aggregate Principal Amount Not to Exceed Thirteen Million Four Hundred Fifty-Four Thousand One Hundred Dollars (\$13,454,100), and (2) General Obligation Refunding Bonds, Subject to the Limitations Provided for Herein, the Proceeds of the Sale Thereof to Be Used and Applied for the Public Purpose of Financing, Reimbursing or Refinancing Costs of Certain Water and Sewer Projects Identified Herein, Including Costs of Issuance; Specifying the Maximum Principal Amount of the Authorized Bonds or Bond Anticipation Notes to Be Allocated to Each Such Project, Subject to Reallocation in Accordance with Applicable Budgetary Procedures or Applicable Law; Providing for Reallocation of Proceeds of the Authorized Bonds or Bond Anticipation Notes to Other Projects Not Specified Herein; Providing that the Council By Resolution Shall Determine, Approve or Provide for Various Matters Relating to the Authorization, Sale, Security, Issuance, Delivery, Payment and Prepayment or Redemption of and for Each Series of the Bonds, the Bond Anticipation Notes and the Refunding Bonds (Each a "Series of the Obligations" or the "Obligations"); Providing for the Imposition of Ad Valorem Taxes Sufficient for, and Pledging the Full Faith and Credit and Unlimited Taxing Power of the City to, the Payment of Debt Service on Each Issued Series of the Obligations; Providing that Debt Service on Each Issued Series of the Obligations Also May Be Paid From Any Other Sources of Revenue Lawfully Available to the City for Such Purpose; Providing That Certain

Actions May Be Taken or Provided for By Resolution in Connection with the Reissuance or Modification of Any of the Obligations; Providing that Any of the Obligations May Be Consolidated with Other Obligations of the City and Issued as a Single Series of Bonds, Bond Anticipation Notes and/or Refunding Bonds; Authorizing, Directing and Empowering Officials and Employees of the City to Take Certain Actions in Connection with the Obligations; Authorizing Modifications of the Obligations to Be Made by Resolution Unless Another Action is Required; Providing that This Title Shall Be Deemed a Fair Summary of This Ordinance for All Purposes and Allowing Fair Summaries to Be in Another Format as Provided Herein; Providing that the Provisions of This Ordinance Shall Be Liberally Construed; and Otherwise Generally Relating to the Sale, Issuance, Delivery and Payment of and for the Obligations

XI. OLD BUSINESS

- A.** Adoption of Ordinance O-11-26 To Authorize and Empower the City of Bowie (the "City") to Sell and Issue from Time to Time, Upon Its Full Faith and Credit, One or More Series of (1)(A) General Obligation Bonds and (B) General Obligation Bond Anticipation Notes, Each in an Original Aggregate Principal Amount Not to Exceed Sixteen Million Dollars (\$16,000,000), and (2) General Obligation Refunding Bonds, Subject to the Limitations Provided for Herein, the Proceeds of the Sale Thereof to Be Used and Applied for the Public Purpose of Financing, Reimbursing or Refinancing Costs of a Project Generally Described as Streetlight Repair and Maintenance, Streetlight Cable Replacements, and LED Streetlight Upgrades, Including Costs of Issuance; Providing for Reallocation of Proceeds of the Authorized Bonds or Bond Anticipation Notes to Other Projects; Providing that the Council by Resolution Shall Determine, Approve or Provide for Various Matters Relating to the Authorization, Sale, Security, Issuance, Delivery, Payment and Prepayment or Redemption of and for Each Series of the Bonds, the Bond Anticipation Notes and the Refunding Bonds (Each a "Series of the Obligations" or the "Obligations"); Providing for the Imposition of Ad Valorem Taxes Sufficient for, and Pledging the Full Faith and Credit and Unlimited Taxing Power of the City to, the Payment of Debt Service on Each Issued Series of the Obligations; Providing that Debt Service on Each Issued Series of the Obligations Also May Be Paid from Any Other Sources of Revenue Lawfully Available to the City for Such Purpose; Providing that Certain Actions May Be Taken or Provided for by Resolution in Connection with the Reissuance or Modification of Any of the Obligations; Providing that Any of the Obligations May Be Consolidated with Other Obligations of the City and Issued as a Single Series of Bonds, Bond Anticipation Notes and/or Refunding Bonds; Authorizing, Directing and Empowering Officials and Employees of the City to Take Certain Actions in Connection with the Obligations; Authorizing Modifications of the Obligations to Be Made by Resolution Unless Another Action is Required; Providing that This Title Shall Be Deemed a Fair Summary of this Ordinance for All Purposes and Allowing Fair Summaries to Be in Another Format as Provided Herein; Providing that the Provisions of This Ordinance Shall Be Liberally Construed; and Otherwise Generally Relating to the Sale, Issuance and Delivery and Payment of and for the Obligations. - **Public Hearing/Eligible for Action**

XII. NEW BUSINESS

- A. Bowie State University Update - Briefing by Dr. Aminta H. Breaux, President of Bowie State University, on current initiatives, developments, and activities at the University.

XIII. ADJOURNMENT AND MOVE TO CLOSED SESSION

To adjourn to closed session under the statutory authority of the Md. Annotated Code, General Provisions Article §3-305(b)(4): "To consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State", §3-305(b)(7): "To consult with counsel to obtain legal advice", and §3-305(b)(8): "To consult with staff, consultants, or other individuals about pending or potential litigation."

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 9/9/2026 and 9/12/2026 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 2026 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, SEPTEMBER 21, 2026 - COUNCIL CHAMBERS - 7:00 P.M.

PROCLAMATION
OF THE COUNCIL OF THE CITY OF BOWIE, MARYLAND
RECOGNIZING TEEN SUMMER CAMP – TWO-WEEK FINANCIAL LITERACY
PROGRAM PARTICIPANTS

WHEREAS, financial literacy is an essential life skill that empowers young people to make informed decisions, build secure futures, and become the leaders of tomorrow; and

WHEREAS, in August 2026, Concerned Citizens of Prince George’s County, District 4 and Surrounding Areas, Inc., under the leadership of President Milly Hall, in partnership with County Council Member Tim Adams (District 4), hosted the Teen Summer Camp – Two-Week Financial Literacy Program; and

WHEREAS, under the guidance of instructor Kelly Gadsden, participating teens demonstrated outstanding dedication, active participation, and commitment to acquiring critical financial knowledge and practical life skills; and

WHEREAS, this valuable initiative was made possible through the generous support and sponsorship of TD Bank, local business leader William F. Chesley, and business owner Mehmet Yuskel; and

WHEREAS, the hard work and accomplishments of these young scholars reflect the core values of commitment, knowledge, empowerment, and success, setting a strong foundation for their financial futures.

NOW, THEREFORE, BE IT PROCLAIMED that the Council of the City of Bowie, Maryland does hereby commend and recognize the participants for their successful completion of the course and extend our best wishes for their continued success as empowered future leaders.

ADOPTED AND PRESENTED by the Council of the City of Bowie, Maryland at a meeting on September 8, 2026.

ATTEST:

Michael P. Estève
Mayor

Awilda Hernandez, MMC
City Clerk

PROCLAMATION
OF THE COUNCIL OF THE CITY OF BOWIE, MARYLAND
RECOGNIZING TEEN SUMMER CAMP – TWO-WEEK FINANCIAL LITERACY
PROGRAM SPONSORS

WHEREAS, the future prosperity and strength of our community depend on providing our youth with essential life skills, including sound financial education and career readiness; and

WHEREAS, in August 2026, Concerned Citizens of Prince George's County, District 4 and Surrounding Areas, Inc., in partnership with County Council Member Tim Adams (District 4), successfully presented the Teen Summer Camp – Two-Week Financial Literacy Program; and

WHEREAS, the vital mission of empowering tomorrow's leaders through financial education was made possible through the generous investment, community leadership, and sponsorship of local sponsors; and

WHEREAS, by contributing their resources and support to teach local youth critical skills in budgeting, saving, and building a strong financial future, these community partners have demonstrated an exceptional commitment to public service and corporate citizenship; and

WHEREAS, the dedication of these sponsors ensures that young residents gain the knowledge, confidence, and empowerment needed to achieve lifelong success.

NOW, THEREFORE, BE IT PROCLAIMED that the Council of the City of Bowie, Maryland does hereby express our sincere gratitude and recognize the sponsors for their outstanding sponsorship and support of the Teen Summer Camp – Two-Week Financial Literacy Program, commending their commitment to investing in the future of our youth and community

ADOPTED AND PRESENTED by the Council of the City of Bowie, Maryland at a meeting on September 8, 2026.

ATTEST:

Michael P. Estève
Mayor

Awilda Hernandez, MMC
City Clerk



Memorandum

TO: City Council

FROM: Awilda Hernandez, City Clerk

SUBJECT: Committee Appointments/Reappointments/Swearing-in

DATE: 09/03/2026

Committee Appointments:

1. Mr. Roy Wilson was interviewed on August 3, 2026, for appointment to the Financial Advisory Committee. Council concurred to appoint him to the Committee as a Regular Member for a 2-year term. Please have Mayor Pro Tem Woolfley move to appoint him.
2. Ms. Rhonda Boyd was interviewed on August 3, 2026, for appointment to the Financial Advisory Committee. Council concurred to appoint her to the Committee as a Regular Member for a 2-year term. Please have Mayor Pro Tem Woolfley move to appoint her.

ATTACHMENTS: None

REGULAR CITY COUNCIL MEETING MINUTES

MONDAY, JULY 6, 2026

CALL MEETING TO ORDER:

The Regular Meeting of the Bowie City Council was held on Monday, July 6, 2026, in Council Chambers at City Hall. Mayor Estève called the meeting to order at 7:10 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG:

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

QUORUM:

In attendance were Mayor Estève; Councilmembers Brady, Ndebumadu (virtually), Rogers, Truesdale, and Woolfley; Acting City Manager Mears; City Attorney Ruff; Assistant City Clerk Hartig and Staff.

CITIZEN PARTICIPATION:

None.

CITY BOARDS AND COMMITTEES:

A. Appointments and Swearing-In:

1. Mayor Estève motioned to appoint Mr. Caleb James to the Community Outreach Committee as a Regular Member for a 2-year term. Mayor Pro Tem Woolfley seconded the motion. Motion passed 5-0 (Ndebumadu did not vote).

B. Reappointments

1. Mayor Estève moved the reappointment of Nancy Franklin, Carl Robinson, and William Schmitt to the Administrative Review Board for a 2-year term. Mayor Pro Tem Woolfley seconded the motion, and it carried 5-0 (Ndebumadu did not vote).
2. Councilmember Truesdale moved the reappointment of Robert Day, Lisa Frison, Terry Rogers, Jr., Carl Schuettler, Ronald Skotz and Eric Ketterling to the Advisory Planning Board for a 2-year term. Councilmember Brady seconded the motion, and it carried 5-0 (Ndebumadu did not vote).
3. Mayor Estève moved the reappointment of Gabrielle Davison to the Arts Committee for a 2-year term. Mayor Pro Tem Dufour Woolfley seconded the motion, and it carried 5-0 (Ndebumadu did not vote).
4. Mayor Estève moved the reappointment of Kara Hunt to the Board of Personnel Appeals for a 2-year term. Mayor Pro Tem Woolfley seconded the motion, and it carried 5-0 (Ndebumadu did not vote).

5. Mayor Estève moved the reappointment of Mary Ellen Winlund, Cheryl Moore, and Gina Winchester to the Community Outreach Committee for a 2-year term. Mayor Pro Tem Woolfley seconded the motion, and it carried 5-0 (Ndebumadu did not vote).
6. Councilmember Truesdale moved the reappointment of Carrie Weaver-Bridges and Romie Duvert to the Community Recreation Committee for a 2-year term. Mayor Pro Tem Woolfley seconded the motion, and it carried 5-0 (Ndebumadu did not vote).
7. Councilmember Rogers moved the reappointment of Elveeda Dixon and Koné Faulkner to the Diversity Committee for a 2-year term. Councilmember Truesdale seconded the motion, and it carried 5-0 (Ndebumadu did not vote).
8. Councilmember Rogers moved the reappointment of Kevin Lopez Cruz to the Diversity Committee for a 1-year term. Mayor Pro Tem Woolfley seconded the motion, and it carried 5-0 (Ndebumadu did not vote).
9. Councilmember Brady moved the reappointment of Billy Louis, Yolanda Muckle, Michael Oleru, Eddie Pounds, Christopher Rizzi, and Erica Kennedy to the Economic Development Committee for a 2-year term. Mayor Pro Tem Woolfley seconded the motion, and it carried 5-0 (Ndebumadu did not vote).
10. Councilmember Ndebumadu moved the reappointment of Zach Lowe and Alejandra Londono Gomez to the Education Committee for a 2-year term. Councilmember Truesdale seconded the motion, and it carried 5-0 (Ndebumadu did not vote).
11. Mayor Pro Tem Woolfley moved the reappointment of Alexandra S. Harry Nappier, John Teasdale, and Robert Kellaway to the Environmental Advisory Committee for a 2-year term. Councilmember Rogers seconded the motion, and it carried 5-0 (Ndebumadu did not vote).
12. Mayor Pro Tem Woolfley moved the reappointment of William Olukoya to the Financial Advisory Committee for a 2-year term. Councilmember Truesdale seconded the motion, and it carried 5-0 (Ndebumadu did not vote).
13. Councilmember Rogers moved the reappointment of Michelle Balfe and Krystle Kime to the Green Team Executive Committee for a 2-year term. Councilmember Brady seconded the motion, and it carried 5-0 (Ndebumadu did not vote).
14. Councilmember Ndebumadu moved the reappointment of Richard Bleach, JoAnn Marshall-Hobbs, Kenneth Wenzel, and Okezie Onukwubiri to the Information Technology Committee for a 2-year term. Mayor Pro Tem Woolfley seconded the motion, and it carried 5-0 (Ndebumadu did not vote).
15. Councilmember Brady moved the reappointment of Delmer Billings, William Grayson, Jacqueline Rhone, and Jason Pagel to the Public Safety Committee for a 2-year term. Councilmember Rogers seconded the motion, and it carried 5-0 (Ndebumadu did not vote).

CITY MANAGER'S REPORT:

Acting City Manager Mears wished all a Happy 4th of July.

CONSENT AGENDA:

Mayor Pro Tem Woolfley motioned to approve Consent Agenda items: A) Approval of March 4, 2026 Special Council Meeting Minutes; B) Approval of April 1, 2026 Special Council Meeting Minutes; C) Approval of April 6, 2026 Council Meeting Minutes; D) Adoption of Resolution R-57-26 Waiving the Competitive Bidding Requirements of Section 61 "Purchasing and Contracting" of the Charter of the City of Bowie to Allow for the Purchase of One Closed-Circuit Television Truck in the Amount of \$464,431.00 by Piggybacking Virginia Sheriffs' Association Contract Number 26-07-0711, and Authorizing the City Manager to Issue a Purchase Order to Atlantic Machinery, Inc.; E) Adoption of Resolution R-58-26 Waiving the Competitive Bidding Requirements of Section 61 "Purchasing and Contracting" of the Charter of the City of Bowie to Allow for the Purchase of One Sewer Jet Vac Truck in the Amount of \$441,704.00 by Piggybacking Virginia Sheriffs' Association Contract Number 26-07-0711, and Authorizing the City

Manager to Issue a Purchase Order to Atlantic Machinery, Inc.; F) Adoption of Resolution R-59-26 Authorizing the Issuance of a Purchase Order To KCI Technologies, Inc. for Task Order/RFP#11-01 in the Amount of \$434,818.48 in Accordance with the Master Contract Approved on January 7, 2019; G) Adoption of Resolution R-60-26 Awarding a Contract to Golden, Inc. for the Custodial Services at Public Works Facilities in the Amount of \$31,140.00; H) Introduction of Ordinance O-8-26 Amending the Adopted Budget for the Fiscal Year Beginning July 1, 2026 and Ending June 30, 2027, as Embodied in Ordinance O-5-26 and Amended by Ordinance O-7-26 to Appropriate Funds for the Following Project: \$16,000,000 for Streetlight Repair and Maintenance, Streetlight Cable Replacements, and Led Streetlight Upgrades; I) Introduction of Ordinance O-9-26 Amending the Adopted Budget for the Fiscal Year Beginning July 1, 2026 and Ending June 30, 2027, as Embodied in Ordinance O-5-26 and Amended by Ordinances O-7-26 and O-8-26 to Appropriate Funds for the Following Project: \$112,700 for an Information Technology Systems Integrator. Councilmember Brady seconded the motion. Motion passed 6-0.

NEW BUSINESS:

A. Legislative Session Wrap-up – Delora Sanchez Ifekauche and Patrick Hogan, representatives from Cornerstone, the City's lobbyist firm, briefed Council on 2026 Legislative Session outcomes. The report included updates on the State budget and multi-year fiscal outlook, legislation affecting local land use, electric vehicle dealer licensing, unhoused individuals, capital grant reporting, and other significant legislation affecting municipalities, including election administration, annexation, drainage infrastructure, and local revenue structures.

Councilmember Woolfley questioned who the driving supporter has been for the unhoused individuals' legislation. Cornerstone advised that the legislation has been introduced in both 2025 and 2026 but did not advance out of committee, explaining that it is challenging to garner support for the bill because of its potential costs and liability implications for municipalities.

Council also discussed the drainage legislation, including the requirement for municipalities to inventory open drainage inlets by July 1, 2027, and develop a prioritization plan by April 1, 2028. Councilmember Woolfley questioned who decides what the corrective action will be and what funding is available to help offset costs. Cornerstone advised that \$750,000 was allocated statewide to assist municipalities with corrective action. Councilmember Brady expressed concern that the funding could be insufficient and that municipalities could otherwise bear significant costs.

Council discussed a State study of local revenue sources, including the anticipated December 1 report deadline and potential opportunities for municipalities to seek additional revenue authority. Councilmember Woolfley questioned the next steps and timeline. Council expressed interest in monitoring the study and providing input regarding expanded local revenue options.

Council further discussed annexation legislation and the importance of focusing on local control over planning and zoning decisions. Councilmember Brady expressed interest in staying on top of this legislation. Cornerstone advised that the annexation legislation was narrowed during the legislative process to primarily require notification for certain cross-district annexations.

Mayor Estève thanked Cornerstone Government Affairs for its representation of the City during the legislative session. Council indicated its interest in continuing discussions regarding legislative priorities.

B. Old Town Bowie/Inncuvate Community Development Partners Update - Mark Lawrence, with Inncuvate, updated Council on the progress of the Crafted in Bowie initiative. He shared updates on

business recruitment, recent grant funding and recognition, plans to acquire and redevelop key properties, and the next steps to revitalize Old Town Bowie.

Mr. Lawrence discussed efforts to activate properties in Old Town Bowie, including potential use of the former firehouse as a maker showroom, demonstration space, and community programming hub. He also discussed a potential maker district involving approximately 10 properties and opportunities to attract artisan and maker businesses to the area. He identified site control and access to affordable, production-ready space as key challenges and discussed the potential use of a commercial community land trust as a long-term economic development tool.

Council discussed connections between the initiative, Bowie State University, the MARC station, and other development along the Route 197 corridor. Councilmember Rogers questioned how to draw other parts of Bowie to the area. Mr. Lawrence outlined next steps, including pursuing funding, engaging potential tenants, developing a larger master plan, and activating the former firehouse. He requested City support through partnerships and assistance with outside funding opportunities. Mayor Estève expressed support for continuing to explore the initiative and potential partnerships.

C. Introduction of Ordinance O-7-26 Amending Bowie City Code, Chapter 17 "Park Rules and Regulations," §17-2 "Park Rules" to Require a City Permit for Filming Production in City Parks and Facilities; and Amending the Adopted Budget for the Fiscal Year Beginning July 1, 2026, and Ending June 30, 2027, as Embodied in Ordinance O-5-26, to Incorporate the Associated User Fee

Acting City Manager Mears explained that the proposed permit requirement is intended to address commercial filming and production activities that may disrupt other park users. He clarified that the intent is not to regulate ordinary family photographs, graduation photographs, or similar activities.

Council discussed the proposed language, including concerns regarding intellectual property, use of the City's name and logos, and the need to distinguish disruptive filming activities from ordinary or student filming. Councilmember Rogers questioned what standards are being used to determine who gets fined. Councilmember Brady requested that the language provide greater clarity regarding when a permit would be required.

Acting City Manager Mears explained that the permit process is intended to focus on the activities associated with filming, including amplified sound, vehicles, props, and other activities that could disrupt park users, rather than the identity or purpose of the person filming.

Staff were directed to review comparable ordinances in neighboring jurisdictions and consider revisions to clarify the activities subject to the permit requirement.

Councilmember Brady motioned to introduce Ordinance O-7-26. Mayor Pro Tem Woolfley seconded the motion. Motion passed 5-0 (Ndebumadu did not vote).

D. Introduction of Ordinance O-10-26 Amending the Adopted Budget for the Fiscal Year Beginning July 1, 2026 and Ending June 30, 2027, as Embodied in Ordinance O-5-26 and Amended by Ordinances O-7-26, O-8-26 and O-9-26 to Appropriate Funds for the Following Project: \$167,000 for Program Supplements to the Bowie Volunteer Fire Department

Acting City Manager Mears explained that the City Council had requested that the reduction in funding to the Bowie Volunteer Fire Department (BVFD) be reconsidered following the FY2027 budget process.

Council discussed the Department's funding request, including its budget, sources of funding, historical use of City funds, and volunteer recruitment. Councilmember Ndebumadu asked BVFD President James Bigony what Prince George's County's financial contributions to the BVFD cover, asked if the BVFD receives any state support, asked if BVFD has lobbied the county and state for funding, and asked for consistency in how the City appropriates dollars to the BVFD. Representatives of the Department responded to Council questions and provided additional information regarding its funding needs and operations.

All Councilmembers expressed support for the Bowie Volunteer Fire Department and recognized the importance of its services while emphasizing fiscal responsibility, transparency, and appropriate use of City funds. Council also discussed continued coordination with Prince George's County regarding fire and emergency services, including the possibility of meeting with the County Fire Chief.

Mayor Pro Tem Woolfley motioned to introduce Ordinance O-10-26. Councilmember Truesdale seconded. In discussion, Councilmember Brady motioned to amend the motion to appropriate \$100,000 for program supplements to the Bowie Volunteer Fire Department instead of the proposed \$167,000. Councilmember Ndebumadu seconded. Motion passed 4-2 (Estève, Woolfley). Councilmember Brady motioned to introduce Ordinance O-10-26 with the accepted amendments. Councilmember Rogers seconded. Motion passed 6-0.

ADJOURNMENT:

Mayor Pro Tem Woolfley motioned to adjourn the Regular City Council meeting and move to Closed Session under the statutory authority of the Md. Annotated Code General Provisions Article §3-305(b)(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", §3-305(b)(7): "To consult with counsel to obtain legal advice", and §3-305(b)(8): "To consult with staff, consultants, or other individuals about pending or potential litigation". Councilmember Truesdale seconded the motion. Motion passed 6-0. The meeting adjourned at 9:05 p.m.

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: 7-6-26; Time: 9:04; Location: City Hall;
Motion to close meeting made by: Woolfley Seconded by Truesdale;
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) ☒ 1	Personnel Matter	
§3-305(b) ☒ 7	Consult with Counsel	
§3-305(b) ☒ 8	Potential Litigation	
§3-305(b) ☐		
§3-305(b) ☐		

4. This statement is made by Michael P. Carter, 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: 9:15

Place: City Hall

Purpose(s): (1) Personnel (7) Consult with Counsel (8) Litigation

Members who voted to meet in closed session: Estere Brady Rogers, Woolfley, Tiesdale, Nheburundu

Persons attending closed session: Estere Rogers, Brady, Tiesdale, Woolfley, Nheburundu, Levan Mearis

Authority under § 3-305 for the closed session: (1) (7) (8)

Topics actually discussed: Personnel Settlement

Actions taken: _____

Each recorded vote: _____

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

Place: _____

Persons present: _____

Subjects discussed: _____

REGULAR CITY COUNCIL MEETING MINUTES

MONDAY, AUGUST 3, 2026

CALL MEETING TO ORDER:

The Regular Meeting of the Bowie City Council was held on Monday, August 3, 2026, in Council Chambers at City Hall. Mayor Estève called the meeting to order at 7:04 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG:

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

QUORUM:

In attendance were Mayor Estève, Councilmembers Brady, Miller, Ndebumadu, Rogers, Truesdale, and Woolfley, City Manager Jones, Assistant City Manager Mears, City Attorney Ruff, City Clerk Hernandez and Staff.

AGENDA ADDITIONS/DELETIONS/AMENDMENTS:

None.

CITIZEN PARTICIPATION:

1. Jennifer Epps, Lake Meadows Dr. – spoke on behalf of the DMV Marksmen Soccer Club regarding the allocation of athletic fields at Allen Pond Park. The organization has experienced difficulty obtaining consistent field permits despite repeated requests.
2. Jerrold Gray, Orchard Park Way - Spoke in support of the DMV Marksmen Soccer Club. Mr. Gray described the organization's positive impact on local youth through athletic development, leadership, and mentorship opportunities.
3. JoAnn Marshall Hobbs, Dunwood Ridge Terr. - Expressed concerns regarding the City's Thrive Small Business Grant Program after her business, Exclusive Systems, LLC, was not selected to receive grant funding.
4. Andrea White, Jennings Mill Dr. - Expressed concerns regarding the recently adopted property tax increase and the City's public notification efforts. She suggested that residents should have received a direct mailed notice explaining the increase and expressed concern regarding the impact on homeowners, particularly senior residents.
5. Milly Hall, Dunstable Ct. - Requested that the City review its facility rental fees for nonprofit organizations, stating that current rental costs create financial challenges for community organizations providing public services. She also expressed concern regarding the recent increase in neighborhood block party permit fees and requested that future fee increases be implemented more gradually.

PRESENTATIONS:

None.

CITY BOARDS AND COMMITTEES:

None.

COUNCIL ANNOUNCEMENTS:

None.

CITY MANAGER'S REPORT:

City Manager Angel L. Jones addressed the Council during her first regular Council meeting since her appointment. She thanked the Mayor, Council, staff, and community for the warm welcome she had received and stated that her immediate priorities would be listening, learning, and working collaboratively with elected officials, employees, residents, and community partners. She emphasized her commitment to responsive, transparent, and equitable service while continuing to build upon the City's strengths.

City Manager Jones also invited residents to attend the City's National Night Out event scheduled for August 4, 2026, at Allen Pond Park.

CONSENT AGENDA:

Mayor Pro Tem Woolfley made a motion to approve Consent Agenda items: A) Approval of April 13, 2026 Council Meeting Minutes; B) Approval of May 4, 2026 Council Meeting Minutes; C) Approval of May 18, 2026 Council Meeting Minutes; D) Approval of June 1, 2026 Council Meeting Minutes; E) Approval of June 2, 2026 Special Council Meeting Minutes; F) Approval of July 13, 2026 Council Meeting Minutes G) Adoption of Resolution R-63-26 Waiving the Competitive Bidding Requirements of Section 61 "Purchasing and Contracting" of the Charter of the City of Bowie to Allow Fall Street Tree Planting in City Right-of-Ways, and Authorizing the City Manager to Enter Into an Agreement with Ashton Manor Environmental LLC in the Amount of \$89,489.00; H) Adoption of Resolution R-64-26 Waiving the Competitive Bidding Requirements of Section 61 "Purchasing and Contracting" of the Charter of the City of Bowie to Allow for the Purchase of One Skid Steer in the Amount of \$94,620.50 by Piggybacking Sourcewell Contract Number 011723-JDC, and Authorizing the City Manager to Issue a Purchase Order to James River Equipment; I) Adoption of Resolution R-65-26 Declaring the Official Intent of the City of Bowie to Reimburse a Portion of the Expenditures Paid with Respect to a Project Involving Streetlight Repair and Maintenance, Streetlight Cable Replacements, and LED Streetlight Upgrades from the Proceeds of Tax-Exempt Debt; J) Adoption of Resolution R-66-26 Accepting the Right-of-Way Improvements Constructed Under Permit SDP-0003-22 for South Lake Residential Phase 2A and Authorizing the Release of Construction Securities; K) Adoption of Resolution R-67-26 Accepting the Right-of-Way Improvements Constructed Under Permit SDP-0004-22 for South Lake Residential Phase 2B and Authorizing the Release of Construction Securities; L) Adoption of Resolution R-68-26 Authorizing the Acceptance of the Drainage Improvements Constructed Under Permit SC-0004-25 at 15511 Ebbynside Court and the Release of Construction Securities; M) Adoption of Resolution R-69-26 Authorizing the Release of Certificate Bond No. GM247639 for Stormwater Management Permit No. SWM-0003-25 for Stormwater Management Improvements at 2415 Mitchellville Road, Parcel 132; N) Adoption of Resolution R-70-26 Authorizing the Release of Construction Securities Provided Under Permit SWM-0001-25 for the Premier A-2 Bowie Self Storage Project at 13600 Old Annapolis Road; O) Adoption of Resolution R-71-26 Authorizing the Release of Construction Securities Provided Under Permit SC-0002-25 for the Premier A-2 Bowie Self Storage Project at 13600 Old Annapolis Road; P) Introduction of Ordinance O-11-26 To Authorize and Empower the City of Bowie (the "City") to Sell and Issue from Time to Time, Upon Its Full Faith and Credit, One or More Series of (1)(A) General Obligation Bonds and (B) General Obligation Bond Anticipation Notes, Each in an Original Aggregate Principal

Amount Not to Exceed Sixteen Million Dollars (\$16,000,000), and (2) General Obligation Refunding Bonds, Subject to the Limitations Provided for Herein, the Proceeds of the Sale Thereof to Be Used and Applied for the Public Purpose of Financing, Reimbursing or Refinancing Costs of a Project Generally Described as Streetlight Repair and Maintenance, Streetlight Cable Replacements, and LED Streetlight Upgrades, Including Costs of Issuance; Providing for Reallocation of Proceeds of the Authorized Bonds or Bond Anticipation Notes to Other Projects; Providing that the Council by Resolution Shall Determine, Approve or Provide for Various Matters Relating to the Authorization, Sale, Security, Issuance, Delivery, Payment and Prepayment or Redemption of and for Each Series of the Bonds, the Bond Anticipation Notes and the Refunding Bonds (Each a "Series of the Obligations" or the "Obligations"); Providing for the Imposition of Ad Valorem Taxes Sufficient for, and Pledging the Full Faith and Credit and Unlimited Taxing Power of the City to, the Payment of Debt Service on Each Issued Series of the Obligations; Providing that Debt Service on Each Issued Series of the Obligations Also May Be Paid from Any Other Sources of Revenue Lawfully Available to the City for Such Purpose; Providing that Certain Actions May Be Taken or Provided for by Resolution in Connection with the Reissuance or Modification of Any of the Obligations; Providing that Any of the Obligations May Be Consolidated with Other Obligations of the City and Issued as a Single Series of Bonds, Bond Anticipation Notes and/or Refunding Bonds; Authorizing, Directing and Empowering Officials and Employees of the City to Take Certain Actions in Connection with the Obligations; Authorizing Modifications of the Obligations to Be Made by Resolution Unless Another Action is Required; Providing that This Title Shall Be Deemed a Fair Summary of this Ordinance for All Purposes and Allowing Fair Summaries to Be in Another City of Bowie Format as Provided Herein; Providing that the Provisions of This Ordinance Shall Be Liberally Construed; and Otherwise Generally Relating to the Sale, Issuance and Delivery and Payment of and for the Obligations; Q) Approval of Letter to Prince George's County DPW&T re: Recent Street Repaving. Councilmember Brady second the motion. Motion passed unanimously.

OLD BUSINESS:

A. Creating a Private Economic Development Corporation for the City of Bowie - Economic Development Director John Henry King introduced the item and consultant Mr. Frank Nero who conducted the evaluation and prepared recommendations for Council's consideration. Mr. Nero emphasized that the City's existing Economic Development Department had established a strong foundation through strategic planning, partnerships, and prior initiatives. He stated that his recommendations were intended to build upon those efforts by creating an implementation-focused organization capable of expanding partnerships, attracting additional funding, and accelerating economic development activities.

Mr. Nero reviewed several issues the Council should consider before establishing a nonprofit economic development organization, including governance, staffing, funding, accountability, and the relationship between any new organization and existing entities such as the City's Economic Development Department, the Bowie Chamber of Commerce, Old Town Bowie organizations, Bowie State University and the Prince George's County Economic Development Corporation.

Based on his evaluation, Mr. Nero recommended that, should the City elect to proceed, it initially establishes a 501(c)(3) nonprofit organization to serve as the City's public-private economic development partnership. He stated that such a structure would provide the greatest flexibility for grant funding, public accountability, and collaboration while complementing, not replacing the City's existing Economic Development Department. He further emphasized that any transition should occur gradually and be supported by clearly defined performance measures, sustainable funding, and strong partnerships with the private sector and regional organizations. To operate effectively, he estimated an annual budget of approximately \$2.4 million.

Mayor Pro Tem Woolfley questioned how the proposed organization would coordinate with the

City's existing Economic Development Department and whether staff responsibilities would change. Mr. Nero stated that the organization should complement the existing department rather than replace it, allowing City staff to focus on policy while the nonprofit emphasizes implementation.

Councilmember Rogers inquired about the composition of the governing board and how members would be appointed to ensure accountability. Mr. Nero responded that the governing structure should balance public oversight with private-sector participation and include clearly defined performance expectations.

Councilmember Brady asked how the proposed nonprofit would be funded during its initial years and whether the City would provide ongoing financial support. Mr. Nero explained that successful organizations typically begin with public support while gradually diversifying funding through grants, partnerships, and private investment.

Mayor Esteve thanked Mr. Nero for the presentation and comprehensive report.

B. Adoption of Amended Ordinance O-7-26 Amending Bowie City Code, Chapter 17 "Park Rules and Regulations," §17-2 "Park Rules" to Require a City Permit for Filming Production in City Parks and Facilities; and Amending the Adopted Budget for the Fiscal Year Beginning July 1, 2026, and Ending June 30, 2027, as Embodied in Ordinance O-5-26, to Incorporate the Associated User Fee – Assistant City Manager Mears summarized the ordinance and advised that, following the ordinance's introduction, the Council requested additional clarification regarding the types of filming activities that would require a permit. City Attorney Ruff explained that staff reviewed ordinances from several jurisdictions, including Takoma Park, Baltimore City, Baltimore County, and the Maryland Film Office, and incorporated revisions based on the Council's previous comments. She stated that the amended language was intended to clearly define those filming activities subject to the permitting requirements while maintaining consistency with comparable municipal ordinances.

Public Hearing:

Mayor Estève opened the public hearing. City Clerk Hernandez reported that no individuals signed up to speak and no written comments had been received. Mayor Estève declared the public hearing to have been held.

Mayor Pro Tem Woolfley motioned to adopt Amended Ordinance O-7-26. Councilmember Brady second the motion. Motion passed 6-0 (Rogers not present).

C. Adoption of Ordinance O-8-26 - Amending the Adopted Budget for the Fiscal Year Beginning July 1, 2026 and Ending June 30, 2027, as Embodied in Ordinance O-5-26 and Amended by Ordinance O-7-26 to Appropriate Funds for the Following Project: \$16,000,000 for Streetlight Repair and Maintenance, Streetlight Cable Replacements, and LED Streetlight Upgrades – Assistant City Manager Mears presented Ordinance O-8-26, explaining that the ordinance appropriated funding for a comprehensive streetlight repair, maintenance, cable replacement, and LED conversion program that had been discussed during the FY 2027 budget work sessions. He advised that the project would be financed through approximately \$16 million in borrowing.

During Council discussion, Mayor Pro Tem Woolfley asked about the anticipated timeline for beginning the project and the estimated timeframe for completing the work once financing was secured. Assistant City Manager Mears responded that staff was currently developing both the financing schedule and implementation plan, and it was too early to provide definitive timelines.

Mayor Pro Tem Woolfley also inquired about the City's current annual expenditures for streetlight maintenance. Mr. Miers reported that maintenance costs had exceeded the previous year's budget by more than \$400,000 and were approaching \$2 million annually, demonstrating the need for a comprehensive replacement program.

Public Hearing:

Mayor Estève opened the public hearing. City Clerk Hernandez reported that no individuals signed up to speak and no written comments had been received. Mayor Estève declared the public hearing to have been held.

Mayor Pro Tem Woolfley motioned to adopt Ordinance O-8-26. Councilmember Ndebumadu second the motion. Motion passed unanimously.

D. Adoption of Ordinance O-9-26 - Amending the Adopted Budget for the Fiscal Year Beginning July 1, 2026 and Ending June 30, 2027, as Embodied in Ordinance O-5-26 and Amended by Ordinances O-7-26 and O-8-26 to Appropriate Funds for the Following Project: \$112,700 for an Information Technology Systems Integrator – Assistant City Manager Mears explained that Ordinance O-9-26 appropriated funding for a new Information Technology Systems Integrator position that had been discussed during the FY 2027 budget process. He advised that the position would assist the City in integrating software applications and data systems to support the City's Smart City initiatives and improve operational efficiency.

Public Hearing:

Mayor Estève opened the public hearing. City Clerk Hernandez reported that no individuals signed up to speak and no written comments had been received. Mayor Estève declared the public hearing to have been held.

Councilmember Ndebumadu motioned to adopt Ordinance O-9-26. Councilmember Rogers second the motion. Motion passed unanimously.

E. Adoption of Amended Ordinance O-10-26 - Amending the Adopted Budget for the Fiscal Year Beginning July 1, 2026 and Ending June 30, 2027, as Embodied in Ordinance O-5-26 and Amended by Ordinances O-7-26, O-8-26 and O-9-26 to Appropriate Funds for the Following Project: \$100,000 for Program Supplements to the Bowie Volunteer Fire Department – Assistant City Manager Mears explained that the ordinance restored \$100,000 in reimbursable funding for the Bowie Volunteer Fire Department after the Council requested reconsideration of the funding during the FY 2027 budget deliberations.

Before consideration of the ordinance, City Attorney Ruff advised the Council that the amended ordinance required an additional column to accurately reflect the legislative history of the budget amendment. She explained that the ordinance was originally introduced with an appropriation of \$167,000 and later amended by the Council to \$100,000. The additional column was needed to document the progression of the amendment for legal and legislative purposes but did not alter the final funding amount.

Public Hearing:

Mayor Estève opened the public hearing. City Clerk Hernandez reported that no individuals signed up to speak and no written comments had been received. Mayor Estève declared the public hearing to have been held.

During Council discussion, Councilmember Brady stated that he would have preferred to review the corrected amended ordinance before taking action and moved to table the item until the next meeting so the revised document could be distributed to the Council. The motion did not receive support from the Council, and discussion continued.

Councilmember Ndebumadu requested that the City Attorney explain the amendment in simpler terms. Ms. Ruff clarified that the amendment was procedural in nature and intended only to accurately document the Council's previous action reducing the appropriation from \$167,000 to \$100,000. She emphasized that the final appropriation amount remained unchanged.

Mayor Pro Tem Woolfley motioned to adopt with amendments Amended Ordinance O-10-26. Councilmember Rogers second the motion. Motion passed 6-0-1 (Brady-Abstain).

NEW BUSINESS:

None.

ADJOURNMENT:

Mayor Pro Tem Woolfley motioned to adjourn the regular City Council meeting. Councilmember Rogers second the motion. Motion passed unanimously. The regular meeting adjourned at 9:53 p.m.

Awilda Hernandez, MMC
City Clerk



Memorandum

TO: City Council

FROM: Dwayne Preston, Police Chief

SUBJECT: Police Testing Services - Resolution R-72-26

DATE: 09/03/2026

A legal notice advertising Request for Proposals for the Police Testing Services was placed on eMaryland Marketplace and Bid Locker on February 27, 2026. Proposals were received from the following vendors at the date set for receipt of proposals on March 13, 2026:

- Miami Dade College School of Justice
- Emergency Services Consulting International

The proposals were evaluated in accordance with the City Charter and the City Code. Evaluation Criteria included: Experience (30%), Qualifications, Understanding of the Project (25%) and Fees (20%).

After reviewing the proposals, Emergency Services Consulting International was determined to have the most responsive and responsible proposal with an offer of \$51,000.

ATTACHMENTS: 1. 20260908 - Resolution R-72-26

RESOLUTION
OF THE COUNCIL OF THE CITY OF BOWIE, MARYLAND
ACCEPTING A PROPOSAL FOR POLICE TESTING SERVICES TO EMERGENCY
SERVICES CONSULTING INTERNATIONAL IN THE AMOUNT NOT TO EXCEED
\$51,000.00

WHEREAS, pursuant to Section 61 of the City Charter, a Request for Proposals (RFP) was issued on eMaryland Marketplace and on Bid Locker for Police Testing Services; and

WHEREAS, on the March 13, 2026, due date, the City received two (2) proposals; and

WHEREAS, the proposals were evaluated as required by City Charter and the Procurement Policy; and

WHEREAS, after careful evaluation and review of the proposals that were submitted, it was determined that Emergency Services Consulting International had submitted the most responsive and responsible proposal that was in the best interest of the City.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Bowie, Maryland, that the Council hereby accepts the proposal of Emergency Services Consulting International and authorizes the City Manager to enter into a contract with Emergency Services Consulting International in the amount not to exceed \$51,000.00.

INTRODUCED AND PASSED by the Council of the City of Bowie, Maryland at a meeting on September 8, 2026.

ATTEST:

THE CITY OF BOWIE, MARYLAND

Awilda Hernandez, MMC
City Clerk

Michael P. Estève
Mayor



Memorandum

TO: City Council

FROM: Robert Holt, Acting Public Works Director

SUBJECT: Request for Bond Release – Marketplace Blvd and US 301
Resolution R-73-26

DATE: 09/03/2026

Sheetz, Inc. is requesting the release of the bond associated with permit number ROW-0001-23 for the South Lake Sheetz project located at Marketplace Blvd and US 301. The performance bond, in the amount of \$9,499.00, was recorded for the purpose of securing the completion of public improvement related to the development and acceptance of right-of-way improvements.

All conditions and requirements for which the bond was secured have been completed and approved by the Department of Public Works. The conditions meet the City of Bowie's Standards, Specifications, and City Codes: <https://www.cityofbowie.org/2373/Engineering-Review-Permitting>.

Based on the project's successful completion, the fulfillment of all bond agreement obligations, and the satisfactory final inspection results, the release of the performance bond in the amount of \$9,499.00 is recommended.

ATTACHMENTS: 1. 20260908 - Resolution R-73-26

RESOLUTION
OF THE COUNCIL OF THE CITY OF BOWIE, MARYLAND
AUTHORIZING THE RELEASE OF CONSTRUCTION SECURITIES PROVIDED
UNDER PERMIT ROW-0001-23 FOR THE SOUTH LAKE SHEETZ PROJECT AT
MARKETPLACE BLVD AND US 301

WHEREAS, the developer Sheetz, Inc. provided securities for the permit number ROW-0001-23 for the performance bond in the amount of \$9,499.00 to guarantee completion of the right-of-way improvements for the South Lake Sheetz project at Marketplace Blvd and US 301; and

WHEREAS, the City of Bowie Directors of Public Works and Planning have certified that the work required by the permit has been completed according to the plans and specifications; and

WHEREAS, all requirements of Section 21B-18 of the Bowie City Code, concerning approval and acceptance of work, have been fulfilled; and

WHEREAS, it is in the best interest of the City to authorize the release of the construction securities.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Bowie, Maryland, that the City does hereby authorize the release of the performance bond in the amount of \$9,499.00 that was provided by Sheetz, Inc. for permit number ROW-0001-23.

INTRODUCED AND PASSED by the Council of the City of Bowie, Maryland at a meeting on September 8, 2026.

ATTEST:

THE CITY OF BOWIE, MARYLAND

 Awilda Hernandez, MMC
 City Clerk

 Michael P. Estève
 Mayor



Memorandum

TO: City Council

FROM: Robert Holt, Acting Public Works Director

SUBJECT: Professional Services-Development Plan Review, Engineering & Design Services
Resolution R-74-26

DATE: 09/03/2026

On December 18, 2024, the Public Works Department advertised a Notice of Intent to Negotiate with Frederick Ward Associates, Inc. for an On Call Professional Services Agreement based on that Firm's qualifications, prior performance, and ability to maintain continuity of engineering support services. The Agreement established all contract requirements and labor rates for various engineering services that may be required by the City of Bowie. This Agreement was awarded (Resolution R-5-25) and the City will be entering into the second year of four optional renewal years.

The Public Works Department recommends awarding a Task Order for Development Plan Review in the amount of \$170,000 under this Agreement. Frederick Ward Associates, Inc., has many years of experience with the City Code and City development standards necessary to carry out the required plan reviews. Sufficient funds are available in the Professional Services account in the Public Works Administration section of the FY27 Budget.

In accordance with City Charter Section 61(b)(4), we are requesting that Council authorize the City Manager to award the Development Plan Review Task Order to Frederick Ward Associates and issue a purchase order in an amount not to exceed \$170,000.

Adoption of Resolution R-74-26 is requested.

ATTACHMENTS: 1. 20260908 - Resolution R-74-26

RESOLUTION
OF THE COUNCIL OF THE CITY OF BOWIE, MARYLAND
AUTHORIZING THE ISSUANCE OF A PURCHASE ORDER TO FREDERICK
WARD ASSOCIATES, INC. IN THE AMOUNT OF \$170,000 FOR TASK ORDER #1
PROFESSIONAL SERVICES-DEVELOPMENT PLAN REVIEW, ENGINEERING, &
DESIGN SERVICES IN ACCORDANCE WITH THE MASTER CONTRACT
APPROVED ON JANUARY 21, 2025

WHEREAS, pursuant to Section 61(b)(4) of the City Charter, the Public Works Department advertised an Intent to Negotiate with Frederick Ward Associates, Inc. on December 18, 2024, for an On Call Professional Services Agreement based on that Firm's qualifications, prior performance, and ability to maintain continuity of engineering support services; and

WHEREAS, the Agreement established all contract requirements and labor rates for various engineering services that may be required by the City of Bowie; and

WHEREAS, this Agreement was awarded (R-5-25) and the City is entering into the second year of four optional renewal years; and

WHEREAS, the Public Works Department recommends awarding a Task Order under this Agreement for Development Plan Review in the amount of \$170,000.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Bowie, Maryland, that the Council authorizes the City Manager to award the Development Plan Review Task Order to Frederick Ward Associates, Inc. for professional services and issue a Purchase Order in an amount not to exceed \$170,000.

INTRODUCED AND PASSED by the Council of the City of Bowie, Maryland at a meeting on September 8, 2026.

ATTEST:

THE CITY OF BOWIE, MARYLAND

 Awilda Hernandez, MMC
 City Clerk

 Michael P. Estève
 Mayor



Memorandum

TO: City Council

FROM: Richard Hall, Director of Planning and Sustainability

SUBJECT: Variance BV-1-26 - Resolution R-75-26

DATE: 09/03/2026

Resolution R-75-26 is for BV-1-26. The Applicant is seeking three variances to Section 27-4202(e)(2) of the Prince George's County Zoning Ordinance for relief of setback requirements as outlined in the Variance application and staff report for 13200 11th Street. The City Council is authorized to adopt this resolution and thereby approve the Variance via Section 26-42 (F) of the City Zoning Ordinance. The Bowie Advisory Planning Board (BAPB) heard the above case on August 4, 2026, and voted to recommend **APPROVAL** of BV-1-26.

The attached resolution reflects BAPB's findings and recommendation and is eligible for final action by Council.

Recommendation

It is recommended that the City Council approve Resolution R-75-26.

ATTACHMENTS:

1. 20260908 - Resolution R-75-26
2. 20260908 - 8-19-26 BV-1-26 - 13211 11th Street Staff Report

RESOLUTION
OF THE COUNCIL OF THE CITY OF BOWIE, MARYLAND
REGARDING VARIANCE APPLICATION BV-1-26, A REQUEST BY THE
JEREMIAH 29:11 LIVING TRUST FOR THREE VARIANCES TO SECTION 27-
4202(E)(2) OF THE PRINCE GEORGE’S COUNTY ZONING CODE FOR SETBACK
REQUIREMENTS AT 13200 11TH STREET

WHEREAS, the City of Bowie (hereinafter the “City”), pursuant to Section 26-42 (F) of the City Zoning Ordinance, is authorized to hear requests for Variances from the terms of the Prince George’s County Zoning Ordinance with respect to building setbacks, height, etc., and to make recommendations to the Bowie City Council in connection therewith; and

WHEREAS, the City is authorized to grant an application for a Variance if the Bowie Advisory Planning Board (hereinafter the “BAPB”) makes the following findings pursuant to Section 26-42 (F) of the City’s Zoning Ordinance:

- (1) A specific parcel of land is physically unique and unusual in a manner different from the nature of surrounding properties with respect to exceptional narrowness, shallowness, shape, exceptional topographic conditions, or other extraordinary conditions peculiar to the specific parcel (such as historical significance or environmentally sensitive features).
- (2) The particular uniqueness and peculiarity of the specific property causes a zoning provision to impact disproportionately upon that property, such that strict application of the provision will result in peculiar and unusual practical difficulties to the owner of the property.
- (3) Such variance is the minimum reasonably necessary to overcome the exceptional physical conditions.
- (4) Such variance can be granted without substantial impairment to the intent, purpose, and integrity of the General Plan or any Functional Master Plan, Area Master Plan, or Sector Plan affecting the subject property.
- (5) Such variance will not substantially impair the use and enjoyment of adjacent properties.
- (6) A variance may not be granted if the practical difficulty is self-inflicted by the owner of the property.

WHEREAS, the City Council is authorized by the Ordinance to accept or deny the recommendation of the BAPB with respect to departures and variances; and

WHEREAS, on July 8, 2026 the Jeremiah 29:11 Living Trust (“the Applicant”), owners of property located at 13200 11th Street, Bowie, MD (“the Property”), submitted an application for three setback Variances from Section 27-4202(e)(2) of the Prince George’s County Zoning Ordinance; and

WHEREAS, the Property was posted with a public hearing advertisement on July 21, 2026 in accordance with the City Zoning Ordinance; and

WHEREAS, the staff report recommended **APPROVAL** of the three setback variances as outlined in the application and staff report; and

WHEREAS, on August 4, 2026 the BAPB heard testimony and accepted evidence with respect to whether it can make the necessary findings set forth in the City Zoning Ordinance to grant a Variance; and

WHEREAS, the Board voted to recommend **APPROVAL** of the request in accordance with the staff recommendation; and

WHEREAS, the BAPB's recommendation was based on the findings and analysis found in the technical staff report, testimony provided during the hearing, and the City's Zoning Ordinance's variance standards cited above; and

WHEREAS, pursuant to the City Code, within 15 days of the BAPB's decision, persons of record may file an appeal or a City Councilmember may request oral argument if the BAPB's recommendation fails to comply with the criteria for approval; and

WHEREAS, no person of record filed an appeal and no member of the City Council requested oral argument regarding the BAPB's decision.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Bowie, Maryland, [by the City Council that the above "Whereas" clauses are hereby incorporated as operative provisions of this Resolution and that the City Council of the City of Bowie hereby adopts Resolution R-75-26 for Variance BV-1-26 granting APPROVAL of Variance BV-1-26, for three variances from Section 27-4202(e)(2) of the Prince George's County Zoning Ordinance:

- a. Variance of 9 feet (street-facing side yard, Lot A);
- b. Variance of 3.8 feet (side yard, Lot B); and
- c. Variance of 9.1 feet (lot width, Lot B).

INTRODUCED AND PASSED by the Council of the City of Bowie, Maryland at a meeting on _____, 20__.

ATTEST:

THE CITY OF BOWIE, MARYLAND

Awilda Hernandez, MMC
City Clerk

Michael P. Estève
Mayor

LAND USE PETITION IN THE BOWIE PLANNING AREA

Md.-National Capital Park and Planning Commission ID: BV-1-26

Bowie Advisory Planning Board # 26-3

Date: August 19, 2026

INTRODUCTORY NOTE: The proposed application is a request to vary the requirements of the Prince George's County Zoning Ordinance. The Bowie City Council is authorized to grant variances from these requirements upon a recommendation from the Bowie Advisory Planning Board provided all required findings can be met based on the hearing record. Persons wishing to participate in the City's hearing process must state their intentions verbally or in writing prior to the close of tonight's public hearing. The recommendation of the Advisory Planning Board taken at this hearing will be filed with the City Council, who will make the final decision. Any person of record may appeal the decision of the Advisory Planning Board within 15 days after notice of the Board's recommendation.

GENERAL DATA:

1. **Nature of Petition:** Variance
2. **Petitioner:** Jeremiah 29:11 Living Trust
3. **Represented by:** Traci R. Scudder, Esq and Melissa M. Carter, Esq
4. **Location of Petitioned Property:** 13200 11th Street,
5. **Proposed use of Petitioned Property:** Variance from Section 27-4202(e)(2) of Prince George's County Zoning Ordinance to allow three variances. Variance of 9 feet (street-facing side yard, Lot A). Variance of 3.8 feet (side yard, Lot B) and Variance of 9.1 feet (lot width, Lot B)
6. **Size/Zone of Petitioned Property:** 15,750 sq.ft/ zoned: RSF-65 (Residential Single Family-65)
7. **Date of hearing before BAPB:** Tuesday, August 4th at 7:00 p.m.
8. **Date of hearing before City Council:** n/a
9. **Date of hearing before MNCPPC:** n/a
10. **Date of hearing before Hearing Examiner:** n/a
11. **Date of hearing before District Council:** n/a

NOTICES/LEGALS

DATE

Number of Mailing/Signs

Notice sent to Adj. Properties:		
Certified Notices Mailed (includes adjacent properties)	7/21/26	10
Date Signs Posted:	7/21/26	2
Date Legal Sent:		
Date Legal Appeared:		

RECOMMENDATIONS:

12. Department of Planning and Sustainability Recommendation:

The Department of Planning and Sustainability staff recommends APPROVAL as stated in the attached report.

13. Bowie Advisory Planning Board Recommendation:

The Bowie Advisory Planning Board (BAPB) recommends APPROVAL as stated in the attached report.

Exhibit A

Items from the Applicant

1. Variance Request Form (application)
2. Statement of Justification
3. Site Plan

Variance Request Form

* indicates a required field

Owner Name(s):*

JEREMIAH 29 11 LIVING TRUST

Property Address:*

13200 11th Street, Bowie, MD 20715

Preferred Contact Number:*

(703) 790-1911 (ext. 266)

Secondary Number:

(937) 296-6564

Email Address*

mcarter@reesbroom.com

Describe the proposed construction:*

The applicant is not proposing construction.

Requesting variance from which of the following

Code section notes:

code sections:*

- ☐ a) 27-442(c) Table II – Lot Coverage
- ☐ b) 27-442(c) Table IV – Required Yards (complete item at right)
- ☐ c) 27-120.01 © - Parking space, parking area, parking structure in front of a dwelling
- ☒ d) Other – Please describe at right

27-4202(e)

If answer is B, indicated which yard – front, side, or rear.

If answer is D, please describe

What is the zoning requirement? *

The minimum lot area for a single-family detached dwelling is 6500 feet, the minimum lot width is 65 feet and the minimum side yard setback is 8 feet, except that a street-facing side yard has a required setback of 25 feet.

Amount of Variance Requested *

The Applicant is requesting three variances across the two proposed parcels in the new subdivision: a variance of 9 ft. minimum side yard setback on Lot A, a variance of 9.1 ft. minimum lot width on Lot B, and a variance of 3.8 ft. minimum

In order for the Planning Director to grant a Variance authorized pursuant to City Ordinance O-1-25, he/she shall make the following findings, pursuant to Section 26-42 of the City Code:

A. A Variance from lot size, setback and similar requirements of the Prince George's County Zoning Ordinance from which a Variance may be granted may only be granted upon finding that:

(1) A specific parcel of land is physically unique and unusual in a manner different from the nature of surrounding properties with respect to exceptional narrowness, shallowness, shape, exceptional topographic conditions, or other extraordinary conditions peculiar to the specific parcel (such as historical significance or environmentally sensitive features);*

The property was subdivided so that each lot now exceptionally narrow and small in size, none of them meeting the Zoning Ordinance requirements for the RSF-65 Zone, rendering any individual lot unbuildable absent a variance. The Applicant here requests a variance to re-subdivide the property to accommodate the existing structures. *Please see the attached Statement of Justification for full response.*

(2) The particular uniqueness and peculiarity of the specific property causes a zoning provision to impact disproportionately upon that property, such that strict application of the provision will result in peculiar and unusual practical difficulties to the owner of the property;*

As described above, the property's unique size and orientation – a nonconformity resulting from its subdivision before the Zoning Ordinance existed and construction prior to the Applicant's ownership – directly impacts the lot's physical attributes and makes it unique from other lots in the neighborhood. Strict application of Subtitle 27-3613(d) would impact this lot disproportionately as compared to other lots, and result in a peculiar and unusual practical difficulty for the Applicant. Approval of the requested variances will allow the Applicant to maintain the existing structures and make repairs as-needed. The strict application of this Subtitle will result in peculiar and unusual practical difficulties to, or exceptional or undue hardship upon the owner of the property, because in the event the variances are not approved, the Applicant would have no recourse with regard to the minimum lot width and minimum setback requirement. This is an undue hardship as the unique aspects of the lot were determined prior to the Applicant's possession of the property.

(3) Such variance is the minimum reasonably necessary to overcome the exceptional physical conditions;*

Without approval of the requested variances, this property would be unable to meet the zoning requirements needed to complete a subdivision. The Applicant has designed the site to orient the proposed parcels toward 11th Street, the same as the existing single-family dwellings, and to divide the parcels so that each existing dwelling is on a unique lot, thereby eliminating these two deficiencies from the Zoning Ordinance standards. As the existing frontage on 11th Street is only 125 linear feet, it is not feasible to subdivide the property so that both parcels meet the minimum lot width. The proposed site design divides the side yard setback across the two proposed parcels, and so the requested variances are the minimum reasonably necessary to overcome the exceptional condition of the property.

(4) Such variance can be granted without substantial impairment to the intent, purpose and integrity of the general plan or any functional master plan, area master plan, or sector plan affecting the subject property;*

This proposal is consistent with the General Plan and the Master Plan. None of the policies or goals are hampered by this application. Granting the relief requested would not substantially impair the character of the neighborhood and intent, purpose and integrity of the General Plan or Master Plan. The pertinent plans have been evaluated and the site is in conformance with and advances the goals of these plans which identify the subject property as being in a residential area. *Please see the attached Statement of Justification for full response.*

(5) Such variance will not substantially impair the use and enjoyment of adjacent properties; and*

The proposed residential use is completely appropriate for this location. Under this proposal, the existing conditions shall be validated and brought into better conformance with the Zoning Ordinance requirements. The two existing dwellings have existed in their current orientation and location since 2005 without impairment to the use and enjoyment of adjacent properties.

(6) A variance may not be granted if the practical difficulty is self-inflicted by the owner of the property.*

The unique dimensions and size of the subject property was determined when the property was subdivided in 1870, and the unique orientation of the existing structures was determined prior to the current owner's purchase of the property. The first single-family dwelling was constructed sometime prior to 1938, alongside a matching dwelling; in 2004, prior to the Applicant's ownership of the property, a building permit was approved to construct a second single-family dwelling. There is some evidence that the prior owners intended to raze both original dwellings, but ultimately only one was demolished and replaced with what is now 13200 11th Street. At the time of the Applicant's purchase, the property was advertised as two single-family dwellings on 8 lots; the Applicant discovered the extent of the current nonconformity after being denied renewal of a rental license for the remaining smaller original dwelling at 13202 11th Street.

Owner(s) Full Name(s)*

JEREMIAH 29 11 LIVING TRUST

Owner(s) Signature(s) – First Initial & Last Name*

B. Cobb

Today's Date:*

July 8, 2026

Upload a sketch, plan, or other supporting document

Choose File

Please carefully review your entries. Once the form is submitted, any edits will need to be discussed with the Planning Department by calling 301-809-3047. Please remember to remit payment.

☒ Receive an email copy of this form.

Email address

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Submit

Submit and Print

137 National Plaza, Suite 300
National Harbor, MD 20745
(703) 790-1911

Traci R. Scudder
Managing Counsel
Admitted: MD

tscudder@reesbroome.com

July 6, 2026

STATEMENT OF JUSTIFICATION

OWNER/APPLICANT	JEREMIAH 29:11 LIVING TRUST
SUBJECT PROPERTY	13200 11 th Street Bowie, MD 20715
CASE NUMBER	(to be assigned)
ATTORNEY/AGENT	Traci R. Scudder, Esq. Melissa M. Carter, Esq. Rees Broome, PC 163 Waterfront Street, Suite 300 National Harbor, MD 20745
ZONE:	RSF-65 – Residential, Single-Family-65
REQUEST:	Variance of 9 feet (street-facing side yard, Lot A) Variance of 3.8 feet (side yard, Lot B) Variance of 9.1 feet (lot width, Lot B)
CODE SECTION(S):	27-4202(e)
PROPOSED CONSTRUCTION:	None

This application is a request for certain variances for the property located at 13200 11th Street, Bowie, Maryland 20715. The subject property is comprised of 8 lots numbered 6 through 13 on Block 43, for a cumulative size of 15,750 square feet, and is located in the Huntington City subdivision, which was recorded in 1870. The Applicant proposes to subdivide the property so that the 2 existing single-family dwellings, one constructed in the early 1900s and the other in 2005, will each be located on individual parcels. The property is zoned RSF-65 in Councilmanic District 4. This variance request is submitted to facilitate this future minor subdivision, which will bring the resulting parcels into better compliance with the Prince George's County Zoning and Subdivision Ordinances.

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The Prince George's County Zoning Ordinance Section 27-4202(e) Residential Base Zones, Residential, Single Family – 65 Zone (RSF-65), (2) Intensity and Dimensional Standards, prescribes that the minimum lot area for a single-family detached dwelling is 6500 feet, the minimum lot width is 65 feet and the minimum side yard setback is 8 feet, except that a street-facing side yard has a required setback of 25 feet. The Applicant is requesting three variances across the two proposed parcels in the new subdivision: a variance of 9 ft. minimum side yard setback on Lot A, a variance of 9.1 ft. minimum lot width on Lot B, and a variance of 3.8 ft. minimum setback on Lot B.

Sec. 27-4202(e). Residential, Single-Family-65 (RSF-65) Zone

(2) Intensity and Dimensional Standards		
Standard(1)	Single-Family Detached Dwelling	Other Uses
Density, max. (du/ac of net lot area)	6.7	No requirement
Net lot area, min. (sf)	6,500	6,500
① Lot width, min. (ft)	65	45
Lot frontage (width) at front street line, min. (ft)	45 (4)	36
Lot coverage, max. (% of net lot area)	35	60
② Front yard depth, min. (ft)	25	25
③ Side yard depth, min. (ft) (2)	8	8
④ Rear yard depth, min. (ft)	20	20
⑤ Principal structure height, max. (ft)	40	40
Accessory structure height, max. (ft) (3)	15	15

NOTES: du/ac = dwelling units per acre; sf = square feet; ft = feet

(1) See measurement rules and allowed exceptions in Section 27-2200, Measurement and Exceptions of Intensity and Dimensional Standards.

(2) On corner lot, min. side yard depth alongside street = 25 ft. ⑥

(3) May be increased for certain purposes by approval of a special exception pursuant to Section 27-3604, Special Exception.

(4) If the lot is located on a cul-de-sac, the minimum width may be reduced to forty-five (45) feet.

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Section 27-3613(d) of the Prince George’s County Zoning Ordinance states that The Board is authorized to grant the requested variances if it finds that the following provisions are satisfied:

- (1) A specific parcel of land is physically unique and unusual in a manner different from the nature of surrounding properties with respect to exceptional narrowness, shallowness, shape, exceptional topographic conditions, or other extraordinary conditions peculiar to the specific parcel;**

The subject property is located in the Huntington City Subdivision, which was created in 1870, thus preceding the subdivision regulations that exist today. The subject property is comprised of 8 lots, including the corner lot, all oriented to face Myrtle Street. Two houses, both oriented toward 11th Street, are on the property: a smaller and a larger house. Both houses straddle three lots, and both houses overlap on lots 10 and 11. Although early building records for the property from are incomplete, aerial imagery shows that the smaller house was constructed prior to 1938. The larger house, constructed in 2005 pursuant to a valid building permit, replaced a house that was also constructed prior to 1938.

The property was subdivided so that each lot now exceptionally narrow and small in size, none of them meeting the Zoning Ordinance requirements for the RSF-65 Zone, rendering any individual lot unbuildable absent a variance. The Applicant here requests a variance to resubdivide the property to accommodate the existing structures.

Pursuant to *Mueller v. People's Couns. for Baltimore Cnty.*, 177 Md. App. 43, 69, 934 A.2d 974, 989 (2007), a property owner may establish the “uniqueness” of their lot where that lot is nonconforming as a result of a change in the zoning ordinance. Similarly, the Board of Appeals has previously established in other variance cases that a property may qualify as “unique” where

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it became nonconforming due to a change in the Zoning Ordinance, including cases V-11-24, V-46-23, and V-73-22, among others. The Board of Appeals has also previously determined that location on a corner lot and the orientation of an existing structure can qualify a property as “unique” in case V-61-24.

This small lot size, nearness of existing structures, and odd orientation is a difficulty not shared by neighboring parcels. A general map of the area is included, which shows that the subject property exists in a neighborhood in which single-family dwellings are not located on overlapping parcels, and are generally oriented toward their street frontage, rather than perpendicular to it.

The combination of the history of the parcel, the orientation of the existing structures, and its small, narrow size renders it unique. Pursuant to *Matter of Petition of Taylor, No. 2119* Sept. term 2017, 2019 WL 2006012, at *8 (Md. Ct. Spec. App. May 7, 2019), it is the collection of features that makes a property unique, rather than any individual feature.

(2) The particular uniqueness and peculiarity of the specific property causes a zoning provision to impact disproportionately upon that property, such that strict application of the provision will result in peculiar and unusual practical difficulties to the owner of the property;

As described above, the property’s unique size and orientation – a nonconformity resulting from its subdivision before the Zoning Ordinance existed and construction prior to the Applicant’s ownership – directly impacts the lot’s physical attributes and makes it unique from other lots in the neighborhood. Strict application of Subtitle 27-3613(d) would impact this lot disproportionately as compared to other lots, and result in a peculiar and unusual practical difficulty for the Applicant. Approval of the requested variances will allow the Applicant to

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maintain the existing structures and make repairs as-needed. The strict application of this Subtitle will result in peculiar and unusual practical difficulties to, or exceptional or undue hardship upon the owner of the property, because in the event the variances are not approved, the Applicant would have no recourse with regard to the minimum lot width and minimum setback requirement. This is an undue hardship as the unique aspects of the lot were determined prior to the Applicant's possession of the property.

(3) Such variance is the minimum reasonably necessary to overcome the exceptional physical conditions;

Without approval of the requested variances, this property would be unable to meet the zoning requirements needed to complete a subdivision. The Applicant has designed the site to orient the proposed parcels toward 11th Street, the same as the existing single-family dwellings, and to divide the parcels so that each existing dwelling is on a unique lot, thereby eliminating these two deficiencies from the Zoning Ordinance standards. As the existing frontage on 11th Street is only 125 linear feet, it is not feasible to subdivide the property so that both parcels meet the minimum lot width. The proposed site design divides the side yard setback across the two proposed parcels, and so the requested variances are the minimum reasonably necessary to overcome the exceptional condition of the property.

(4) Such variance can be granted without substantial impairment to the intent, purpose and integrity of the general plan or any area master plan, sector plan, or transit district development plan affecting the subject property; and

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The approved General Plan, otherwise referred to as *Plan Prince George's 2035 Approved General Plan*, as well as the *2022 Bowie-Mitchellville and Vicinity Master Plan* are applicable to this site. These plans list many goals and policies including:

1. "Provide a variety of housing options—ranging in price, density, ownership, and type to attract and retain residents, strengthen neighborhoods, and promote economic prosperity" and "Stabilize existing communities and encourage revitalization and rehabilitation".¹
2. "Use high-quality materials with harmonious colors and textures that are compatible with neighborhood character. Residential units should be constructed with high-quality materials that are appropriate for the building's context. Consideration should be given to regional character and the general design of existing residences. Material colors and textures should contribute to a harmonious design that complements buildings on adjacent properties."
3. "Goal 1: Neighborhoods contain a range of housing types that are affordable to the widest range of residents."²

This proposal is consistent with the General Plan and the Master Plan. None of the policies or goals are hampered by this application. Granting the relief requested would not substantially impair the character of the neighborhood and intent, purpose and integrity of the General Plan or Master Plan. The pertinent plans have been evaluated and the site is in conformance with and advances the goals of these plans which identify the subject property as being in a residential area.

(5) Such variance will not substantially impair the use and enjoyment of adjacent properties.

The proposed residential use is completely appropriate for this location. Under this proposal, the existing conditions shall be validated and brought into better conformance with the

¹ [*Plan Prince George's 2035*](#)

² [*2022 Bowie-Mitchellville and Vicinity Master Plan*](#)

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Zoning Ordinance requirements. The two existing dwellings have existed in their current orientation and location since 2005 without impairment to the use and enjoyment of adjacent properties.

(6) Notwithstanding any other provision of this Section, a variance may not be granted if the practical difficulty is self-inflicted by the owner of the property.

The unique dimensions and size of the subject property was determined when the property was subdivided in 1870, and the unique orientation of the existing structures was determined prior to the current owner's purchase of the property. The first single-family dwelling was constructed sometime prior to 1938, alongside a matching dwelling; in 2004, prior to the Applicant's ownership of the property, a building permit was approved to construct a second single-family dwelling. There is some evidence that the prior owners intended to raze both original dwellings, but ultimately only one was demolished and replaced with what is now 13200 11th Street. At the time of the Applicant's purchase, the property was advertised as two single-family dwellings on 8 lots; the Applicant discovered the extent of the current nonconformity after being denied renewal of a rental license for the remaining smaller original dwelling at 13202 11th Street.

CONCLUSION

For all the above stated reasons, the Applicant hereby respectfully requests approval of three variances as follows: (1) Variance of 3.8 ft. minimum side yard setback on Lot B, (2) Variance of 9 ft. minimum street-facing side yard setback on Lot A, and (3) Variance of 9.1 ft. minimum lot width on Lot B.

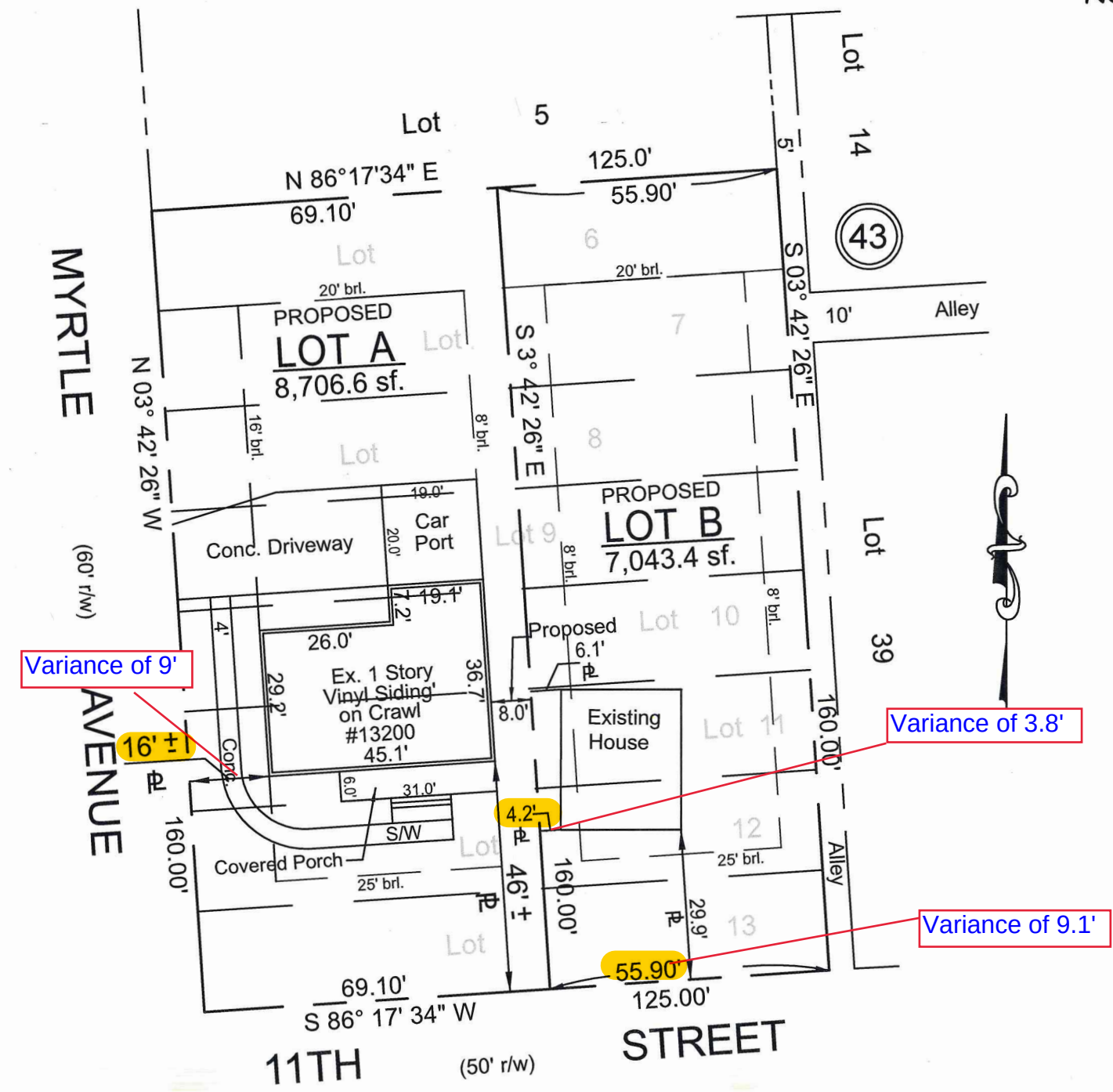
Respectfully submitted,

July 6, 2026
Page 8

REES BROOME, PC

By:  _____
Traci R. Scudder, Esq.

- NOTES:
1. THIS SURVEY HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND IS SUBJECT TO ANY FACTS THAT MAY BE DISCLOSED BY A FULL AND ACCURATE TITLE SEARCH.
 2. THE PROPERTY SHOWN HEREON IS LOCATED WITHIN ZONE _____ AS SHOWN ON F.E.M.A. FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. _____ OF _____ COUNTY, MARYLAND.
 3. PROPERTY CORNERS HAVE NOT BEEN SET WITH THIS SURVEY. PROPERTY INFORMATION WAS TAKEN FROM BEST AVAILABLE RECORDS.
 4. THIS LOCATION PLAT IS NOT TO BE USED FOR THE CONSTRUCTION OF FENCES OR OTHER IMPROVEMENTS. A BOUNDARY SURVEY AND LOT STAKEOUT WOULD HAVE TO BE PERFORMED TO DETERMINE THE LOCATION OF ALL PROPERTY LINES AS SHOWN.
 5. THIS PLAT IS VALID WITHIN 6 (SIX) MONTHS OF THE SIGNATURE OF THIS PLAT.



Variance information: Zoned RSF-65.
Proposed Lot A is in compliance. Variance not required.
Lot Coverage: House and covered porch.....1,640.44 sf.
Carport.....380 sf.
Concrete Driveway.....787.44 sf.
Total.....2,807.88 sf.
2,807.88 sf. / 8,706.6 sf.....32.25 %.

Building Height.....17' high.
16' front brl. along Maple Avenue. This was allowed due to the existing house prior, was at 16' from the property line, this was allowed without a variance.

Proposed Lot B is not in compliance with RSF-65 Zoning Code.

1. Lot width at building line is 65', proposed 55.90'.
Variance of 9.10 is required as per Section 27-2201(c).
2. Variance of 3.8' and 1.9' from the 8.0' side building restriction line. Section 27-2201(k)(1).

DEVELOPMENT STANDARDS RSF-65	
	Required Regulations
Type	Residential SF.
Net Lot Area	6,500 sf.
Net Lot Coverage	35.0 %
Green Area	N/A
Lot width frontage @ front building line	65'
Lot width frontage @ front street line	45'
Front Yard Setback	25'
Side Yard Setback	8'
Rear Yard Setback	20'
Building Height	40'
Distance between buildings	N/A

DRAWN BY TB & GB
CHECKED BY GB
DATE 11-13-2025
SCALE 1"= 30'
JOB NO. 25-31
CASE NO. _____

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE POSITION OF ALL EXISTING IMPROVEMENTS OF THE ABOVE DESCRIBED PROPERTY HAS BEEN CAREFULLY SURVEYED BY ME OR DIRECTLY UNDER MY SUPERVISION AN THAT THEY ARE LOCATED AS SHOWN. THIS IS NOT A BOUNDARY SURVEY.

11-14-2025
DATE

GREGORY C. BENEFIEL
REGISTERED PROFESSIONAL
LAND, SURVEYOR No. MD. 10994
LICENSE EXPIRATION 08-08-2026



SURVEYS, INC.
SURVEYORS * ENGINEERS * LAND PLANNERS
PERMIT SERVICES
350 MAIN STREET
LAUREL, MARYLAND, 20707
PHONE 301-776-0561 E-MAIL SURVEYSINC1@VERIZON.NET

HOUSE LOCATION PLAT
13200 11th Street
LOT(S)/PARCEL 6-13 BLOCK/TM "43"

"HUNTINGTON CITY"

Bowie (14th) ELECTION DISTRICT
Prince George's COUNTY, MARYLAND

LIBER	FOLIO	DWG No.
PLAT BOOK	Plat Drawer 11 A PLAT 29 133	MS - 504

Exhibit B

Items from the Department of Planning & Sustainability

1. Staff Report
2. Images of the property



City of Bowie

15901 Fred Robinson Way
Bowie, Maryland 20716

MEMORANDUM

TO: Bowie Advisory Planning Board

FROM: Richard E. Hall
Director of Planning & Sustainability

SUBJECT: Staff Report – Variance for 13200 11th Street, Bowie, MD #(BV-1-26)

DATE: July 28, 2026

I. Proposal & Background

The Department received an application from the Jeremiah 29:11 Living Trust for three setback variances for 13200 11th Street, Bowie, MD. The purpose is to enable a minor subdivision of the 15,750 square foot property so the two existing houses will each have its own parcel. The single-family dwellings were built in the early 1900s—one rebuilt in 2005. The zoning is RSF-65 (Residential Single Family-65). The application, Statement of Justification, and site plan are attached as Exhibit A. Additional contents of the case file are in Exhibit B.

The application seeks three variances from Section 27-4202(e)(2) of the Prince George's County Zoning Ordinance:

- Variance of 9 feet (street-facing side yard, Lot A);
- Variance of 3.8 feet (side yard, Lot B); and
- Variance of 9.1 feet (lot width, Lot B).

The Department recommends APPROVAL of the three setback variances.

II. Variance Decision Standards and Analysis

Section 26-42(F) of the City Zoning Ordinance establishes the Variance Decision Standards. Those standards are listed below with Department analysis of each.

- A. A specific parcel of land is physically unique and unusual in a manner different from the nature of surrounding properties with respect to exceptional narrowness, shallowness, shape, exceptional topographic conditions, or other extraordinary conditions peculiar to the specific parcel (such as historical significance or environmentally sensitive features).*

Analysis – The two dwellings are situated on a property consisting of eight small lots that predate Prince George's County subdivision regulations. In addition, these two dwellings were both built prior to 1938, one was rebuilt in 2005. The surrounding properties have one dwelling unit on them--the subject property is unique in having two dwellings on one parcel. See the images of the property in Exhibit B.

MAYOR Michael P. Estève

COUNCIL Dennis Brady • Roxy Ndebumadu • Wanda Rogers • Clinton Truesdale, Sr. • Dufour Woolfley **ACTING CITY MANAGER** Daniel J. Mears
City Hall (301) 262-6200 FAX (301) 809-2302 TDD (301) 262-5013 WEB www.cityofbowie.org

- B. The particular uniqueness and peculiarity of the specific property causes a zoning provision to impact disproportionately upon that property, such that strict application of the provision will result in peculiar and unusual practical difficulties to the owner of the property.*

Analysis – The nonconforming nature of property and the fact that it has two existing structures on it (as mentioned above) make it unique and options very limited without a variance. The two dwellings were constructed before the zoning ordinance established the setback requirements for which the applicant is seeking variances.

- C. Such variance is the minimum reasonably necessary to overcome the exceptional physical conditions.*

Analysis – The requested variances are the minimum needed to meet the current zoning code.

- D. Such variance can be granted without substantial impairment to the intent, purpose, and integrity of the General Plan or any Functional Master Plan, Area Master Plan, or Sector Plan affecting the subject property.*

Analysis – The requested variance would not result in any changes to the property other than enabling a minor subdivision so each of the two dwelling units have their own parcel. This provides more options for the property owner and would enable them to sell the property and therefore add to the housing inventory in an established community. This is a goal in both the County-wide General Plan and the Bowie-Mitchellville and Vicinity Master Plan.

- E. Such variance will not substantially impair the use and enjoyment of adjacent properties.*

Analysis – Since the granting of the variances would only bring what is currently physically on the property into zoning conformance, it would be invisible to adjacent properties, and anyone else for that matter. It would not “...impair the use and enjoyment of adjacent properties.” in any way.

- F. A variance may not be granted if the practical difficulty is self-inflicted by the owner of the property.*

Analysis – The issues with the property and its dwellings leading to the need for the variances predate the applicant’s ownership of the property and therefore were not “self-inflicted.”

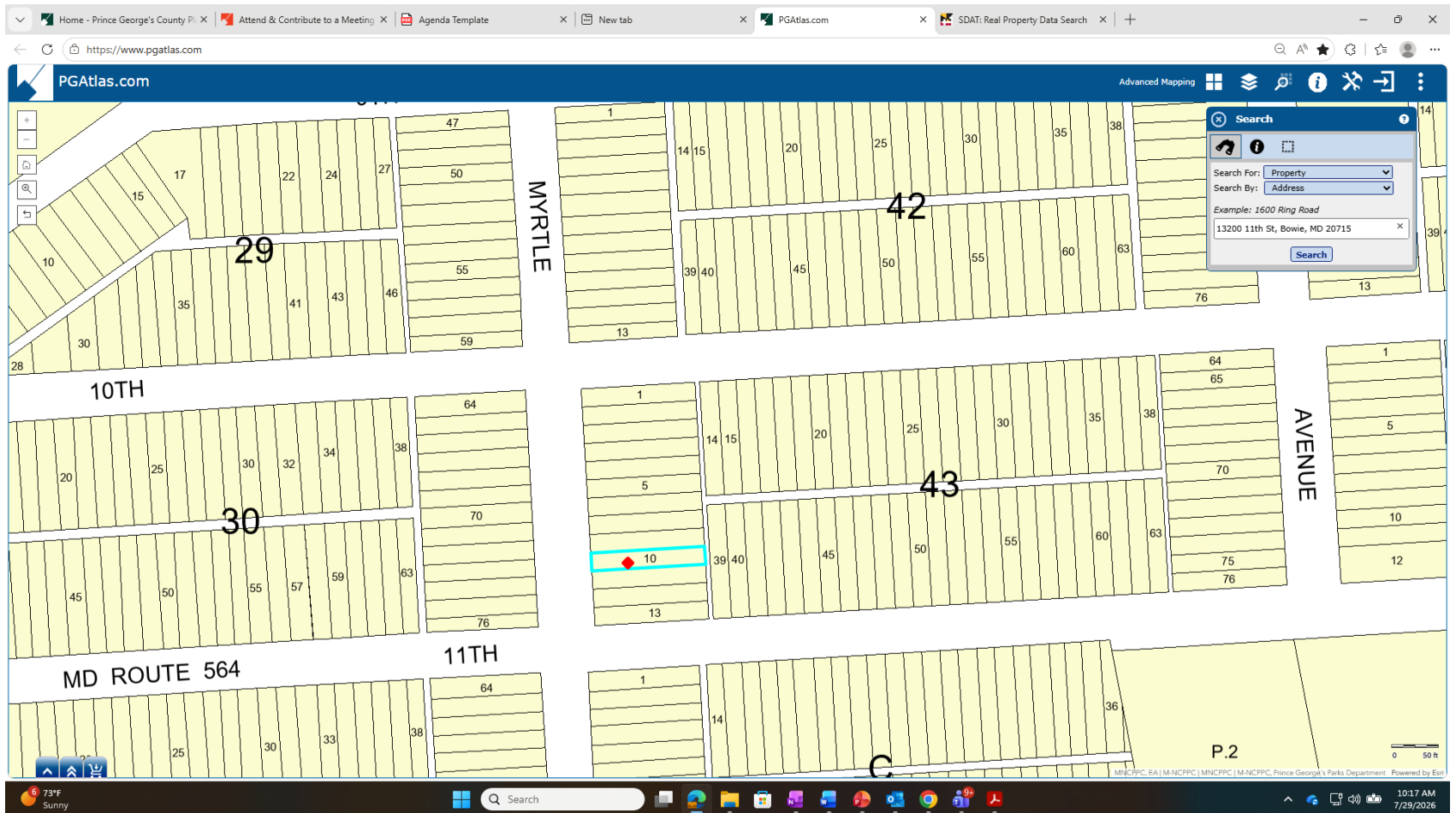
III. Recommendation

The applicant is requesting three setback variances to bring two existing dwellings on an existing parcel into zoning compliance to enable a minor subdivision so each of the existing dwellings can have its own parcel. Granting variances will not lead to more development or change the physical nature of the property. The application meets the decision standards in the view of the Department, and we therefore recommend **APPROVAL** of the three setback variances.

A photograph of a single-story house with a porch, surrounded by a large green lawn. A sign is placed on the lawn in the foreground. The house has a dark roof, white trim, and a small gabled porch over the entrance. The lawn is well-maintained and green. The sign in the foreground is white with red and black text, providing information about a public hearing for the City of Rome. The sign is titled "PUBLIC HEARING CITY OF ROME" and lists the date and time of the hearing, as well as the location. It also includes a list of agenda items and contact information for the City of Rome. The sign is placed on the lawn in front of the house.



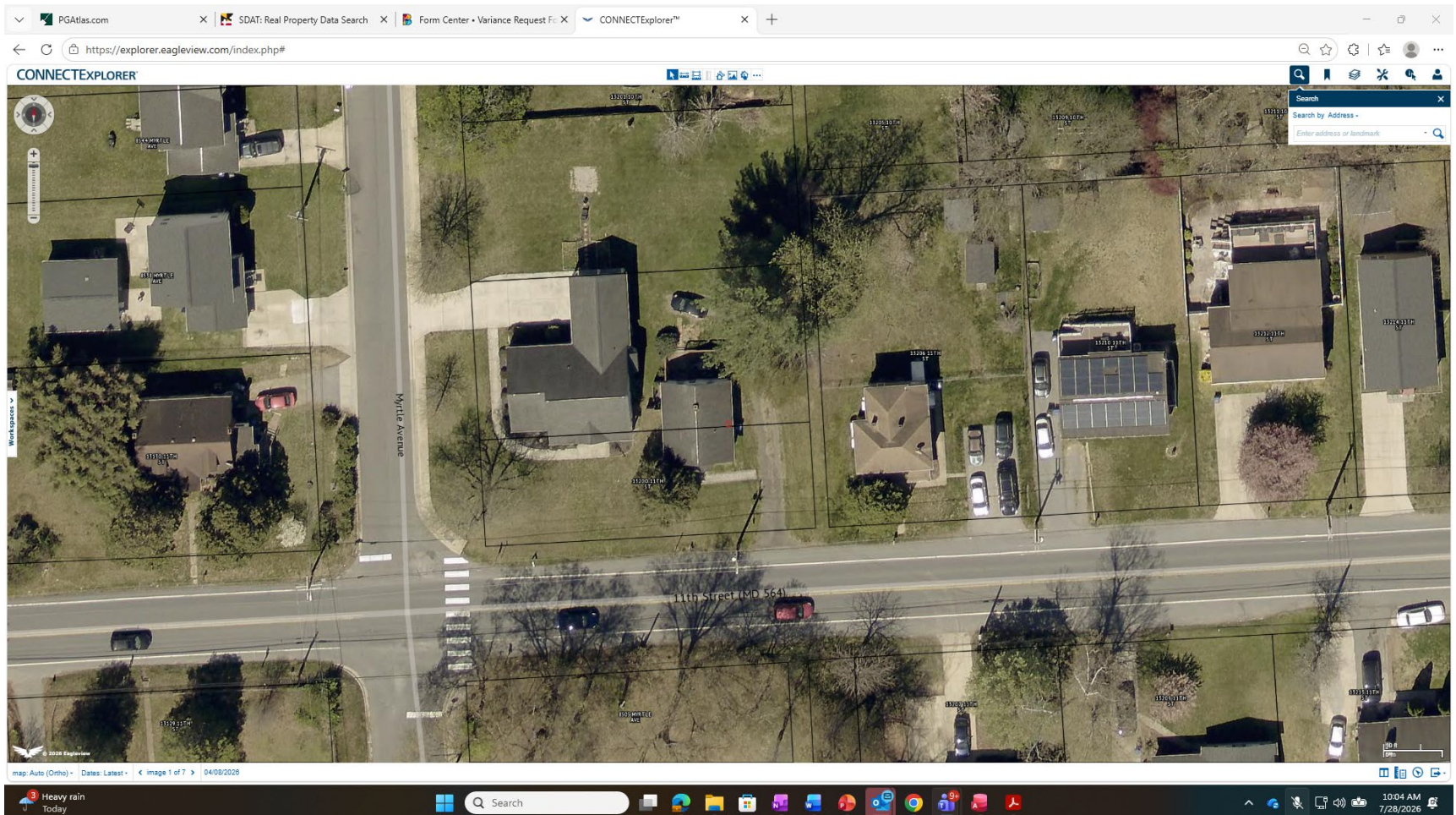
Property in PGAtlas



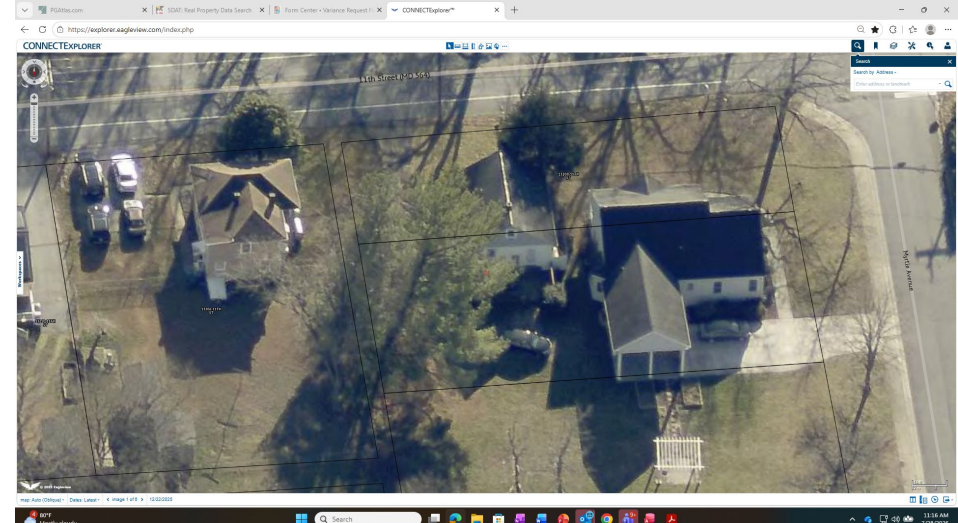
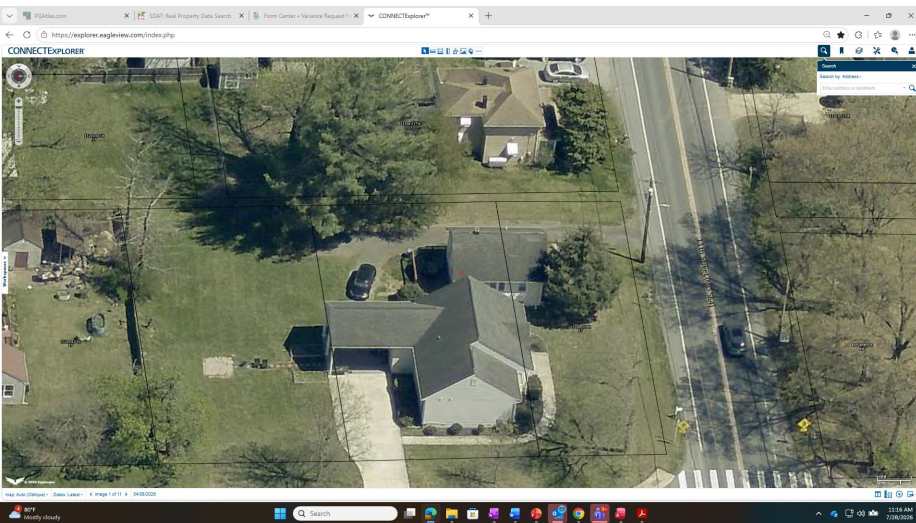
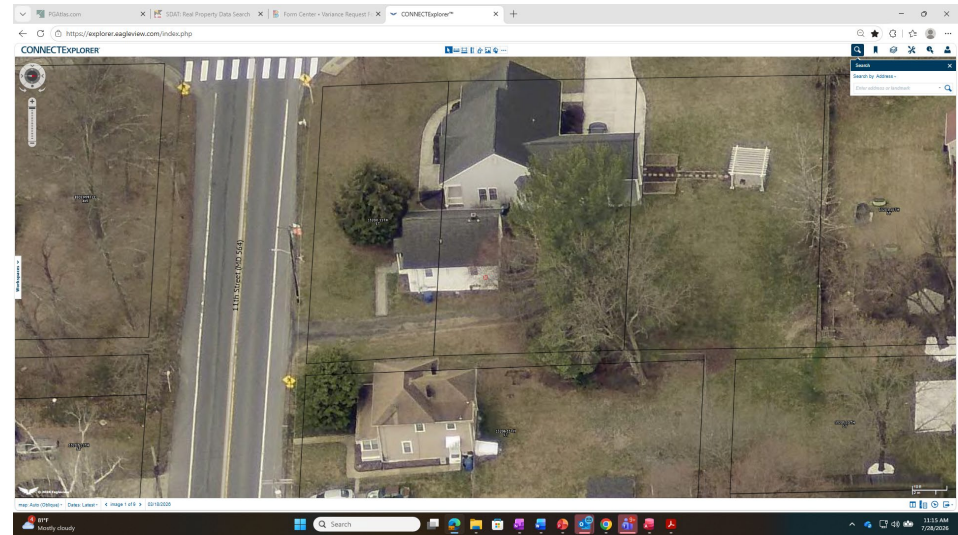
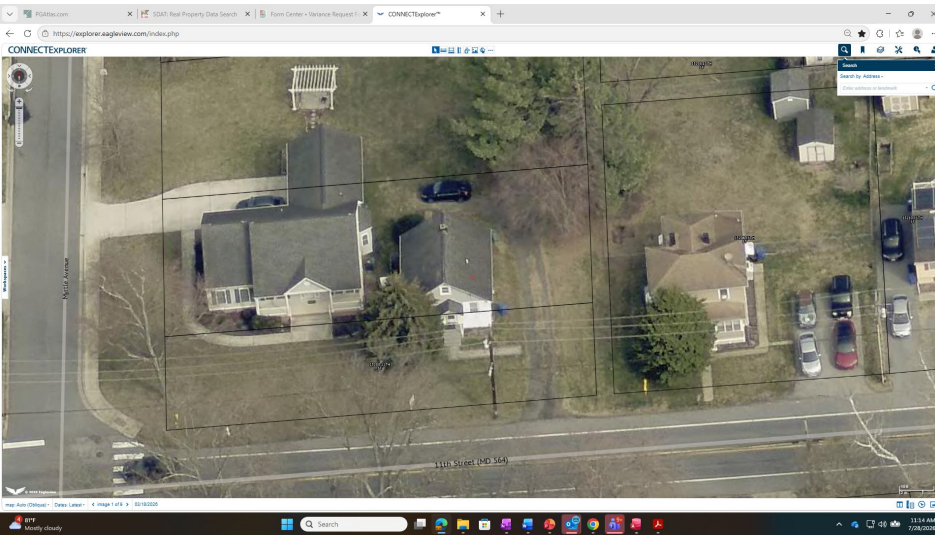
Lot Configuration (PGAtlas & SDAT)



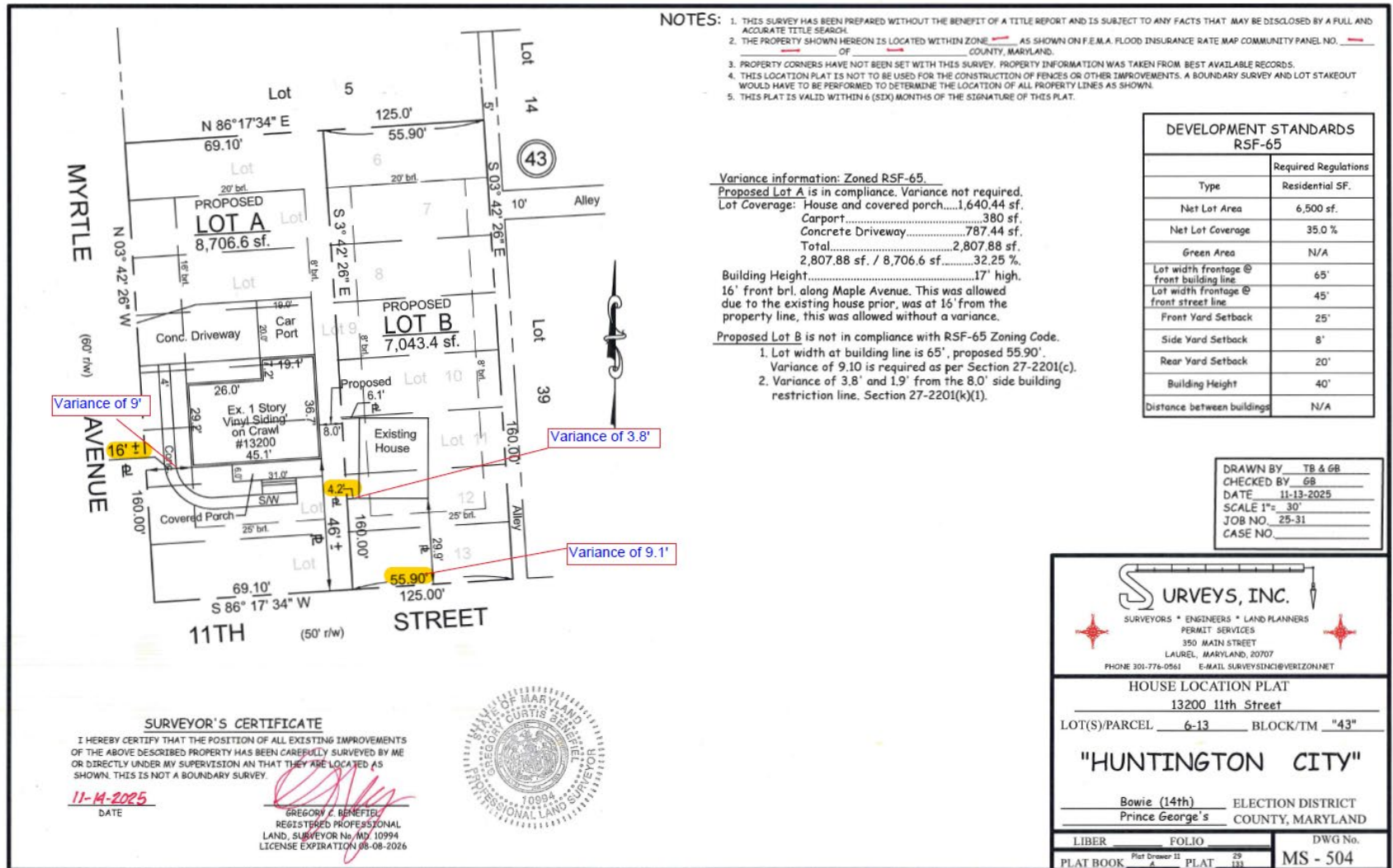
Aerial Photographs



Aerial Photographs (con't)



Site Plan from Applicant



RESOLUTION
OF THE BOWIE ADVISORY PLANNING BOARD
REGARDING VARIANCE APPLICATION BV-1-26, A REQUEST BY
THE JEREMIAH 29:11 LIVING TRUST FOR THREE VARIANCES TO
SECTION 27-4202(e)(2) OF THE PRINCE GEORGE’S COUNTY ZONING
CODE FOR SETBACK REQUIREMENTS

WHEREAS, the City of Bowie (hereinafter the “City”), pursuant to Section 26-42 (F) of the City Zoning Ordinance, is authorized to hear requests for Variances from the terms of the Prince George’s County Zoning Ordinance with respect to building setbacks, height, etc., and to make recommendations to the Bowie City Council in connection therewith; and,

WHEREAS, the City is authorized to grant an application for a Variance if the Bowie Advisory Planning Board (hereinafter the “BAPB”) makes the following findings pursuant to Section 26-42 (F) of the City’s Zoning Ordinance:

- (1) A specific parcel of land is physically unique and unusual in a manner different from the nature of surrounding properties with respect to exceptional narrowness, shallowness, shape, exceptional topographic conditions, or other extraordinary conditions peculiar to the specific parcel (such as historical significance or environmentally sensitive features).
- (2) The particular uniqueness and peculiarity of the specific property causes a zoning provision to impact disproportionately upon that property, such that strict application of the provision will result in peculiar and unusual practical difficulties to the owner of the property.
- (3) Such variance is the minimum reasonably necessary to overcome the exceptional physical conditions.
- (4) Such variance can be granted without substantial impairment to the intent, purpose, and integrity of the General Plan or any Functional Master Plan, Area Master Plan, or Sector Plan affecting the subject property.
- (5) Such variance will not substantially impair the use and enjoyment of adjacent properties.
- (6) A variance may not be granted if the practical difficulty is self-inflicted by the owner of the property.

WHEREAS, on July 8, 2026 the Jeremiah 29:11 Living Trust (“the Applicant”), owners of property located at 13200 11th Street, Bowie, MD (“the Property”), submitted an application for three setback Variances from Section 27-4202(e)(2) of the Prince George’s County Zoning Ordinance; and

WHEREAS, the Property was posted with a public hearing advertisement on July 21, 2026 in accordance with the City Zoning Ordinance; and

WHEREAS, the staff report recommended **APPROVAL** of the three setback variances as outlined in the application and staff report; and

WHEREAS, on August 4, 2026 the BAPB heard testimony and accepted evidence with respect to whether it can make the necessary findings set forth in the City Zoning Ordinance to grant a Variance; and

WHEREAS, the Board voted to recommend **APPROVAL** of the request in accordance with the staff recommendation; and

WHEREAS, the BAPB's recommendation was based on the findings and analysis found in the staff report, testimony provided during the hearing, and the City's Zoning Ordinance's variance standards cited above:

NOW, THEREFORE, BE IT RESOLVED by the Bowie Advisory Planning Board that:

1. The foregoing Whereas clauses are, by this reference, incorporated herein as operative provisions of this Resolution.
2. **The BAPB hereby recommends**, for Variance BV-1-26, **APPROVAL** of three variances from Section 27-4202(e)(2) of the Prince George's County Zoning Ordinance:
 - a. Variance of 9 feet (street-facing side yard, Lot A);
 - b. Variance of 3.8 feet (side yard, Lot B); and
 - c. Variance of 9.1 feet (lot width, Lot B).

The following members voted as follows:

<u>Name of BAPB Member</u>	<u>Vote</u>	
	<u>In Favor</u>	<u>Opposed</u>
Robert W. Day, Sr., Chair	X	
Carl Schuettler, Vice-Chair	X	
Lisa Frison		
Eric Ketterling	X	
Terry Rogers, Jr.	X	
Ronald G. Skotz		
Rufus Bickersteth	X	

So recommended this 4th day of August 2026.

BOWIE ADVISORY PLANNING BOARD

Robert W. Day

Mr. Robert W. Day, Sr.
Chair



Memorandum

TO: City Council

FROM: Angel Jones, City Manager

SUBJECT: Resolution in Support of the Task Force to Modernize County and Municipal Revenue Structures - Resolution R-76-26

DATE: 09/03/2026

During the legislative work session, Council discussed its support for the work of the Task Force to Modernize County and Municipal Revenue Structures. Established by [Chapter 17 of the 2026 Laws of Maryland](#), the Task Force is charged with evaluating current and potential revenue sources available to county and municipal governments, examining local revenue practices in other states, assessing the affordability and cost-of-living effects of potential new revenue sources, and recommending whether local governments should receive additional authority to raise revenue.

The Task Force must submit its findings and recommendations to the Governor and designated General Assembly committees by December 1, 2026. Following Council's discussion, Councilmember Brady submitted a draft resolution for consideration.

Recommended Action

Council is asked to review and consider the resolution expressing support of the work of the Task Force to Modernize County and Municipal Revenue Structures.

ATTACHMENTS: 1. 20260908 - Resolution R-76-26

RESOLUTION
OF THE COUNCIL OF THE CITY OF BOWIE, MARYLAND
IN SUPPORT OF THE TASK FORCE TO MODERNIZE COUNTY AND
MUNICIPAL REVENUE STRUCTURES

WHEREAS, the City of Bowie provides essential frontline services to residents, including public safety, code enforcement, planning and sustainability, street maintenance, refuse collection, parks and recreation, and family and youth services, all of which depend on stable, diverse and sustainable revenue sources; and

WHEREAS, municipal governments face sustained increases in the costs of construction materials, fuel, labor, and State-mandated obligations, underscoring the need for modern, flexible, and reliable revenue sources and

WHEREAS, Maryland's municipalities are significant drivers of economic activity and tourism across the State, yet the current tax structure does not consistently return a proportionate share of revenues generated within municipal boundaries to support the local infrastructure and services that facilitate that activity; and

WHEREAS, Maryland is one of only six states that neither shares general sales and use tax revenue with local governments nor broadly authorizes those governments to levy a local sales tax, contributing to an overreliance on property taxes; and

WHEREAS, Maryland's local revenue structure has not been comprehensively modernized in decades and does not adequately reflect the economy's increasing reliance on services, digital commerce, and other evolving forms of economic activity; and

WHEREAS, Chapter 17 of the 2026 Laws of Maryland established the Task Force to Modernize County and Municipal Revenue Structures to conduct a comprehensive, data-driven, evaluation of existing and potential local revenue sources and recommend solutions that promote fiscal resilience while considering affordability and the overall cost of living.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Bowie, Maryland:

1. **Support for Task Force:** The Council of the City of Bowie formally supports the work and objectives of the Task Force to Modernize County and Municipal Revenue Structures and encourages the Task Force to advance equitable, sustainable, and flexible revenue options that strengthen local fiscal capacity while reducing disproportionate reliance on property taxes.
2. **Communication of Resolution:** A copy of this resolution shall be transmitted to the appropriate staff of the Maryland Municipal League.

INTRODUCED AND PASSED by the Council of the City of Bowie, Maryland at
a meeting on _____, 20__.

ATTEST:

THE CITY OF BOWIE, MARYLAND

Awilda Hernandez, MMC
City Clerk

Michael P. Estève
Mayor



Memorandum

TO: City Council

FROM: Dwayne Preston, Police Chief

SUBJECT: Purchase of Seven (7) Replacement Vehicles for the Police Department
Resolution R-77-26

DATE: 09/03/2026

The FY27 budget allows for the purchase of seven (7) replacement vehicles for use by the Police Department. The staff of the Police Department has determined that State of Maryland Contract #BPO001B5600291, awarded to Hertrich Fleet Services, Inc., for Dodge SUV vehicles meets the needs of the Department. Because the State of Maryland used competitive bidding procedures substantially similar to those of the City, seeking additional bids is not expected to yield better results. The following vehicles are being replaced: #590, #602, #610, #636, #637, #639, and #640.

In accordance with City Charter Section 61, staff recommends that Council authorize the issuance of a purchase order to Hertrich Fleet Services, Inc., in the amount of \$302,649.00.

Approval of Resolution R-77-26 is requested.

ATTACHMENTS: 1. 20260908 - Resolution R-77-26

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 TO ALLOW THE PURCHASE OF SEVEN (7) POLICE VEHICLES AND
AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER
THROUGH A STATE OF MARYLAND PROCUREMENT CONTRACT

WHEREAS, the Charter of the City of Bowie, Maryland (hereinafter, “the City”) requires, in section 61, that all expenditures for inter alia, materials, construction of public improvements or contractual services involving more than fifty thousand dollars be made by written contract upon sealed bids to the lowest responsible bidder, except where the City Council by waives the bidding requirement for good cause shown; and

WHEREAS, the FY27 budget allows for the purchase of seven (7) replacement vehicles for use by the Police Department; and

WHEREAS, the Police Department received and analyzed the State of Maryland Contract #BPO001B5600291 for seven (7) Dodge SUV Vehicles, awarded to Hertrich Fleet Services, Inc.; and

WHEREAS, the proposed contract price for the services to be procured will exceed fifty thousand dollars and the City Council deems the aforesated economic efficiencies to constitute good cause to waive the bidding requirements otherwise required by the Charter.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Bowie, Maryland, by a vote of its members, that:

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

Section 2. The City Manager is hereby authorized to issue a purchase order to Hertrich Fleet Services, Inc. in the amount of \$302,649.00 for the above-mentioned vehicles.

INTRODUCED AND PASSED by the Council of the City of Bowie, Maryland at a meeting on September 8, 2026, by a vote of the members of the Council.

ATTEST:

THE CITY OF BOWIE, MARYLAND

 Awilda Hernandez, MMC
 City Clerk

 Michael P. Estève
 Mayor



Memorandum

TO: City Council

FROM: Dwayne Preston, Police Chief

SUBJECT: Purchase of Upfitting Services for Seven (7) Replacement Vehicles for the Police Department - Resolution R-78-26

DATE: 09/03/2026

The FY27 budget allows for the purchase of upfitting services for seven (7) replacement vehicles for use by the Police Department. The staff of the Police Department has determined that Howard County, Maryland Contract #4400005214, awarded to Front Line Mobile Tech for upfitting services meets the needs of the Department. Because the Howard County, Maryland, used competitive bidding procedures substantially similar to those of the City, seeking additional bids is not expected to yield better results. The following vehicles are being replaced and upfitted: #590, #602, #610, #636, #637, #639, and #640.

In accordance with City Charter Section 61, staff recommends that Council authorize the issuance of a purchase order to Front Line Mobile Tech, in the amount of \$118,816.24.

Approval of Resolution R-78-26 is requested.

ATTACHMENTS: 1. 20260908 - Resolution R-78-26

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 TO ALLOW THE PURCHASE OF POLICE VEHICLE UPFITTING
SERVICES AND AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE
ORDER THROUGH A HOWARD COUNTY, MARYLAND
PROCUREMENT CONTRACT

WHEREAS, the Charter of the City of Bowie, Maryland (hereinafter, “the City”) requires, in section 61, that all expenditures for inter alia, materials, construction of public improvements or contractual services involving more than fifty thousand dollars be made by written contract upon sealed bids to the lowest responsible bidder, except where the City Council by waives the bidding requirement for good cause shown; and

WHEREAS, the FY27 budget allows for the upfitting of seven (7) replacement vehicles for use by the Police Department; and

WHEREAS, the Police Department received and analyzed the Howard County, Maryland Contract #440005214 for upfitting services awarded to Front Line Mobile Tech; and

WHEREAS, the proposed contract price for the services to be procured will exceed fifty thousand dollars and the City Council deems the aforesated economic efficiencies to constitute good cause to waive the bidding requirements otherwise required by the Charter.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Bowie, Maryland, by a vote of its members, that:

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

Section 2. The City Manager is hereby authorized to issue a purchase order to Front Line Mobile Services in the amount of \$118,816.24 for the above-mentioned upfitting services.

INTRODUCED AND PASSED by the Council of the City of Bowie, Maryland at a meeting on September 8, 2026 by a vote of the members of the Council.

ATTEST:

THE CITY OF BOWIE, MARYLAND

Awilda Hernandez, MMC
City Clerk

Michael P. Estève
Mayor



Memorandum

TO: City Council

FROM: Bruce Miller, Director of Finance

SUBJECT: Declaration of Official Intent Resolution for Certain Water and Sewer Projects
Resolution R-79-26

DATE: 09/03/2026

The City is already undertaking or intends to undertake 18 separate water or sewer projects (including equipment) that were approved for debt financing in the adopted fiscal year 2027 budget and adopted capital improvements program. It expects to issue tax-exempt general obligation debt to finance or reimburse costs of these projects.

City staff has identified six of the 18 projects with respect to which (1) the City has already paid certain project costs that it expects to reimburse from the proceeds of the anticipated tax-exempt debt once issued, or (2) the City reasonably expects to pay certain project costs prior to closing on the anticipated tax-exempt debt that it will reimburse from proceeds of such debt once issued. The City will be able to rely on Resolution R-79-26 to reimburse any such project expenses that are paid between (1) the date that is 60 days prior to the effective date of Resolution R-79-26, and (2) the date of issuance of tax-exempt debt for project purposes. While the reimbursement regulations contain two exceptions to the declaration of official intent requirement described in the next paragraph, such exceptions do not necessarily cover all of the project costs the City may need to pay prior to closing on the tax-exempt borrowing that it will want to reimburse from proceeds of the borrowing.

Under the "reimbursement regulations" of the federal tax code, an issuer of tax-exempt debt that intends to use proceeds of such debt to reimburse costs of a project paid prior to the date of issuance of such debt must make a declaration of "official intent" expressing its reasonable expectation to use such tax-exempt debt for reimbursement purposes. A declaration of official intent is commonly made in the form of a resolution and must do two things: (1) generally describe a project and (2) state the maximum principal amount of obligations expected to be issued for that project.

Resolution R-79-26 does not authorize the issuance of general obligation debt for the six projects; it merely preserves the City's reimbursement rights with respect to use of such debt. Authorization of the borrowing for such six projects and the other 12 water and sewer projects will require additional legislative actions of the Council.

Council's approval of Resolution R-79-26 is requested.

ATTACHMENTS: 1. 20260908 - Resolution R-79-26

RESOLUTION
OF THE COUNCIL OF THE CITY OF BOWIE
DECLARING THE OFFICIAL INTENT OF THE CITY TO REIMBURSE FROM
PROCEEDS OF TAX-EXEMPT DEBT A PORTION OF EXPENDITURES PAID
WITH RESPECT TO CERTAIN WATER AND SEWER PROJECTS

RECITALS

WHEREAS, to facilitate an efficient borrowing program, The City of Bowie (the “City”), a Maryland municipal corporation, has used non-borrowed funds or intends to use non-borrowed funds to pay certain capital expenses of certain water and sewer projects (collectively, the “Projects” and, individually, a “Project”) approved for debt financing in the City’s approved budget for fiscal year 2027 and approved capital improvements program that are described on Exhibit A to this Resolution prior to issuing debt to finance or reimburse all or a portion of the costs of the Projects; and

WHEREAS, Exhibit A attached to this Resolution is incorporated by reference herein; and

WHEREAS, the City anticipates issuing tax-exempt general obligation debt to finance or reimburse costs of the Projects; and

WHEREAS, the City intends to reimburse all or a portion of the previously paid expenditures for the Projects from proceeds of the anticipated tax-exempt debt once issued; and

WHEREAS, for the City to use proceeds of tax-exempt debt to reimburse expenditures for the Projects paid prior to the issuance of such tax-exempt debt, applicable provisions of the Internal Revenue Code of 1986, as amended, and Section 1.150-2 of the Income Tax Regulations require that the City declare its official intent to use tax-exempt debt to reimburse such expenditures.

Section 1: **NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Bowie, that the Recitals to this Resolution constitute an integral part of this Resolution and are incorporated herein by reference. Capitalized terms used in the Sections of this Resolution and not otherwise defined herein shall have the meanings given to such terms in the Recitals.

Section 2: **AND BE IT FURTHER RESOLVED** by the Council of the City of Bowie, that, as evidenced by this Resolution, the City reasonably expects (i) to spend non-borrowed funds on costs of the Projects prior to the issuance of tax-exempt debt to finance or reimburse costs of such Projects, (ii) to issue tax-exempt debt for the Projects in the maximum original aggregate principal amount listed opposite each such Project on Exhibit A to this Resolution, and (iii) to use proceeds of such tax-exempt debt to reimburse all or a portion of the expenditures originally paid for the Projects prior to the issuance of such tax-exempt debt.

Section 3: **AND BE IT FURTHER RESOLVED** by the Council of the City of Bowie, that this Resolution constitutes a declaration of official intent within the meaning of Section 1.150-2 of the Income Tax Regulations.

Section 4: **AND BE IT FURTHER RESOLVED** by the Council of the City of Bowie, that this Resolution shall take effect immediately upon its adoption.

INTRODUCED by the Council of the City of Bowie at a meeting on _____, 2026.

ADOPTED by the Council of the City of Bowie at a meeting on _____, 2026.

ATTEST:

THE CITY OF BOWIE

Awilda Hernandez, MMC
City Clerk

Michael P. Estève
Mayor

**APPROVED AS TO FORM AND
SUFFICIENCY:**

Elissa D. Levan, City Attorney

#245582

EXHIBIT A

<u>Project Name</u>	<u>Maximum Principal Amount of Tax-Exempt Debt to Be Issued for Such Project</u>
Water Main Replacement Construction & Inspection/Management Services	\$5,000,000
Sewer Lateral Replacement	350,000
Sewer Pipe Lining Somerset Phase 3	2,500,000
Sewer Vac Truck #406 Replacement	627,200
Truck #411 Replacement	13,400
New Pick-Up Truck	<u>88,500</u>
MAXIMUM PRINCIPAL AMOUNT OF TAX- EXEMPT DEBT TO BE ISSUED FOR THE PROJECTS	<u>\$8,579,100</u>



Memorandum

TO: City Council

FROM: Angel Jones, City Manager

SUBJECT: Bowie Commons Land Lease - Resolution R-80-26

DATE: 09/03/2026

BACKGROUND:

Bowie Housing Partners, LP ("BHP" or "the Tenant") leases certain real property owned by the City and located at 3909 New Haven Court and comprising approximately 4.0 acres. The original ground lease was signed in 1982. The property was improved by the Tenant with moderate-income housing for seniors and disabled persons. BHP is pursuing refinancing through the Department of Housing and Urban Development ("HUD") under Section 223(f) to renovate the project.

DISCUSSION:

The improvement scope includes site work such as an improved outdoor gathering area and parking accessibility upgrades; building exterior upgrades including evaluation and replacement of siding, windows (with low-E coated glass), and roofing; and interior unit renovations encompassing new low-flow plumbing fixtures, high-efficiency lighting, updated flooring, ENERGY STAR qualified appliances, and new cabinets. The Tenant has committed to environmentally friendly construction and energy-efficient design throughout the project.

The refinance and rehabilitation deliver significant benefits to residents. The property will continue to serve as affordable housing for seniors and persons with disabilities of limited income, and the lease term provides long-term stability for the community. Residents will enjoy modernized living spaces, reduced utility costs through energy-efficient upgrades, improved handicap accessibility in parking areas, and enhanced outdoor amenities. Importantly, the rehabilitation work will be completed with minor disruption to existing residents, and the affordable senior housing mission is preserved throughout the financing term.

In connection with the refinancing, HUD requires an addendum to the lease between the City and the Tenant, to include certain representations from the City concerning compliance with HUD requirements and the City's consent to the mortgage. The City Attorney has reviewed the addendum and requested some changes to it as I considered the scope of the representations overbroad. As HUD declined those requested changes, the Tenant will execute an indemnification agreement to protect the City from any damages arising from any unintentional misstatement relating to matters as to which the City has no independent knowledge. The City Attorney has drafted the form of the indemnification agreement and approved some minor revisions requested by the Tenant.

RECOMMENDATION:

The project supports the Council's previously articulated goal of expanding the availability of affordable housing for these populations. The renovation of the outdated facilities is in the public interest. Staff therefore recommends Council adopt Resolution R-80-26 approving the lease addendum and indemnification agreement.

- ATTACHMENTS:**
1. 20260908 - Resolution R-80-26
 2. 20260908 - Lease Addendum - Multifamily - 8.28.2026
 3. 20260908 - Vitus Indemnification City of Bowie

RESOLUTION
OF THE COUNCIL OF THE CITY OF BOWIE
APPROVING A LEASE ADDENDUM AND INDEMNIFICATION AGREEMENT
RELATING TO BOWIE COMMONS AND AUTHORIZING THE CITY MANAGER TO
EXECUTE THE AGREEMENTS

WHEREAS, the City of Bowie ("City") owns approximately 4.0278 acres of real property located at 3909 New Haven Court, Bowie, Maryland 20716, known as Bowie Commons ("Property"); and

WHEREAS, pursuant to an Indenture of Lease Agreement dated November 8, 1982, as amended ("Ground Lease"), the City leases the Property to Bowie Housing Partners, LP ("Tenant") for the operation of moderate-income housing for senior citizens and persons with disabilities, and the term of the Ground Lease currently extends through November 9, 2082; and

WHEREAS, the Tenant intends to refinance and rehabilitate Bowie Commons through a mortgage loan insured by the U.S. Department of Housing and Urban Development ("HUD") under Section 223(f) of the National Housing Act; and

WHEREAS, the proposed rehabilitation will modernize the Property, improve accessibility and outdoor amenities, incorporate energy-efficient features, and preserve affordable housing for seniors and persons with disabilities of limited income; and

WHEREAS, as a condition of the HUD-insured financing, HUD requires the City, as Landlord, and the Tenant to execute a Lease Addendum addressing HUD requirements and the City's consent to the mortgage on the Tenant's leasehold estate; and

WHEREAS, Vitus Group, LLC, the Tenant's parent company, has agreed to enter into an Indemnification Agreement indemnifying and holding the City harmless from claims, losses, damages, suits, liabilities, and attorneys' fees arising from representations made by the City to HUD in connection with the Lease Addendum; and

WHEREAS, the Council finds that the refinancing and rehabilitation of Bowie Commons, the continued provision of affordable housing, and the protections afforded by the Indemnification Agreement are in the public interest.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Bowie, that the Lease Addendum between the City of Bowie and Bowie Housing Partners, LP, and the Indemnification Agreement between the City of Bowie and Vitus Group, LLC, substantially in the forms presented to the Council, are hereby approved; and that the City Manager is authorized to execute and deliver the Lease Addendum and Indemnification Agreement on behalf of the City.

INTRODUCED AND PASSED by the Council of the City of Bowie at a meeting on September 8, 2026.

ATTEST:

THE CITY OF BOWIE

Awilda Hernandez, MMC
City Clerk

Michael P. Estève
Mayor

Lease Addendum - Multifamily

U.S. Department of Housing
and Urban Development
Office of Housing

OMB Approval No. 2502-0598
(Exp. 12/31/2027)

The public reporting burden for this collection of information is estimated to average 0.5 hours per response, including the time for reviewing instructions, searching existing data sources, gathering, and maintaining the data needed, and completing and reviewing the collection of information. Comments regarding the accuracy of this burden estimate and any suggestions for reducing this burden can be sent to U.S. Department of Housing and Urban Development, Office of the Chief Data Officer, 451 7th St SW, Room 8210, Washington, DC 20410-5000. Do not send completed forms to this address. This agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection displays a valid OMB control number. HUD collects this information to obtain supportive documentation that must be submitted to HUD for approval. HUD uses this information to ensure that viable projects are developed and maintained. This information is required to obtain benefits derived from the National Housing Act Multifamily Mortgage Insurance Programs. This information collected is authorized under Title II of the National Housing Act (12 USC 1701 et seq.) and the regulations at 24 CFR 200 et seq., and no confidentiality is assured.

Warning: Any person who knowingly presents a false, fictitious, or fraudulent statement or claim in a matter within the jurisdiction of the U.S. Department of Housing and Urban Development is subject to criminal penalties, civil liability, and administrative sanctions.

Project Name: Bowie Commons
HUD Project No: 000-11351

THIS **LEASE ADDENDUM** is attached to and made part of that certain lease agreement entered into on the [] day of [], 2026, between the **CITY OF BOWIE**, a political subdivision of the state of Maryland ("**Landlord**") and **BOWIE HOUSING PARTNERS, LP**, a Maryland limited liability company, ("**Tenant**") (collectively, the "**Parties**") (the "**Ground Lease**")

The Lease Addendum is required in connection with a mortgage loan insured by the U.S. Department of Housing and Urban Development ("**HUD**") for multifamily projects pursuant to the National Housing Act, as amended, found at 12 U.S.C. § 1701, *et seq.* ("**Act**"), and made by the following HUD-approved lender, Berkadia Commercial Mortgage LLC, ("**Lender**"). The insured loan is secured by a Security Instrument on the leasehold estate set forth in the Ground Lease.

The definition of any capitalized term or word used in this Lease Addendum and not otherwise defined can be found in the Security Instrument and/or Note between Lender and Tenant; or the Regulatory Agreement between Tenant and HUD. The terms "HUD" and "Lender" as used in the Lease Addendum shall also include their successors and assigns, and the Tenant is the same legal entity as the Borrower under the Security Instrument. All references to "days" in this Lease Addendum shall mean calendar days.

Notwithstanding anything else in the **Ground Lease** to which this Lease Addendum is attached, and for valuable consideration, the receipt and sufficiency of which the Parties hereto hereby acknowledge and agree, and to induce the Lender to make the Loan to the Tenant described in the Security Instrument, and to induce HUD to insure said Loan, so long as this leasehold estate is subject to a security instrument insured, reinsured, or held by HUD or given to HUD in connection with a resale, or the Property is acquired and held by HUD because of a default under the Security Instrument, Landlord and Tenant acknowledge and agree to the following provisions.

The leasehold estate consists of the ground (land) only; all buildings, improvements, alterations and fixtures now or in the future located thereon are owned in fee simple by the Tenant. As such, the term “**Property**” means the legally described land subject to the Ground Lease **except** the buildings, improvements, alterations and fixtures now or in the future located on the land.

1. **Compliance with HUD Requirements.** Pursuant to the Act, the following provisions may not be waived under any circumstances, whether for a new ground lease or an existing ground lease:
 - (a) the term of the Ground Lease and all other Ground Lease provisions comply with the section of the Act and related federal regulations under which the Note is endorsed for mortgage insurance;
 - (b) the Landlord owns the Property in fee simple, and the leasehold estate is granted directly by the Landlord to the Tenant;
 - (c) the leasehold estate underlying the Ground Lease constitutes a mortgageable real property interest under state law;
 - (d) the Ground Lease and related Ground Lease documents do not conflict with any Program Obligations promulgated by HUD with respect to such mortgage insurance; and
 - (e) all ground rent amounts have prior written approval by HUD.
2. **Modifications.** The Ground Lease and this Lease Addendum shall not be modified without the written consent of HUD and Lender. Modifications of the Ground Lease and this Lease Addendum that are not authorized in writing by HUD and Lender are void and unenforceable.
3. **Conflict Provision.** The provisions of this Lease Addendum benefit Lender and HUD and are specifically declared to be enforceable against the parties to the Ground Lease and all other persons by Lender and HUD. In the event of any conflict, inconsistency or ambiguity between the provisions of this Lease Addendum and the provisions of any other part of the Ground Lease, the provisions of this Lease Addendum shall prevail and control.
4. **Recording.** The full Ground Lease agreement and incorporated HUD Lease Addendum, or a memorandum of ground lease (if permitted under state law), must be recorded in the applicable land records office. If a memorandum of ground lease

or a short form ground lease is to be recorded, it must set forth the following information, in addition to compliance with state law requirements:

- (a) names of the Parties;
- (b) legal description;
- (c) term and renewals;
- (d) reference to the HUD Lease Addendum; and
- (e) specific reference to HUD's option to purchase in Section 7 (unless Section 7 is expressly waived in writing by HUD in accordance with Program Obligations).

5. Estoppel Certificate. As a condition of HUD's acceptance of a ground lease transaction, an estoppel certificate identifying the Ground Lease documents and signed by the Landlord, dated within thirty (30) days of the Note endorsement, must be provided to Lender and HUD at closing. The Landlord must confirm in writing to Lender and HUD that the Security Instrument is authorized, the Ground Lease is in full force and effect, there are no defaults or pending defaults under the Ground Lease or conditions that would give rise to defaults given the passage of time, and that the legal description of the Property is correct. The document must provide the language required by 24 CFR Section 200.62, and also include the "Warning" language found at the beginning of this Lease Addendum.

Upon a reasonable request from Tenant, Lender, or HUD, Landlord further agrees to promptly provide from time to time an estoppel certificate to confirm the terms of, and no default under, the Ground Lease.

6. Consent for Mortgage. Landlord agrees that the Tenant is authorized to obtain a loan, the repayment of which is to be insured by HUD and secured by the Security Instrument on this leasehold estate and the Improvements. The Tenant is further authorized to execute all documents necessary as determined by Lender or HUD and otherwise to comply with Program Obligations for obtaining such an insured loan.

7. [Intentionally omitted]

8. Conveyance by Tenant. If approved in writing by HUD in advance, the Tenant may convey, assign, transfer, lease, sublease or sell all or any part of its leasehold interest in the Property without the need for approval or consent by any other person or entity.

9. Insurance.

- (a) Insurance policies shall be in an amount, and with such company or companies and in such form, and against such risks and hazards, as shall be approved by Lender and HUD in accordance with Program Obligations.

- (b) The Landlord shall not take out separate insurance concurrent in form or contributing in the event of loss with that specifically required to be furnished by the Tenant to Lender. The Landlord may at its own expense, however, take out separate insurance which is not concurrent in form or not contributing in the event of loss with that specifically required to be furnished by the Tenant to Lender.

10. Condemnation.

- (a) If all or any part of the Property or the Improvements or the leasehold estate shall be taken or damaged by condemnation, that portion of any award attributable to the Improvements or the Tenant's interest in the leasehold estate or damage to the Improvements or the Tenant's interest in the leasehold estate shall be paid to Lender or otherwise disposed of as may be provided in the Security Instrument. Any portion of the award attributable solely to the underlying fee estate (exclusive of any Improvements) shall be paid to the Landlord. After the date of taking, the annual ground rent shall be reduced ratably by the proportion which the award paid to the Landlord bears to the total value of the Property as established by the amount HUD is to pay, as set forth in Section 7 of this Lease Addendum.
- (b) In the event of a negotiated sale of all or a portion of the Property and/or the Improvements, in lieu of condemnation, the proceeds shall be distributed and annual ground rent reduced as provided in cases of condemnation above, but the approval of HUD and Lender shall be required as to the amount and division of the payments to be received.

11. Tenant Default on Ground Lease; Cure Rights; Termination. The Landlord may terminate the Ground Lease prior to the expiration day of the full term of this Ground Lease ("**Expiration Date**") after a Tenant default under this Ground Lease ("**Ground Lease Event of Default**"), but only under the following circumstances and procedures.

- (a) If any Ground Lease Event of Default shall occur, then and in any such event, the Landlord shall at any time thereafter during the continuance of such Ground Lease Event of Default and prior to any cure, give written notice of such default(s) ("**Notice of Default**") to the Tenant, Lender, and HUD, specifying the Ground Lease Event of Default and the methods of cure, or declaring that a Ground Lease Event of Default is incurable. If the Ground Lease Event of Default is a failure to pay money, the Landlord shall specify and itemize the amounts of such default. Failure to pay money shall be specified as a separate default and not combined with a non-monetary Ground Lease Event of Default.
- (b) Within sixty (60) days from the date of giving the Notice of Default to the Tenant, the Tenant must cure a monetary default by paying the Landlord all

amounts specified in the Notice of Default and must cure any specified Ground Lease Event of Default that is capable of being cured within such period.

- (c) During the period of one hundred-eighty (180) days commencing upon the date Notice of Default received by Lender and HUD, Lender or HUD may:
 - (1) cure any Ground Lease Event of Default; and
 - (2) commence foreclosure proceedings or institute other state or federal procedures to enforce Lender's or HUD's rights with respect to the Property or the Tenant Improvements.
- (d) If HUD or Lender commences foreclosure or other enforcement action within such one hundred-eighty (180) days, then its cure period shall be extended during the period of the foreclosure or other action and for ninety (90) days after the ownership of the Tenant's rights under the Ground Lease is established in or assigned to HUD or such Lender or a purchaser at any foreclosure sale pursuant to such foreclosure or other action. The transfer of the Tenant's rights under the Ground Lease to Lender, HUD or purchaser, pursuant to such foreclosure or other action shall be deemed a termination of any incurable Ground Lease Event of Default and such terminated Ground Lease Event of Default shall not give the Landlord any right to terminate the Ground Lease. Such purchaser may cure a curable Ground Lease Event of Default within said ninety (90) days.
- (e) If the Tenant, Lender or HUD reasonably undertake to cure any Ground Lease Event of Default during the applicable cure period and diligently pursues such cure, the Landlord shall grant such further reasonable time as is necessary to complete such cure. If, after the expiration of all of the foregoing cure periods, no cure, or termination of an existing Ground Lease Event of Default has been achieved as aforesaid, then and in that event, the Ground Lease shall terminate, and, on such date, the term of this Ground Lease shall expire and terminate and all rights of the Tenant under the Ground Lease shall cease and the Improvements, subject to the Security Instrument and the rights of Lender thereunder, shall be and become the property of the Landlord. All costs and expenses incurred by or on behalf of the Landlord (including, without limitation, reasonable attorneys' fees and expenses) occasioned by any default by the Tenant under this Ground Lease shall constitute additional rent hereunder. The Landlord shall have no right to terminate this Ground Lease except as provided in this Section 11.

12. Lender/HUD Option for New Ground Lease.

- (a) Upon termination of this Ground Lease pursuant to Section 11 above, the Landlord shall immediately seek to obtain possession of the Property and Improvements. Upon acquiring such possession, the Landlord shall notify

HUD and Lender in writing. Lender and HUD shall each have six (6) months from the date of receipt of such notice of acquisition to elect to take, as Tenant, a new ground lease on the Property and on the Improvements.

- (b) Such new ground lease shall have a term equal to the unexpired portion of the term of this Ground Lease immediately prior to such termination and shall, except as otherwise provided herein, be on the same terms and conditions as contained in this Ground Lease, including without limitation, the option to purchase set forth under Section 7 above, except that Lender's or HUD's liability for ground rent shall not extend beyond their occupancy under such ground lease. The Landlord shall tender such new ground lease to Lender or HUD within thirty (30) days after a request for such ground lease and shall deliver possession of the Property and Improvements immediately upon execution of the new ground lease.
- (c) Upon executing a new ground lease, Lender or HUD shall pay to the Landlord any unpaid ground rent due or that would have become due under this Ground Lease to the date of the execution of the new ground lease, including any taxes which were liens on the Property or the Improvements and which were paid by the Landlord, less any net rentals or other income which the Landlord may have received on account of the Property and Improvements since the date of default under this Ground Lease.

13. Landlord Cooperation for Needed Authorizations. The Landlord agrees that within ten (10) days after receipt of written request from the Tenant, it will join in any and all applications for permits, licenses or other authorizations required by any Governmental Authority in connection with any work which the Tenant may do hereunder and will also join in any grants for easements for electric, telephone, telecommunications, cable, gas, water, sewer and such other public utilities and facilities as may be reasonably necessary in the operation of the Property or of any Improvements and if, at the expiration of such ten (10) day period, the Landlord shall not have joined in any such application, or grants for easements, the Tenant shall have the right to execute such application and grants in the name of the Landlord, and for that purpose, the Landlord hereby irrevocably appoints the Tenant as its attorney-in-fact to execute such papers on behalf of the Landlord, only to the extent that a public body as Landlord may do so within the exercise of its municipal powers and responsibilities.

14. Taxes. Nothing in this Ground Lease shall require the Tenant to pay any franchise, estate, inheritance, succession, capital levy or transfer tax of the Landlord or any income excess profits or revenue tax, or any other tax, assessment charge or levy upon the rent payable by the Tenant under this Ground Lease.

15. Notices. All notices, demands and requests which are required to be given by the Landlord, Tenant, Lender or HUD in connection with the Ground Lease and this Lease Addendum shall be in writing and shall be sent by registered or certified mail,

postage prepaid, and addressed to the address of the party as given in this instrument unless a request for a change in this address has been sent to the party giving the notice by registered or certified mail prior to the time when such notice is given.

All notices shall be addressed as follows:

If to Lender:	Berkadia Commercial Mortgage LLC 4275 Executive Square, Suite 900 La Jolla, CA 92037
If to HUD:	U.S. Department Of Housing And Urban Development Multifamily Northeast Region New York Regional Center Jacob K. Javits Federal Bldg 26 Federal Plaza, Suite 3200 New York, NY 10278
If to Tenant:	Bowie Housing Partners, LP Vitus Group IV, LLC 2607 Second Avenue, Suite 300 Seattle, WA 98121
If to Landlord:	City of Bowie 15901 Fred Robinson Way Bowie, MD 20716

16.No Merger. There shall be no merger of this Ground Lease or the leasehold estate created by this Ground Lease with the fee estate of the Property or of the Improvements or any interest therein by reason of the fact that the same person or entity may acquire or hold, directly or indirectly, this Ground Lease or the leasehold estate hereby created or any interest therein and the fee estate of the Property or of the Improvements. No such merger shall occur unless and until HUD specifically consents and agrees in writing to such merger.

Each signatory below hereby certifies that each of their statements and representations contained in the Ground Lease and this Lease Addendum and all their supporting documentation thereto are true, accurate, and complete. This Lease Addendum has been made, presented, and delivered for the purpose of influencing an official action of HUD in insuring the Loan, and may be relied upon by HUD as a true statement of the facts contained therein.

IN WITNESS WHEREOF, the parties hereto have executed this Lease Addendum as of the day and year first written above.

WITNESS:**TENANT:**

BOWIE HOUSING PARTNERS, LP,
a Maryland limited partnership

By: Bowie Housing Management, LLC
a Maryland limited liability company,
its General Partner

By: Vitus Development IV, LLC
a Delaware limited liability company,
its Sole Member and Manager

By: _____
Name: Stephen R. Whyte
Title: President

STATE OF _____)
) **ss.**
COUNTY OF _____)

I HEREBY CERTIFY that on the [_____] day of [_____] , 2026, before me, the subscriber, a Notary Public in and for the jurisdiction aforesaid, personally appeared Stephen R. Whyte, known to me or satisfactorily proved to be the person whose name is subscribed to the within instrument, who acknowledged himself to be the President of Vitus Development IV, LLC, a Delaware limited liability company, the Manager and Sole Member of Bowie Housing Management, LLC, a Maryland limited liability company the General Partner of Managing Partner of Bowie Housing Partners, LP, a Maryland limited partnership, and that he, as such President, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the limited partnership by himself as President of the Manager and Sole Member of the General Partner on behalf of such limited partnership.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Notary Public

My Commission Expires: _____

WITNESS:

LANDLORD:

CITY OF BOWIE

By: _____

Name: Angel L. Jones

Title: City Manager

STATE OF MARYLAND)
) ss.
COUNTY OF _____)

I HEREBY CERTIFY that on the [_____] day of [_____] , 2026, before me, the subscriber, a Notary Public in and for the jurisdiction aforesaid, personally appeared Angel L. Jones, known to me or satisfactorily proved to be the person whose name is subscribed to the within instrument, who acknowledged herself to be the City Manager of the City of Bowie, a political subdivision of the State of Maryland, and that she, as such City Manager, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the City of Bowie by herself as City Manager.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

 Notary Public

My Commission Expires: _____

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INDEMNIFICATION AGREEMENT

This Indemnification Agreement is made this ____ day of _____, 2026, by and between the City of Bowie (“the City”), a Maryland municipal corporation, and Vitus Group, LLC, a Delaware limited liability company (“Vitus”), with its offices at 2607 2nd Avenue, Suite 300, Seattle, WA 98121-1289.

WHEREAS, the City has by Indenture of Lease Agreement, dated November 8, 1982 (“the Lease”), and recorded among the Land Records of Prince George’s County at Liber 5603, Folio 224, leased certain real property, containing approximately 4.0278 acres, with a street address of 3909 New Haven Court, Bowie, Maryland 20716 and known as “Bowie Commons”, to Bowie Housing Partners LP (“the Tenant”), successor in interest to North Merust Limited Partnership, for the purpose of maintaining and operating moderate income housing for senior citizens and disabled persons, and

WHEREAS, the Lease has been amended on several occasions to, among other things, substitute Tenants and extend the term, which, following the Fourth Amendment of Indenture to Lease Agreement, dated July 19, 2022; and recorded among the Land Records of Prince George’s County at Liber 47976, Folio 339, *et seq.*, extends through November 9, 2082; and

WHEREAS, the Tenant wishes to rehabilitate the property and, to that end, has obtained certain funding from the U.S. Department of Housing and Urban Development (“HUD”); and

WHEREAS, HUD has imposed certain conditions on the distribution of the funds, including but not limited to, a condition that the City as Landlord execute a certain Lease Addendum, a copy of which is attached hereto; and

WHEREAS, although the City has no reason to believe the representations contained in the Lease Addendum are inaccurate and in good faith believes them to be affirmatively accurate, the City has objected to certain of those representations as beyond its ability to affirm; and

WHEREAS, HUD has declined to modify the representations in question; and

WHEREAS, the City wishes to facilitate the rehabilitation of the Property while protecting itself from liability arising from any error, regardless of cause, in the representations required by HUD; and

WHEREAS, Vitus Group, LLC, parent company to the Tenant, has, as an inducement to the City to execute the assurances required by HUD, agreed to indemnify and hold the City harmless from the consequences of any inaccuracy in the representations, and to that end has provided to the City its audited financial statements for the calendar years 2024 and 2025, showing equity sufficient to secure its obligations hereunder, which statements form a material inducement to the City to enter into this Agreement; and

WHEREAS, the City acknowledges that the aforementioned financial statements comprise confidential commercial information exempt from disclosure under the Maryland Public Information Act,

NOW THEREFORE, in consideration of the promises and obligations set forth herein and other good and valuable consideration, the receipt and sufficiency of which are acknowledged, the parties agree as follows:

1. The foregoing recitals are incorporated as operative provisions of this Agreement
2. Vitus shall indemnify and hold the City harmless from and against all claims, losses, damages, suits, and liabilities of any sort arising from the representations that the City made to HUD, including attorneys' fees, by whomever or whatever entity they may be asserted, arising out of the City's execution of the Lease Addendum and pledges its asset equity, to the maximum extent permitted by law and subject to the terms of any prior agreement with its creditors, to the fulfillment of the indemnification obligations set forth herein.
3. If approved by the City Council, the City Manager shall execute the HUD Lease Addendum. If the City Council fails to approve the HUD Lease Addendum within sixty (60) days of the date hereof or the Lease Addendum is for any other reason not signed by the City Manager within that time, this Agreement shall be null and void *ab initio*. If the City Council approves the Lease Addendum and it is signed by the City Manager, this Indemnification Agreement shall continue in full force and effect indefinitely.
4. This Agreement shall be interpreted in accordance with the laws of the State of Maryland. Any suit to enforce the terms hereof or for damages or other remedy for breach or anticipated breach hereof shall be brought exclusively in the courts of the State of Maryland for Prince George's County and the parties expressly acknowledge that venue is proper therein and consent to the jurisdiction thereof and, to the maximum extent permitted by law, waive any right that they may otherwise have to bring such action in or transfer or remove such suit to the courts of any other jurisdiction. The parties irrevocably waive their rights, if any, to a trial by jury in any action, proceeding or counterclaim arising out or relating to this Agreement or the actions of the parties in the negotiations, administration, performance or enforcement thereof.
5. This Agreement shall not be recorded among the Land Records of Prince George's County or any other jurisdiction.

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[Remainder of Page Left Blank; Signature Page Immediately Follows]

IN WITNESS WHEREOF, this Indemnification Agreement is effective the date first written above.

WITNESS:

VITUS GROUP, LLC

By:

Stephen R. Whyte, President

WITNESS:

CITY OF BOWIE

Awilda Hernandez, City Clerk

By:

Angel L. Jones, City Manager

Approved as to Form and Legal Sufficiency:

Date: _____

Elissa D. Levan, City Attorney

STATE OF _____
COUNTY OF _____, TO WIT:

On this ____ day of _____ 2026, before the undersigned officer, personally appeared Stephen R. Whyte, known to me or satisfactorily proven to be the person whose name is subscribed to the foregoing instrument, and represented that he is the President of Vitus Group, LLC, and as such President and being authorized to do so, executed the foregoing instrument for the purposes herein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year aforesaid.

Notary Public

My Commission Expires: _____

STATE OF MARYLAND
COUNTY OF PRINCE GEORGE'S, TO WIT:

On this ____ day of _____ 2026, before the undersigned officer, personally appeared Angel L. Jones, known to me or satisfactorily proven to be the person whose name is subscribed to the foregoing instrument, and represented that she is the City Manager of the City of Bowie, and as such City Manager and being authorized to do so, executed the foregoing instrument for the purposes herein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year aforesaid.

Notary Public

My Commission Expires: _____



Memorandum

TO: City Council

FROM: Robert Holt, Acting Public Works Director

SUBJECT: Waive Bidding for Emergency, Weekly, Monthly and Annual Wastewater Pumping and Hauling Services - Resolution R-81-26

DATE: 09/03/2026

The Public Works Department located an Anne Arundel County contract, #SSF2600264, awarded to Robert F. Beall & Sons Inc. of Millersville, Maryland for Emergency, Weekly, Monthly and Annual Wastewater Pumping and Hauling Services. The Anne Arundel County contract was awarded after a competitive request for proposal process and the bid prices in the contract are competitive. The base contract term will be for 5 years (FY27 thru FY31). The City shall have the option in its sole and absolute discretion to renew the contract for one additional five (5) year term (FY32 thru FY36).

In accordance with City Charter 61, it is requested that Council waive bidding requirements and authorize the City Manager to enter into a contract with Robert F. Beall & Sons Inc., as per the unit pricing contained in Pricing Schedule – Exhibit A of the Anne Arundel County Contract. All prices shall be firm against any adjustment for one (1) year from the effective date of the Agreement. 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.

Approval of Resolution R-81-26 is requested.

ATTACHMENTS: 1. 20260908 - Resolution R-81-26

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 TO ALLOW FOR THE EMERGENCY, WEEKLY, MONTHLY AND ANNUAL
WASTEWATER PUMPING AND HAULING SERVICES BY PIGGYBACKING ANNE
ARUNDEL COUNTY CONTRACT #SSF2600264, AND AUTHORIZING THE CITY
MANAGER TO ISSUE A PURCHASE ORDER TO
ROBERT F. BEALL & SONS INC.

WHEREAS, the Charter of the City of Bowie, Maryland (hereinafter, “the City”) requires, in section 61, that all expenditures for inter alia, materials, construction of public improvements or contractual services involving more than twenty-five thousand dollars be made by written contract upon sealed bids to the lowest responsible bidder, except where the City Council by two-thirds (2/3) vote of its members waives the bidding requirement for good cause shown; and

WHEREAS, the Public Works Department located an Anne Arundel County contract, #SSF22600264, awarded to Robert F. Beall & Sons Inc., for Emergency, Weekly, Monthly and Annual Wastewater Pumping and Hauling Services; and

WHEREAS, the Anne Arundel County Contract was competitively bid through a request for proposal process and staff determined that the unit prices contained therein are competitive; and

WHEREAS, the base contract term will be for 5 years (FY27 thru FY31) and the City shall have the option in its sole and absolute discretion to renew the contract for one additional five (5) year term (FY32 thru FY36); and

WHEREAS, all prices shall be firm against any adjustment for one (1) year from the effective date of the Agreement; and

WHEREAS, 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; 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 Robert F. Beall & Sons Inc.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Bowie, Maryland, by at least a two-thirds (2/3) vote of its members, that:

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

Section 2. The City Manager is hereby authorized to enter into an agreement with the said company for the above-mentioned services.

INTRODUCED AND PASSED by the Council of the City of Bowie, Maryland at a meeting on September 8, 2026, by a vote of at least two-thirds (2/3) of the members of the Council.

ATTEST:

THE CITY OF BOWIE, MARYLAND

Awilda Hernandez, MMC
City Clerk

Michael P. Estève
Mayor



Memorandum

TO: City Council

FROM: Bruce Miller, Director of Finance

SUBJECT: Regarding General Obligation Debt for Water and Sewer Projects
Ordinance O-12-26

DATE: 09/03/2026

This ordinance provides for the City to issue general obligation bonds in one or more series from time to time in the maximum original aggregate principal amount of \$13,454,100 (the "Bonds") to finance, reimburse or refinance costs of 18 separate water and sewer projects (including vehicles) (collectively, the "Projects"). The ordinance defines "Costs of the Projects" or "Costs" (which definitions include costs of issuance and capitalized interest) and contains provisions for how proceeds of any issued Bonds may be reallocated among the listed projects or to other projects not listed in the ordinance (any reallocation to projects not listed in the ordinance would require one or more amendatory ordinances and resolutions of the Council).

Most of the details of any issued Bonds will be determined or provided for by resolution of the Council. Notwithstanding the maximum principal amount of the authorized Bonds, and based on communications with the City's registered municipal advisor (also sometimes referred to as the City's "financial advisor"), it is anticipated that the Bonds authorized by Ordinance O-12-26 and the general obligation bonds authorized by Ordinance O-11-26 for the components of the streetlight improvement project identified in that ordinance, will be consolidated as authorized by both such ordinances and sold in a direct purchase transaction to a single purchaser in the form of a single general obligation installment bond. However, the determination as to the method of sale, the number of series of the Bonds to be issued and the form of any such series will be determined or provided for by resolution of the Council.

The Bonds will be backed by a pledge of the City's full faith and credit and unlimited taxing power, meaning that if other moneys are not lawfully available to pay debt service on the Bonds, the City will be required to raise taxes for such purpose.

The ordinance also authorizes the City to issue (i) general obligation bond anticipation notes in one or more series from time in the maximum original aggregate principal amount of \$13,454,100 (the "BANs") in order to finance or reimburse Costs of the Projects on an interim basis and costs of issuance of and/or capitalized interest on the BANs, and (ii) general obligation refunding bonds (the "Refunding Bonds") in one or more series from time to time in order to currently refund or advance refund any of the Bonds then outstanding, provided that the maximum original aggregate principal amount of any such series of the Refunding Bonds does not exceed 130% of the principal amount of the Bonds refunded therefrom.

BANs will be issued only if near the time the City wishes to issue the Bonds market conditions are such that, based on the recommendation of the City's registered municipal advisor, the Council determines to issue shorter-term bond anticipation notes in order to finance or reimburse Costs of the Projects on an interim basis. In such case, Bonds will be issued at or prior to the maturity of the BANs in order to pay off the BANs and thereby provide permanent financing for that portion of the Costs of the Projects initially funded from the BANs.

Authority to issue Refunding Bonds is included in the ordinance in order to position the City if an opportunity arises to refinance issued Bonds in whole or in part. Reasons to refinance include to reduce debt service costs when market interest rates on municipal bonds decrease or to restructure issued Bonds.

Any issuance of BANs or Refunding Bonds will require one or more resolutions of the Council at the applicable time.

RECOMMENDATION:

Staff recommends that the Council introduce and pass the ordinance in order to authorize and position the City (i) to issue Bonds for the Projects, (ii) to first issue BANs to address changing market conditions, if applicable, and (iii) to refinance issued Bonds in the future, if applicable.

ATTACHMENTS: 1. 20260908 - Ordinance O-12-26

ORDINANCE

OF THE COUNCIL (THE "COUNCIL") OF THE CITY OF BOWIE (THE "CITY") TO AUTHORIZE AND EMPOWER THE CITY TO SELL AND ISSUE FROM TIME TO TIME, UPON ITS FULL FAITH AND CREDIT, ONE OR MORE SERIES OF (1)(A) GENERAL OBLIGATION BONDS AND (B) GENERAL OBLIGATION BOND ANTICIPATION NOTES, EACH IN AN ORIGINAL AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED THIRTEEN MILLION FOUR HUNDRED FIFTY-FOUR THOUSAND ONE HUNDRED DOLLARS (\$13,454,100), AND (2) GENERAL OBLIGATION REFUNDING BONDS, SUBJECT TO THE LIMITATIONS PROVIDED FOR HEREIN, THE PROCEEDS OF THE SALE THEREOF TO BE USED AND APPLIED FOR THE PUBLIC PURPOSE OF FINANCING, REIMBURSING OR REFINANCING COSTS OF CERTAIN WATER AND SEWER PROJECTS IDENTIFIED HEREIN, INCLUDING COSTS OF ISSUANCE; SPECIFYING THE MAXIMUM PRINCIPAL AMOUNT OF THE AUTHORIZED BONDS OR BOND ANTICIPATION NOTES TO BE ALLOCATED TO EACH SUCH PROJECT, SUBJECT TO REALLOCATION IN ACCORDANCE WITH APPLICABLE BUDGETARY PROCEDURES OR APPLICABLE LAW; PROVIDING FOR REALLOCATION OF PROCEEDS OF THE AUTHORIZED BONDS OR BOND ANTICIPATION NOTES TO OTHER PROJECTS NOT SPECIFIED HEREIN; PROVIDING THAT THE COUNCIL BY RESOLUTION SHALL DETERMINE, APPROVE OR PROVIDE FOR VARIOUS MATTERS RELATING TO THE AUTHORIZATION, SALE, SECURITY, ISSUANCE, DELIVERY, PAYMENT AND PREPAYMENT OR REDEMPTION OF AND FOR EACH SERIES OF THE BONDS, THE BOND ANTICIPATION NOTES AND THE REFUNDING BONDS (EACH A "SERIES OF THE OBLIGATIONS" OR THE "OBLIGATIONS"); PROVIDING FOR THE IMPOSITION OF AD VALOREM TAXES SUFFICIENT FOR, AND PLEDGING THE FULL FAITH AND CREDIT AND UNLIMITED TAXING POWER OF THE CITY TO, THE PAYMENT OF DEBT SERVICE ON EACH ISSUED SERIES OF THE OBLIGATIONS; PROVIDING THAT DEBT SERVICE ON EACH ISSUED SERIES OF THE OBLIGATIONS ALSO MAY BE PAID FROM ANY OTHER SOURCES OF REVENUE LAWFULLY AVAILABLE TO THE CITY FOR SUCH PURPOSE; PROVIDING THAT CERTAIN ACTIONS MAY BE TAKEN OR PROVIDED FOR BY RESOLUTION IN CONNECTION WITH THE REISSUANCE OR MODIFICATION OF ANY OF THE OBLIGATIONS; PROVIDING THAT ANY OF THE OBLIGATIONS MAY BE CONSOLIDATED WITH OTHER OBLIGATIONS OF THE CITY AND ISSUED AS A SINGLE SERIES OF BONDS, BOND ANTICIPATION NOTES AND/OR REFUNDING BONDS; AUTHORIZING, DIRECTING AND EMPOWERING OFFICIALS AND EMPLOYEES OF THE CITY TO TAKE CERTAIN ACTIONS IN CONNECTION WITH THE OBLIGATIONS; AUTHORIZING MODIFICATIONS OF THE OBLIGATIONS TO BE MADE BY RESOLUTION UNLESS ANOTHER ACTION IS REQUIRED; PROVIDING THAT THIS TITLE SHALL BE DEEMED A FAIR

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**SUMMARY OF THIS ORDINANCE FOR ALL PURPOSES AND ALLOWING FAIR
SUMMARIES TO BE IN ANOTHER FORMAT AS PROVIDED HEREIN; PROVIDING
THAT THE PROVISIONS OF THIS ORDINANCE SHALL BE LIBERALLY
CONSTRUED; AND OTHERWISE GENERALLY RELATING TO THE SALE,
ISSUANCE, DELIVERY AND PAYMENT OF AND FOR THE OBLIGATIONS**

RECITALS

WHEREAS, The City of Bowie (the “City”), a municipal corporation of the State of Maryland and a municipality within the meaning of the Enabling Act, the Bond Anticipation Note Act and the Refunding Act identified below, is authorized and empowered by Sections 19-301 through 19-309 of the Local Government Article of the Annotated Code of Maryland (the “Enabling Act”) and Sections 58 and 59 of the Charter of the City of Bowie (the “Charter”) to borrow money for any proper public purpose and to evidence such borrowing by the sale and issuance of its general obligation bonds; and

WHEREAS, the City has determined to undertake the public purpose projects identified in Section 3(b) of this Ordinance; and

WHEREAS, the City has determined to authorize the sale and issuance from time to time of one or more series of its general obligation bonds in order to finance, reimburse or refinance all or a portion of the costs of any of the public purpose projects identified in Section 3(b) of this Ordinance which were approved for borrowing in the City’s adopted budget for fiscal year 2027 and adopted capital improvements program; and

WHEREAS, the City currently expects that the bonds authorized by this Ordinance for purposes of the projects will be sold in a direct purchase transaction and issued as a single series, in the form of a single general obligation installment bond, but the determination as to method of sale, how many series will be issued for the projects, the tax status of interest payable on any series of the bonds, and whether each series will consist of one or more general obligation bonds will be determined by the Council of the City (the “Council”) by resolution as authorized by the Charter; and

WHEREAS, prior to issuing any one or more series of the general obligation bonds authorized hereby, the City may need to obtain interim financing in order to finance, reimburse or refinance applicable project costs on a timely basis through the sale and issuance from time to time of general obligation bond anticipation notes in one or more series as authorized by Sections 19-211 through 19-223 of the Local Government Article of the Annotated Code of Maryland (the “Bond Anticipation Note Act”); and

WHEREAS, subsequent to the issuance of any general obligation bonds provided for herein, the City may desire to currently refund or advance refund all or a portion of

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such bonds through the sale and issuance from time to time of one or more series of its general obligation refunding bonds as authorized by Section 19-207 of the Local Government Article of the Annotated Code of Maryland (the "Refunding Act"); and

WHEREAS, the City has determined to pledge its full faith and credit and unlimited taxing power to the prompt payment of debt service on any general obligation bonds, bond anticipation notes or refunding bonds authorized hereby that are issued; and

WHEREAS, the City shall issue any general obligation bonds, bond anticipation notes or refunding bonds authorized hereby in accordance with the terms and conditions provided for in a resolution or resolutions to be adopted by the Council pursuant to the authority of the Enabling Act, the Bond Anticipation Note Act, the Refunding Act, other applicable law, Sections 58 and 59 of the Charter and this Ordinance, as applicable.

Section 1: NOW, THEREFORE BE IT ORDAINED AND ENACTED by the Council of the City of Bowie, that:

(a) The Recitals to this Ordinance are deemed a substantive part of this Ordinance and incorporated by reference herein. Capitalized terms used in the Sections of this Ordinance and not defined herein shall have the meanings given to such terms in the Recitals.

(b) References in this Ordinance to any official by title shall be deemed to refer (i) to any official authorized under the Charter, the code of ordinances of the City (the "City Code") or other applicable law or authority to act in such titled official's stead during the absence or disability of such titled official, (ii) to any person who has been elected, appointed or designated to fill such position in an acting or interim capacity under the Charter, the City Code or other applicable law or authority, (iii) to any person who serves in a "deputy," "associate" or "assistant" capacity as such an official, provided that the applicable responsibilities, rights or duties referred to herein have been delegated to such deputy, associate or assistant in accordance with the Charter, the City Code or other applicable law or authority, and/or (iv) to the extent an identified official commonly uses another title not provided for in the Charter, the City Code or other applicable law or authority, the official, however known, who is charged under the Charter, the City Code or other applicable law or authority with the applicable responsibilities, rights or duties referred to herein.

(c) References in this Ordinance to City officials shall be construed to include references to City employees, to the extent applicable.

(d) References in this Ordinance to the "par amount" of any of the Bonds, the BANs, the Refunding Bonds or the Obligations (each as defined herein) shall be construed to mean the principal amount of such Bonds, BANs, Refunding Bonds or

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Obligations, as applicable. References in this Ordinance to the “proceeds” of any of the Bonds, the BANs, the Refunding Bonds or the Obligations shall be construed to mean, as applicable, par amount, net original issue premium realized upon sale and/or investment earnings. References in this Ordinance to “investment earnings” shall be construed to include interest income.

(e) References in this Ordinance to the terms “owner” or “owners” with respect to any issued Bonds, BANs, Refunding Bonds or Obligations shall be construed to refer to the owner or owners in whose names such instruments are registered with the applicable registrar and, with respect to any references in this Ordinance to notice to or consent of owner or owners of the applicable instruments not being required, shall also be construed to refer to the beneficial owner or owners of any such instruments if the same are held in book-entry form.

(f) References in this Ordinance to any statutory or legislative authority shall be deemed to refer to such statutory or legislative authority as replaced, supplemented or amended, to the extent applicable.

(g) Notwithstanding anything to the contrary contained in this Ordinance, references in this Ordinance to the Council making determinations by resolution shall be construed to require an ordinance of the Council instead of a resolution if counsel to the City advises that the Council does not have authority to make any such determination by resolution at the applicable time.

Section 2: **AND BE IT FURTHER ORDAINED** by the Council of the City of Bowie, that pursuant to the authority of the Enabling Act, Sections 58 and 59 of the Charter and any other applicable law, the City hereby determines to borrow money and incur indebtedness from time to time for the public purpose of financing, reimbursing or refinancing costs (as defined in Section 3(b) hereof) of any of the projects identified in Section 3(b) hereof.

Section 3: **AND BE IT FURTHER ORDAINED** by the Council of the City of Bowie, that:

(a) To evidence the borrowing and indebtedness authorized in Section 2 of this Ordinance, the City, acting pursuant to the authority of the Enabling Act, Sections 58 and 59 of the Charter and any other applicable law, hereby determines to authorize the sale and issuance from time to time, in one or more series, upon its full faith and credit, of its general obligation bonds in an original aggregate principal amount not to exceed Thirteen Million Four Hundred Fifty-Four Thousand One Hundred Dollars (\$13,454,100) (each, a “series of the Bonds” and, collectively, the “Bonds”). Any series of the Bonds may be issued as one or more bonds and any such bond may be issued in installment form and/or draw-down form.

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(b) With respect to the projects listed below, the word “costs” as used in Section 2 hereof shall include, as applicable, costs of the following activities and expenses: acquisition of land, rights-of-way, easements and other property interests; site and utility improvements, including, without limitation, grading, landscaping, lighting, paving and repaving, sidewalk, curb, gutter, storm water, water and sewer improvements, conduits, cables, other amenities, and related or similar activities and expenses; demolition, razing and removal and related or similar activities and expenses; acquisition, construction, expansion, reconstruction, replacement, renovation, rehabilitation, upgrading, improvement, installation, and equipping activities and expenses, and related or similar activities and expenses; planning, design, testing, study, feasibility, surveying, architectural, engineering, document development, bidding, permitting, inspection, construction management, financial, administrative and legal expenses, and related or similar activities and expenses; contingency allowances for unforeseen conditions or changes during project activities; costs of issuance (which may include costs of bond insurance or other credit or liquidity enhancement); interest during construction and for a reasonable period thereafter (whether or not expressly so stated); and any such costs that may represent the City’s share or contribution to the financing, reimbursement or refinancing of the costs of any such project (collectively, “Costs of the Projects” or “Costs”). The maximum original aggregate principal amount of the Bonds (or of the BANs, as identified in Section 6 hereof) to be appropriated or applied to the Costs of each of such projects (exclusive of any net original issue premium realized upon sale or investment earnings that may be applied for such purposes) shall be allocated among the following public purpose projects in the maximum principal amount set forth opposite each, except as otherwise herein provided:

[CONTINUED ON FOLLOWING PAGE]

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	<u>Project Name</u>	<u>Maximum Principal Amount</u>
1.	Low Lift Pump Rehabilitation, Sediment, Electric and Control – FY2027 – FY 2028	\$1,700,000
2.	Well Maintenance and Repairs	80,000
3.	Chlorine Safety Improvement	175,000
4.	Water Main Replacement Construction & Inspection/Management Services	5,000,000
5.	Sewer Lateral Replacement	350,000
6.	Pump Station Pipe Replacement	100,000
7.	Lower Yard Material Cover	40,000
8.	Return Activated Sludge-Waste Activated Sludge (RAS-WAS) Upgrade Phase 2	1,700,000
9.	Sewer Pipe Lining Somerset Phase 3	2,500,000
10.	Large Trunk and ROW Sewer Inspection and Cleaning	750,000
11.	Sludge Pad Replacement	70,000
12.	PS #3 Generator Replacement	86,000
13.	PS #6 Generator Replacement	58,000
14.	PS #1 Generator Replacement	58,000
15.	PS #7 Generator Replacement	58,000
16.	Sewer Vac Truck #406 Replacement	627,200
17.	Truck #411 Replacement (1)	13,400
18.	New Pick-Up Truck	<u>88,500</u>
TOTAL		<u>\$13,454,100</u>

(1) The indicated maximum principal amount represents only a portion of the total cost of this project provided for in the City's adopted budget for fiscal year 2027 and adopted capital improvements program.

The projects identified in items 1-18 above are collectively referred to herein as the "Projects" and individually as a "Project." The Projects described in items 1-18 above are identified by approximately the same names as such Projects are identified the City's adopted budget for fiscal year 2027 and adopted capital improvements program (with some changes in capitalization). By inclusion in the table above, the City hereby appropriates up to the maximum principal amount of any issued Bonds (or any issued

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BANs, as applicable) for application to the Costs of the Projects as provided for in such table, subject to the further provisions of this Ordinance.

(c) The City, without having to amend this Ordinance and without notice to or the consent of the owners of any issued Bonds (or the owners of any issued BANs, as applicable), may allocate and reallocate the maximum principal amount of any issued Bonds (and of any issued BANs, as applicable) (exclusive of any net original issue premium realized upon sale or investment earnings that may be applied for such purposes) to be spent on Costs of the Projects among any of the Projects for which such series of the Bonds or BANs, as applicable, was issued in compliance with applicable budgetary procedures or applicable law.

(d) It is the intention of the Council that, without having to amend this Ordinance, unless an amendment is necessary to modify the definition of “Costs of the Projects,” and without notice to or the consent of the owners of any issued Bonds (or the owners of any issued BANs, as applicable), the principal amount of any issued Bonds (or of any issued BANs, as applicable) may be spent on any applicable Costs of the Projects for which such series of the Bonds or the BANs, as applicable, was issued, including, without limitation, costs related to changes in the scope of and/or name of any Project effected through applicable budgetary procedures or applicable law.

(e) The Council, by adoption of a resolution that supplements and amends the resolution or resolutions providing for the expenditure of proceeds of an issued series of the Bonds or the BANs, as applicable, without having to amend this Ordinance, and without notice to or the consent of the owners of any such issued Bonds or BANs, as applicable, may reallocate any portion of the principal amount of such issued series to any of the Projects provided for in this Ordinance that were not included in such resolution or resolutions.

(f) The Council, by enactment of an ordinance that supplements and amends this Ordinance and, to the extent applicable, by adoption of one or more resolutions that supplement and amend any corresponding resolution or resolutions, and without notice to or consent of the owners of any issued Bonds (or the owners of any issued BANs, as applicable), may reallocate any portion of the principal amount thereof to be spent on Costs (as such definition and the definition of Costs of the Projects may be amended by supplemental ordinance) of one or more additional projects identified in such supplemental ordinance and, in such event, (i) references in this Ordinance to the “Projects” shall be deemed to include the Projects identified in subsection (b) above and all such additional projects (unless any original or additional project is removed entirely from the definition of the Projects by a supplemental ordinance), and (ii) references in this Ordinance to “Costs of the Projects” or “Costs” shall be deemed to include any modifications to such definition, as applicable. After any such reallocation is made by

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supplemental ordinance and any corresponding supplemental resolution, the Council, without having to further amend this Ordinance or any corresponding resolution, and without notice to or the consent of the owners of any issued Bonds (or the owners of any issued BANs, as applicable), may reallocate the maximum principal amount of any issued Bonds (and of any issued BANs, as applicable) to be spent on Costs of the Projects among all such authorized projects in compliance with applicable budgetary procedures or applicable law.

(g) In the event the City issues any series of the BANs pursuant to Section 6 of this Ordinance, proceeds of the Bonds of any series in anticipation of which such series of the BANs were issued may also be applied to prepay or pay principal, premium and/or interest on such series of the BANs as well as costs of issuance thereof in accordance with the provisions of the Bond Anticipation Note Act, and such application shall be deemed the payment of Costs of the Projects for purposes of this Ordinance.

(h) Subject to the foregoing provisions of this Section 3, by resolution or as otherwise allowed by applicable law, and without notice to or the consent of the owners of any issued Bonds (or the owners of any issued BANs, as applicable), the Council may determine or provide for the determination of, and subsequently reallocate, how any unexpended par amount of any series of the Bonds (or any series of the BANs, as applicable), any net original issue premium realized upon sale and/or any investment earnings shall be expended, which may include, without limitation, on Costs of the Projects (including costs of issuance) and/or on debt service payable or prepayable on any such series of the Bonds or of the BANs, as applicable, to the extent not prohibited by applicable law.

(i) To the extent not prohibited by applicable law, the authorization of the sale and issuance of the Bonds and the BANs provided for in this Ordinance in order to finance, reimburse or refinance Costs of the Projects shall be construed to authorize the sale and issuance of any series of the Bonds or the BANs in any fiscal year later than fiscal year 2027 for such purpose in the event such authority is not fully used in fiscal year 2027, for whatever reason; provided that, no BANs shall be issued to finance, reimburse or refinance Costs of any Project (i) once the authority to issue Bonds to finance, reimburse or refinance Costs of such Project has been used up to the maximum principal amount specified for such Project in the table in subsection (b) above, as such maximum principal amount may be adjusted in accordance with the foregoing provisions of this Section 3, or (ii) once the maximum original aggregate principal amount of the Bonds authorized in subsection (a) above has been issued.

Section 4: AND BE IT FURTHER ORDAINED by the Council of the City of Bowie, that the proceeds of the Bonds shall be used and applied by the City exclusively and solely for the public purposes described in Section 3 of this Ordinance, unless an

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ordinance that supplements and amends this Ordinance is enacted by the Council to provide for the use and application of such proceeds for some other proper public purpose authorized by the Enabling Act, the Charter or other applicable law; provided that, no such supplemental ordinance shall be required to the extent specified in Section 3 of this Ordinance.

Section 5: AND BE IT FURTHER ORDAINED by the Council of the City of Bowie, that pursuant to the authority of the Enabling Act, Sections 58 and 59 of the Charter, this Ordinance and any other applicable law, the Council, prior to the sale, issuance and delivery of each series of the Bonds, shall adopt a resolution or resolutions specifying, prescribing, determining, providing for or approving such matters, details, forms (including, without limitation, the form or substantially final form of the Bonds of such series), documents or procedures as may be required by the Enabling Act, Sections 58 and 59 of the Charter, other applicable law or this Ordinance or as the Council may deem appropriate for the authorization, sale, security, issuance, delivery, payment, prepayment or redemption of or for such series of the Bonds, subject to the limitations of any applicable law. Any such resolution may, subject to the limitations of any applicable law, set forth, determine or provide for the determination of, provide for, or approve or provide for the approval of, among other matters, as applicable, the designation of such series of the Bonds; the date of issuance of such series of the Bonds; the original aggregate principal amount of such series of the Bonds; the denomination or denominations of such series of the Bonds; the maturity or maturities of such series of the Bonds, or the method of determining such maturity or maturities; the principal installment or installments (including, without limitation, serial maturities and/or mandatory sinking fund installments) payable on such series of the Bonds or the method of determining such principal amounts; the rate or rates of interest, or the method of determining the rate or rates of interest, payable on such series of the Bonds, which may be fixed or variable; provisions for the payment of late fees, additional interest and/or penalties payable with respect to such series of the Bonds and/or adjustments to interest rates; the purchase price for such series of the Bonds (which may be at, above or below par value) or the method of determining the purchase price; provisions relating to the prepayment or redemption of such series of the Bonds at the City's option or by mandatory sinking fund payments; provisions allowing the owners of such series of the Bonds to put or cause the prepayment or redemption of the same at their option; the manner of selling such series of the Bonds, which may be by private negotiated sale without advertisement or publication of notice of sale (including in a negotiated underwriting or by direct purchase) or at public sale after solicitation of competitive bids (in any manner permitted by applicable law), and all matters in connection therewith, including any forms or substantially final forms of documents, agreements, certificates, instruments or notices authorized or required by applicable law; provisions for the execution of such series of the Bonds; whether any net original issue premium realized upon sale shall be applied to reduce the par amount of such series of the Bonds to be

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issued for Costs of the Projects; any limitations on the Costs of the Projects on which the proceeds of such series of the Bonds may be expended and further provisions for the appropriation, disposal and investment of such proceeds; unless otherwise required by applicable law, the selection of any bond registrar, paying agent, investment bidding agent or other appropriate service providers in connection with such series of the Bonds; certifications, representations, determinations, designations or elections relating to the tax-exempt or taxable status of interest payable on such series of the Bonds; and all other terms and conditions pursuant to which such series of the Bonds will be issued, sold and delivered. Among other matters, the Council by resolution may authorize, approve or otherwise provide for (i) payment of any commitment fee, breakage fee or other fee and any other costs (including other parties' legal costs and expenses) payable in connection with any series of the Bonds, (ii) the obtaining of credit enhancement or liquidity enhancement for any series of the Bonds (and the negotiation, approval, execution and delivery of any agreements or documents relating thereto), and (iii) any other agreements, documents, instruments or determinations necessary or desirable to enhance the marketability of or as security for any series of the Bonds, including, without limitation, any ratings, any official statement or similar disclosure document or any continuing disclosure undertaking required to satisfy the requirements of Securities and Exchange Commission Rule 15c2-12. By resolution the Council may delegate to one or more City officials the authority to make or provide on behalf of the City any of the determinations, approvals or other decisions contemplated by this Section 5. Any resolution may specify, prescribe, determine or provide for the determination of, provide for, or approve or provide for the approval of, the matters identified in this Section 5 for more than one series of the Bonds.

Section 6: **AND BE IT FURTHER ORDAINED** by the Council of the City of Bowie, that:

(a) Pursuant to the authority of the Bond Anticipation Note Act, Sections 58 and 59 of the Charter and any other applicable law, the City is hereby authorized and empowered to sell and issue, upon its full faith and credit, its general obligation bond anticipation notes in one or more series from time to time in an original aggregate principal amount not to exceed Thirteen Million Four Hundred Fifty-Four Thousand One Hundred Dollars (\$13,454,100) (each, a "series of the BANs" and, collectively, the "BANs"), prior to and in anticipation of the sale of any series of the Bonds, for the public purpose of financing, reimbursing or refinancing Costs of the Projects on an interim basis. Any such series of the BANs may consist of one or more notes and any note may be issued in installment form and/or draw-down form.

(b) Prior to the sale, issuance and delivery of each series of the BANs, the Council shall adopt a resolution or resolutions pursuant to the authority of the Bond Anticipation Note Act, Sections 58 and 59 of the Charter, any other applicable law and

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this Ordinance authorizing such series of the BANs and specifying, prescribing, determining or providing for the determination of, providing for, or approving or providing for the approval of, with respect to such series of the BANs, the same types of matters, details, forms, documents, procedures or determinations detailed in Section 5 hereof that may be made or addressed with respect to any series of the Bonds, to the extent applicable with respect to such series of the BANs, and as otherwise may be authorized or required by applicable law, including, without limitation, whether any net original issue premium realized upon sale shall be applied to reduce the par amount of such series of the BANs to be issued for the intended purposes. By resolution the Council may delegate to one or more City officials the authority to make any final determinations, approvals or decisions with respect to any series of the BANs. Any resolution may specify, prescribe, determine or provide for the determination of, provide for, or approve or provide for the approval of, the details required or authorized by this Section 6 for more than one series of the BANs.

(c) The City hereby covenants (i) to pay from the proceeds of one or more series of the Bonds the principal of any series of the BANs actually issued, (ii) to the extent that interest on any series of the BANs is not paid from proceeds of such BANs (within the limitations of applicable law), to pay the interest on such series of the BANs from the proceeds of one or more series of the Bonds, and (iii) to issue the applicable series of the Bonds as soon as there is no longer a reason for deferring its issuance. This covenant shall not be construed to prevent the City from paying principal of and/or interest on any series of the BANs from sources of funds other than proceeds of the Bonds, to the extent such other funds are lawfully available for such purpose.

(d) As authorized by the Bond Anticipation Note Act, by resolution the Council may provide for the renewal of any series of the BANs at maturity with or without resale, together with any amendments or modifications to or replacements of such series of the BANs and any related documentation.

Section 7: **AND BE IT FURTHER ORDAINED** by the Council of the City of Bowie, that:

(a) Pursuant to the authority of the Enabling Act, the Refunding Act, Sections 58 and 59 of the Charter and any other applicable law, the City is hereby authorized and empowered to sell and issue, upon its full faith and credit, its general obligation refunding bonds in one or more series from time to time (each, a “series of the Refunding Bonds” and, collectively, the “Refunding Bonds”), for the purpose of currently refunding or advance refunding in whole or in part any of the Bonds then outstanding, including paying all or any portion of the following: outstanding principal, any prepayment or redemption premium, and/or interest accrued or to accrue to the date or dates of prepayment, redemption, purchase or maturity of the Bonds to be refunded, paying costs and expenses in connection with the sale, issuance and

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delivery of such series of the Refunding Bonds (including, without limitation, legal and financial costs and costs of any credit enhancement or liquidity enhancement), and, to the extent determined or provided for by the Council by resolution, paying interest on such series of the Refunding Bonds, for the public purpose of (A) realizing savings to the City in the total cost of debt service on a direct comparison or present value basis, (B) debt restructuring that reduces the total cost of debt service, (C) debt restructuring that is determined to be in the best interests of the City, to be consistent with the City's long-term financial plan, and to realize a financial objective of the City, including improving the relationship of debt service to any source of payment such as taxes, assessments or other charges, and/or (D) for any other purpose then authorized by the Refunding Act or other applicable law, and as determined or provided for by the Council by resolution; provided that, the original aggregate principal amount of any series of the Refunding Bonds shall not exceed one hundred thirty percent (130%) of the aggregate principal amount of the Bonds refunded therefrom. Any such series of the Refunding Bonds may consist of one or more bonds and any bond may be issued in installment form and/or draw-down form. Any series of the Refunding Bonds may be issued in any fiscal year.

(b) Prior to the sale, issuance and delivery of each series of the Refunding Bonds, the Council shall adopt a resolution or resolutions pursuant to the authority of the Refunding Act, Sections 58 and 59 of the Charter, any other applicable law and this Ordinance authorizing such series of the Refunding Bonds and specifying, prescribing, determining or providing for the determination of, providing for, or approving or providing for the approval of, with respect to such series of the Refunding Bonds, the same types of matters, details, forms, documents, procedures and determinations detailed in Section 5 hereof that may be made or addressed with respect to any series of the Bonds, to the extent applicable to such series of the Refunding Bonds, and as otherwise may be authorized or required by applicable law, including, without limitation, the purposes of the Refunding Act or other applicable law to be achieved by the issuance of such series of the Refunding Bonds; whether any net original issue premium realized upon sale shall be applied to reduce the par amount of such series of the Refunding Bonds to be issued for the intended purposes; unless otherwise required by applicable law, the selection of any escrow agent, verification consultant, escrow bidding agent or other service provider; the determination of the Bonds to be refunded in whole or in part from such series of the Refunding Bonds; and any agreements, documents or other instruments necessary or desirable in connection with the refunding. By resolution the Council may delegate to one or more City officials the authority to make any final determinations, approvals or decisions with respect to any series of the Refunding Bonds. Any resolution may specify, prescribe, determine or provide for the determination of, provide for, or approve or provide for the approval of, the details required or authorized by this Section 7 for more than one series of the Refunding Bonds.

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(c) By resolution or as otherwise allowed by applicable law, and without notice to or the consent of the owners of any issued series of the Refunding Bonds, the Council may determine or provide for the determination of, and subsequently reallocate, how any unexpended par amount of such series of the Refunding Bonds, any net original issue premium realized upon sale and/or any investment earnings shall be expended, which may include, without limitation, on refunding the applicable Bonds, on costs of issuance of such series of the Refunding Bonds, and/or on debt service payable or prepayable on such series of the Refunding Bonds, to the extent not prohibited by applicable law.

Section 8: **AND BE IT FURTHER ORDAINED** by the Council of the City of Bowie, that:

(a) The full faith and credit and unlimited taxing power of the City are hereby pledged to the payment of the principal of and interest on each series of the Bonds, the BANs or the Refunding Bonds (each, a “series of the Obligations” and, collectively, the “Obligations”) actually issued, as applicable, when due and to the imposition of the taxes hereinbelow described as and when such taxes may become necessary in order to provide sufficient funds to meet the debt service requirements of each series of the Obligations. Subject to the further provisions of this Section 8, the City hereby covenants with the owners of the Obligations of each issued series to impose ad valorem taxes on all real and tangible personal property in the City that is subject to assessment for unlimited municipal taxation at a rate and in an amount sufficient to pay the principal of and the interest on the Obligations in each fiscal year in which any of the Obligations are outstanding and to take any further action that may be lawfully appropriate from time to time during the period that the Obligations of such series remain outstanding and unpaid to provide the funds necessary to pay promptly the principal thereof and the interest due thereon. If the proceeds from the taxes so imposed in any such fiscal year are inadequate for such payment, additional taxes shall be imposed in the succeeding fiscal year to make up such deficiency.

(b) The foregoing provisions shall not be construed so as to prohibit the City from paying the principal of and interest on the issued Obligations of any series from the proceeds of the sale of any other obligations of the City or from any other funds legally available for that purpose (including, without limitation, with respect to any BANs, from the proceeds of any Bonds and, with respect to any Bonds, from the proceeds of any Refunding Bonds). Within the limitations of any applicable Maryland or federal law (including, without limitation, to the extent applicable, the Internal Revenue Code of 1986, as amended, and the U.S. Treasury Regulations promulgated thereunder), the City may apply to the payment of the principal of or interest on the Obligations of any series any funds received by it from the State of Maryland or the United States of America, or any governmental agency or instrumentality, or from any other source, if the funds are granted or paid to the City for the purpose of assisting

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the City in accomplishing the components of Costs of the Projects which the Obligations of such series are issued to finance, reimburse or refinance or are otherwise available for such purpose, and to the extent of any such funds received or receivable in any fiscal year, the taxes hereby required to be imposed may be reduced proportionately.

(c) Pursuant to the authority of Section 58(b)(2)(C) of the Charter, by resolution the Council may provide that all or a portion of the debt service on the allocable portion of any issued series of the Obligations shall be payable in the first instance from specified revenues or other moneys identified in such resolution, to the extent available for such purpose.

Section 9: AND BE IT FURTHER ORDAINED by the Council of the City of Bowie, that by resolution, the Council may make any appropriate arrangements (including, without limitation, by authorizing one or more appropriate officials to make any elections, designations, determinations or filings on the City's behalf) in the event any right of the owner of an Obligation to put or cause the prepayment or redemption of such Obligation at its option, or any change in the interest rate of an Obligation, or any other modification to an Obligation could lead to a reissuance of such Obligation for purposes of the Internal Revenue Code of 1986, as amended, and the U.S. Treasury Regulations promulgated thereunder.

Section 10: AND BE IT FURTHER ORDAINED by the Council of the City of Bowie, that by resolution, the Council may determine that any of the Bonds, the BANs or the Refunding Bonds may be consolidated with any bonds, bond anticipation notes and/or refunding bonds authorized by the Council and issued as a single series of bonds, bond anticipation notes and/or refunding bonds, as applicable.

Section 11: AND BE IT FURTHER ORDAINED by the Council of the City of Bowie, that by resolution the Council may make or authorize any modifications to (i) any series of the Obligations once issued, and (ii) any related documentation, agreements, certificates or instruments, unless under applicable law the proposed modifications require action by ordinance in addition to or in place of a resolution.

Section 12: AND BE IT FURTHER ORDAINED by the Council of the City of Bowie, that with respect to any series of the Obligations, the Council by resolution may delegate to one or more specified officials the authority to negotiate, approve, execute and deliver, as applicable, any documents, agreements, certificates or instruments relating to such Obligations or to take other actions with respect thereto. The following City officials: the Mayor, the City Manager, the Director of Finance, the City Clerk and all other appropriate officials of the City are hereby authorized, empowered and directed to (i) take any and all action necessary to complete and close the sale, issuance and delivery

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of the Bonds, the BANs and the Refunding Bonds, (ii) negotiate, approve, execute and deliver all documents, agreements, certificates and instruments necessary or appropriate in connection with any such sale, issuance and delivery, and (iii) carry out the transactions contemplated by this Ordinance, any ordinance amendatory of or supplemental to this Ordinance, any resolution adopted in furtherance of this Ordinance (including any amendatory or supplemental resolutions), and any documents, agreements, certificates or instruments executed and delivered in connection with any series of the Obligations, all to the extent any particular action is within the scope of such official's authority and such authorization has not otherwise been delegated to one or more specified City officials by ordinance or resolution.

Section 13: AND BE IT FURTHER ORDAINED by the Council of the City of Bowie, that nothing in this Ordinance shall be construed as preventing the City from applying other available moneys to any of the purposes for which any series of the Obligations is issued, in addition to proceeds of such Obligations.

Section 14: AND BE IT FURTHER ORDAINED by the Council of the City of Bowie, that in addition to the Mayor and the City Manager, the City Clerk is hereby authorized and empowered to attest to the impression or affixing of the City seal on any of the Obligations or any related documents, agreements, certificates and instruments. Notwithstanding the previous sentence, none of such listed officials may both execute any document, agreement or Obligation on behalf of the City and attest to the impression or affixing of the City seal on the same; provided that, any such official may both certify to the impression or affixing of the City seal on and make other certifications in any closing certificate.

Section 15: AND BE IT FURTHER ORDAINED by the Council of the City of Bowie, that this Ordinance may be executed (i) in counterparts and/or (ii) to the extent not prohibited by applicable law, by electronic, stamped or facsimile signature, and all executed counterparts of this Ordinance shall be treated as one and the same instrument.

Section 16: AND BE IT FURTHER ORDAINED by the Council of the City of Bowie, that the title of this Ordinance shall be deemed to be, and is, a fair summary of this Ordinance for publication and all other purposes; provided that, the City may provide for a fair summary of this Ordinance that otherwise satisfies the Charter or other applicable law.

Section 17: AND BE IT FURTHER ORDAINED by the Council of the City of Bowie, that the provisions of this Ordinance shall be liberally construed in order to effectuate the transactions contemplated by this Ordinance.

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Section 18: AND BE IT FURTHER ORDAINED by the Council of the City of Bowie, that this Ordinance shall become effective at the expiration of thirty (30) calendar days following its passage by the Council provided that a fair summary of this Ordinance is published at least once prior to the passage and at least once within ten (10) days after the date of passage in a newspaper having general circulation in the City.

INTRODUCED by the Council of the City of Bowie at a meeting on _____, 2026.

PASSED by the Council of the City of Bowie at a meeting on _____, 2026.

ATTEST:

THE CITY OF BOWIE

Awilda Hernandez, MMC
City Clerk

Michael P. Estève
Mayor

**APPROVED AS TO FORM AND
SUFFICIENCY:**

Elissa D. Levan
City Attorney

#245576;52000.315

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Memorandum

TO: City Council

FROM: Bruce Miller, Director of Finance

SUBJECT: Regarding General Obligation Debt for Streetlight Improvement Project
Ordinance O-11-26

DATE: 09/03/2026

This ordinance provides for the City to issue general obligation bonds in one or more series from time to time in the maximum original aggregate principal amount of \$16,000,000 ("Bonds") to finance, reimburse or refinance costs of a project involving streetlight repair and maintenance, streetlight cable replacements, and LED streetlight upgrades (the "Project"). The ordinance defines "Costs of the Project" or "Costs" (which definitions include costs of issuance and capitalized interest) and contains provisions for how proceeds of any issued Bonds may be reallocated to other projects not listed in the ordinance (any reallocation to other projects would require one or more amendatory ordinances and resolutions of the Council).

Because of amendments to Charter Section 58 undertaken in 2019, as with the City's publicly offered general obligation bonds issued in November 2025, most of the details of any issued Bonds will be determined or provided for by resolution of the Council. Notwithstanding the maximum principal amount of the authorized Bonds, and based on communications with the City's registered municipal advisor (also sometimes referred to as the City's "financial advisor"), it is anticipated that the contemplated Bonds will be sold in a direct purchase transaction to a single purchaser in the form of a single general obligation installment bond. However, the determination as to the method of sale, the number of series of the Bonds to be issued and the form of any such series will be determined or provided for by resolution of the Council.

The Bonds will be backed by a pledge of the City's full faith and credit and unlimited taxing power, meaning that if other moneys are not lawfully available to pay debt service on the Bonds, the City will be required to raise taxes for such purpose.

The ordinance also authorizes the City to issue (i) general obligation bond anticipation notes in one or more series from time in the maximum original aggregate principal amount of \$16,000,000 ("BANs") in order to finance or reimburse Costs of the Project on an interim basis and costs of issuance of and/or capitalized interest on the BANs, and (ii) general obligation refunding bonds (the "Refunding Bonds") in one or more series from time to time in order to currently refund or advance refund any of the Bonds then outstanding, provided that the maximum original aggregate principal amount of any such series of Refunding Bonds does not exceed 130% of the principal amount of the Bonds refunded therefrom.

BANs will be issued only if near the time the City wishes to issue the Bonds market conditions are such that, based on the recommendation of the City's registered municipal advisor, the Council determines to issue shorter-term bond anticipation notes in order to finance or reimburse Costs of the Project on an interim basis. In such case, Bonds will be issued at or prior to the maturity of the BANs in order to pay off the BANs and thereby provide permanent financing for that portion of the Costs of the Project initially funded from the BANs.

Authority to issue Refunding Bonds is included in the ordinance in order to position the City if an opportunity arises to refinance issued Bonds in whole or in part. Reasons to refinance include to reduce debt service costs when market interest rates on municipal bonds decrease or to restructure issued Bonds.

Any issuance of BANs or Refunding Bonds will require one or more resolutions of the Council at the applicable time.

RECOMMENDATION:

Staff recommends the Council introduce and pass the ordinance in order to authorize and position the City (i) to issue Bonds for the Project, (ii) to first issue BANs to address changing market conditions, if applicable, and (iii) to refinance issued Bonds in the future, if applicable.

ATTACHMENTS: 1. 20260908 - Ordinance O-11-26

ORDINANCE

OF THE COUNCIL (THE "COUNCIL") OF THE CITY OF BOWIE, MARYLAND TO AUTHORIZE AND EMPOWER THE CITY OF BOWIE (THE "CITY") TO SELL AND ISSUE FROM TIME TO TIME, UPON ITS FULL FAITH AND CREDIT, ONE OR MORE SERIES OF (1)(A) GENERAL OBLIGATION BONDS AND (B) GENERAL OBLIGATION BOND ANTICIPATION NOTES, EACH IN AN ORIGINAL AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED SIXTEEN MILLION DOLLARS (\$16,000,000), AND (2) GENERAL OBLIGATION REFUNDING BONDS, SUBJECT TO THE LIMITATIONS PROVIDED FOR HEREIN, THE PROCEEDS OF THE SALE THEREOF TO BE USED AND APPLIED FOR THE PUBLIC PURPOSE OF FINANCING, REIMBURSING OR REFINANCING COSTS OF A PROJECT GENERALLY DESCRIBED AS STREETLIGHT REPAIR AND MAINTENANCE, STREETLIGHT CABLE REPLACEMENTS, AND LED STREETLIGHT UPGRADES, INCLUDING COSTS OF ISSUANCE; PROVIDING FOR REALLOCATION OF PROCEEDS OF THE AUTHORIZED BONDS OR BOND ANTICIPATION NOTES TO OTHER PROJECTS; PROVIDING THAT THE COUNCIL BY RESOLUTION SHALL DETERMINE, APPROVE OR PROVIDE FOR VARIOUS MATTERS RELATING TO THE AUTHORIZATION, SALE, SECURITY, ISSUANCE, DELIVERY, PAYMENT AND PREPAYMENT OR REDEMPTION OF AND FOR EACH SERIES OF THE BONDS, THE BOND ANTICIPATION NOTES AND THE REFUNDING BONDS (EACH A "SERIES OF THE OBLIGATIONS" OR THE "OBLIGATIONS"); PROVIDING FOR THE IMPOSITION OF AD VALOREM TAXES SUFFICIENT FOR, AND PLEDGING THE FULL FAITH AND CREDIT AND UNLIMITED TAXING POWER OF THE CITY TO, THE PAYMENT OF DEBT SERVICE ON EACH ISSUED SERIES OF THE OBLIGATIONS; PROVIDING THAT DEBT SERVICE ON EACH ISSUED SERIES OF THE OBLIGATIONS ALSO MAY BE PAID FROM ANY OTHER SOURCES OF REVENUE LAWFULLY AVAILABLE TO THE CITY FOR SUCH PURPOSE; PROVIDING THAT CERTAIN ACTIONS MAY BE TAKEN OR PROVIDED FOR BY RESOLUTION IN CONNECTION WITH THE REISSUANCE OR MODIFICATION OF ANY OF THE OBLIGATIONS; PROVIDING THAT ANY OF THE OBLIGATIONS MAY BE CONSOLIDATED WITH OTHER OBLIGATIONS OF THE CITY AND ISSUED AS A SINGLE SERIES OF BONDS, BOND ANTICIPATION NOTES AND/OR REFUNDING BONDS; AUTHORIZING, DIRECTING AND EMPOWERING OFFICIALS AND EMPLOYEES OF THE CITY TO TAKE CERTAIN ACTIONS IN CONNECTION WITH THE OBLIGATIONS; AUTHORIZING MODIFICATIONS OF THE OBLIGATIONS TO BE MADE BY RESOLUTION UNLESS ANOTHER ACTION IS REQUIRED; PROVIDING THAT THIS TITLE SHALL BE DEEMED A FAIR SUMMARY OF THIS ORDINANCE FOR ALL PURPOSES AND ALLOWING FAIR SUMMARIES TO BE IN ANOTHER FORMAT AS PROVIDED HEREIN; PROVIDING THAT THE PROVISIONS OF THIS ORDINANCE SHALL BE LIBERALLY CONSTRUED; AND OTHERWISE GENERALLY RELATING TO THE SALE, ISSUANCE AND DELIVERY AND PAYMENT OF AND FOR THE OBLIGATIONS.

WHEREAS, The City of Bowie, a municipal corporation of the State of Maryland and a municipality within the meaning of the Enabling Act, the Bond Anticipation Note Act and the Refunding Act identified below (the “City”), is authorized and empowered by Sections 19-301 through 19-309 of the Local Government Article of the Annotated Code of Maryland (the “Enabling Act”) and Sections 58 and 59 of the Charter of the City of Bowie (the “Charter”) to borrow money for any proper public purpose and to evidence such borrowing by the sale and issuance of its general obligation bonds; and

WHEREAS, the City has determined to authorize the sale and issuance from time to time of one or more series of its general obligation bonds in order to finance, reimburse or refinance all or a portion of the costs of a public purpose project involving streetlight repair and maintenance, streetlight cable replacements, and LED streetlight upgrades (the “Project”); and

WHEREAS, the City currently expects that the bonds authorized by this Ordinance for purposes of the Project will be sold in a direct purchase transaction and issued as a single series, in the form of a single general obligation installment bond, but the determination as to method of sale, how many series will be issued for the Project, the tax status of interest payable on any series of the bonds, and whether each series will consist of one or more general obligation bonds will be determined by the Council of the City (the “Council”) by resolution as authorized by the Charter; and

WHEREAS, prior to issuing one or more series of the general obligation bonds authorized hereby, the City may need to obtain interim financing in order to finance, reimburse or refinance applicable Project costs on a timely basis through the sale and issuance from time to time of general obligation bond anticipation notes in one or more series as authorized by Sections 19-211 through 19-223 of the Local Government Article of the Annotated Code of Maryland (the “Bond Anticipation Note Act”); and

WHEREAS, subsequent to the issuance of any general obligation bonds provided for herein, the City may desire to currently refund or advance refund all or a portion of such bonds through the sale and issuance from time to time of one or more series of its general obligation refunding bonds as authorized by Section 19-207 of the Local Government Article of the Annotated Code of Maryland (the “Refunding Act”); and

WHEREAS, the City has determined to pledge its full faith and credit and unlimited taxing power to the prompt payment of debt service on any general obligation bonds, bond anticipation notes or refunding bonds authorized hereby that are issued; and

WHEREAS, the City shall issue any general obligation bonds, bond anticipation notes or refunding bonds authorized hereby in accordance with the terms and conditions provided for in a resolution or resolutions to be adopted by the Council pursuant to the authority of the Enabling Act, the Bond Anticipation Note Act, the Refunding Act, other applicable law, Sections 58 and 59 of the Charter and this Ordinance, as applicable.

Section 1: NOW, THEREFORE BE IT ORDAINED AND ENACTED by the Council of the City of Bowie, Maryland, that:

(a) The Recitals to this Ordinance are deemed a substantive part of this Ordinance and incorporated by reference herein. Capitalized terms used in the Sections of this Ordinance and not defined herein shall have the meanings given to such terms in the Recitals.

(b) References in this Ordinance to any official by title shall be deemed to refer (i) to any official authorized under the Charter, the code of ordinances of the City (the "City Code") or other applicable law or authority to act in such titled official's stead during the absence or disability of such titled official, (ii) to any person who has been elected, appointed or designated to fill such position in an acting or interim capacity under the Charter, the City Code or other applicable law or authority, (iii) to any person who serves in a "deputy," "associate" or "assistant" capacity as such an official, provided that the applicable responsibilities, rights or duties referred to herein have been delegated to such deputy, associate or assistant in accordance with the Charter, the City Code or other applicable law or authority, and/or (iv) to the extent an identified official commonly uses another title not provided for in the Charter, the City Code or other applicable law or authority, the official, however known, who is charged under the Charter, the City Code or other applicable law or authority with the applicable responsibilities, rights or duties referred to herein.

(c) References in this Ordinance to City officials shall be construed to include references to City employees, to the extent applicable.

(d) References in this Ordinance to the "par amount" of any of the Bonds, the BANs, the Refunding Bonds or the Obligations (each as defined herein) shall be construed to mean the principal amount of such Bonds, BANs, Refunding Bonds or Obligations, as applicable. References in this Ordinance to the "proceeds" of any of the Bonds, the BANs, the Refunding Bonds or the Obligations shall be construed to mean, as applicable, par amount, net original issue premium realized upon sale and/or investment earnings. References in this Ordinance to "investment earnings" shall be construed to include interest income.

(e) References in this Ordinance to the terms "owner" or "owners" with respect to any issued Bonds, BANs, Refunding Bonds or Obligations shall be construed to refer to the owner or owners in whose names such instruments are registered with the applicable registrar and, with respect to any references in this Ordinance to notice to or consent of owner or owners of the applicable instruments not being required, shall also be construed to refer to the beneficial owner or owners of such instruments when held in book-entry form.

(f) References in this Ordinance to any statutory or legislative authority shall be deemed to refer to such statutory or legislative authority as replaced, supplemented or amended, to the extent applicable.

(g) Notwithstanding anything to the contrary contained in this Ordinance, references in this Ordinance to the Council making determinations by resolution shall be construed to require an ordinance of the Council instead of a resolution if counsel to the City advises that the Council does not have authority to make any such determination by resolution at the applicable time.

Section 2: **AND BE IT FURTHER ORDAINED** by the Council of the City of Bowie, Maryland, that pursuant to the authority of the Enabling Act, Sections 58 and 59 of the Charter and any other applicable law, the City hereby determines to borrow money and incur indebtedness from time to time for the public purpose of financing, reimbursing or refinancing costs (as defined in Section 3(b) hereof) of the Project.

Section 3: **AND BE IT FURTHER ORDAINED** by the Council of the City of Bowie, Maryland, that:

(a) To evidence the borrowing and indebtedness authorized in Section 2 of this Ordinance, the City, acting pursuant to the authority of the Enabling Act, Sections 58 and 59 of the Charter and any other applicable law, hereby determines to authorize the sale and issuance from time to time, in one or more series, upon its full faith and credit, of its general obligation bonds in an original aggregate principal amount not to exceed Sixteen Million Dollars (\$16,000,000) (each, a “series of the Bonds” and, collectively, the “Bonds”). Any series of the Bonds may be issued as one or more bonds and any such bond may be issued in installment form and/or draw-down form.

(b) With respect to the Project, the word “costs” as used in Section 2 hereof shall include, as applicable, costs of the following activities and expenses: acquisition of land, rights-of-way, easements and other property interests; site and utility improvements, including, without limitation, grading, landscaping, lighting, paving and repaving, sidewalk, curb, gutter, storm water, water and sewer improvements, conduits, cables, other amenities, and related or similar activities and expenses; demolition, razing and removal and related or similar activities and expenses; acquisition, construction, expansion, reconstruction, replacement, renovation, rehabilitation, upgrading, improvement, installation, and equipping activities and expenses, and related or similar activities and expenses; planning, design, testing, study, feasibility, surveying, architectural, engineering, document development, bidding, permitting, inspection, construction management, financial, administrative and legal expenses, and related or similar activities and expenses; contingency allowances for unforeseen conditions or changes during Project activities; costs of issuance (which may include costs of bond insurance or other credit or liquidity enhancement); interest during construction and for a reasonable period thereafter (whether or not expressly so stated); and any such costs that may represent the City’s share or contribution to the financing, reimbursement or

refinancing of the costs of the Project (collectively, "Costs of the Project" or "Costs"). The maximum original aggregate principal amount of the Bonds (or the BANs, as identified in Section 6 hereof) to be appropriated or applied to the Costs of the Project (exclusive of any net original issue premium realized upon sale or investment earnings that may be applied for such purposes) shall not exceed Sixteen Million Dollars (\$16,000,000).

(c) The City hereby appropriates up to the maximum principal amount of any issued Bonds (or any issued BANs, as applicable) for application to the Costs of the Project, subject to the further provisions of this Ordinance.

(d) It is the intention of the Council that, without having to amend this Ordinance, unless an amendment is necessary to modify the definition of "Costs of the Project," and without notice to or the consent of the owners of any issued Bonds (or the owners of any issued BANs, as applicable), the principal amount of any issued Bonds (or of any issued BANs, as applicable) may be spent on any applicable Costs of the Project including, without limitation, costs related to changes in the scope of and/or name of the Project effected through applicable budgetary procedures or applicable law.

(e) The Council, by enactment of an ordinance that supplements and amends this Ordinance and, to the extent applicable, by adoption of one or more resolutions that supplement and amend any corresponding resolution or resolutions, and without notice to or consent of the owners of any issued Bonds (or the owners of any issued BANs, as applicable), may reallocate any portion of the principal amount thereof to be spent on Costs (as such definition may be amended by supplemental ordinance) of one or more additional projects identified in such supplemental ordinance and, in such event, (i) references in this Ordinance to the "Project" shall be deemed to include the Project identified in subsection (b) above and all such additional projects (unless any original or additional project is removed entirely from the definition of the Project by a supplemental ordinance), and (ii) references in this Ordinance to "Costs of the Project" or "Costs" shall be deemed to include any modifications to such definition, as applicable. After any such reallocation is made by supplemental ordinance, the Council, without having to further amend this Ordinance and without notice to or the consent of the owners of any issued Bonds (or the owners of any issued BANs, as applicable), may reallocate the maximum principal amount of any issued Bonds (and of any issued BANs, as applicable) to be spent on Costs of the Project among all such authorized projects in compliance with applicable budgetary procedures or applicable law.

(f) In the event the City issues any series of the BANs pursuant to Section 6 of this Ordinance, proceeds of the Bonds of any series in anticipation of which such series of the BANs were issued may also be applied to prepay or pay principal, premium and/or interest on such series of the BANs as well as costs of issuance thereof in accordance with the provisions of the Bond Anticipation Note Act, and such application shall be deemed the payment of Costs of the Project for purposes of this Ordinance.

(g) Subject to the foregoing provisions of this Section 3, by resolution or as otherwise allowed by applicable law, and without notice to or the consent of any owners of any issued Bonds (or of any issued BANs, as applicable), the Council may determine or provide for the determination of, and subsequently reallocate, how any unexpended par amount of any series of the Bonds (or any series of the BANs, as applicable), any net original issue premium realized upon sale and/or any investment earnings shall be expended, which may include, without limitation, on Costs of the Project (including costs of issuance) and/or on debt service payable or prepayable on any such series of the Bonds or of the BANs, as applicable, to the extent not prohibited by applicable law.

(h) To the extent not prohibited by applicable law, the authorization of the sale and issuance of the Bonds and the BANs provided for in this Ordinance in order to finance, reimburse or refinance Costs of the Project shall be construed to authorize the sale and issuance of any series of the Bonds or the BANs in any fiscal year later than fiscal year 2027 for such purpose in the event such authority is not fully used in fiscal year 2027, for whatever reason; provided that, no BANs shall be issued to finance, reimburse or refinance Costs of the Project once the authority to issue Bonds to finance, reimburse or refinance Costs of the Project has been used up to the maximum original aggregate of the Bonds authorized in subsection (a) above.

Section 4: **AND BE IT FURTHER ORDAINED** by the Council of the City of Bowie, Maryland, that the proceeds of the Bonds shall be used and applied by the City exclusively and solely for the public purpose described in Section 3 of this Ordinance, unless an ordinance that supplements and amends this Ordinance is enacted by the Council to provide for the use and application of such proceeds for some other proper public purpose authorized by the Enabling Act, the Charter or other applicable law; provided that, no such supplemental ordinance shall be required to the extent specified in Section 3 of this Ordinance.

Section 5: **AND BE IT FURTHER ORDAINED** by the Council of the City of Bowie, Maryland, that pursuant to the authority of the Enabling Act, Sections 58 and 59 of the Charter, this Ordinance and any other applicable law, the Council, prior to the sale, issuance and delivery of each series of the Bonds, shall adopt a resolution or resolutions specifying, prescribing, determining, providing for or approving such matters, details, forms (including, without limitation, the form or substantially final form of the Bonds of such series), documents or procedures as may be required by the Enabling Act, Sections 58 and 59 of the Charter, other applicable law or this Ordinance or as the Council may deem appropriate for the authorization, sale, security, issuance, delivery, payment, prepayment or redemption of or for such series of the Bonds, subject to the limitations of any applicable law. Any such resolution may, subject to the limitations of any applicable law, set forth, determine or provide for the determination of, provide for, or approve or provide for the approval of, among other matters, as applicable, the designation of such series of the Bonds; the date of issuance of such series of the Bonds; the original aggregate principal amount of such series of the Bonds; the denomination or denominations of such series of the Bonds; the maturity or maturities of such series of

the Bonds, or the method of determining such maturity or maturities; the principal installment or installments (including, without limitation, serial maturities and/or mandatory sinking fund installments) payable on such series of the Bonds or the method of determining such principal amounts; the rate or rates of interest, or the method of determining the rate or rates of interest, payable on such series of the Bonds, which may be fixed or variable; provisions for the payment of late fees, additional interest and/or penalties payable with respect to such series of the Bonds and/or adjustments to interest rates; the purchase price for such series of the Bonds (which may be at, above or below par value) or the method of determining the purchase price; provisions relating to the prepayment or redemption of such series of the Bonds at the City's option or by mandatory sinking fund payments; provisions allowing the owners of such series of the Bonds to put or cause the prepayment or redemption of the same at their option; the manner of selling such series of the Bonds, which may be by private negotiated sale without advertisement or publication of notice of sale (including in a negotiated underwriting or by direct purchase) or at public sale after solicitation of competitive bids (in any manner permitted by applicable law), and all matters in connection therewith, including any forms or substantially final forms of documents, agreements, certificates, instruments or notices authorized or required by applicable law; provisions for the execution of such series of the Bonds; whether any net original issue premium realized upon sale shall be applied to reduce the par amount of such series of the Bonds to be issued for Costs of the Project; any limitations on the Costs of the Project on which the proceeds of such series of the Bonds may be expended and further provisions for the appropriation, disposal and investment of such proceeds; unless otherwise required by applicable law, the selection of any bond registrar, paying agent, investment bidding agent or other appropriate service providers in connection with such series of the Bonds; certifications, representations, determinations, designations or elections relating to the tax-exempt or taxable status of interest payable on such series of the Bonds; and all other terms and conditions pursuant to which such series of the Bonds will be issued, sold and delivered. Among other matters, the Council by resolution may authorize, approve or otherwise provide for (i) payment of any commitment fee, breakage fee or other fee and any other costs (including other parties' legal costs and expenses) payable in connection with any series of the Bonds, (ii) the obtaining of credit enhancement or liquidity enhancement for any series of the Bonds (and the negotiation, approval, execution and delivery of any agreements or documents relating thereto), and (iii) any other agreements, documents, instruments or determinations necessary or desirable to enhance the marketability of or as security for any series of the Bonds, including, without limitation, any ratings, any official statement or similar disclosure document or any continuing disclosure undertaking required to satisfy the requirements of Securities and Exchange Commission Rule 15c2-12. By resolution the Council may delegate to one or more City officials the authority to make or provide on behalf of the City any of the determinations, approvals or other decisions contemplated by this Section 5. Any resolution may specify, prescribe, determine or provide for the determination of, provide for, or approve or provide for the approval of, the matters identified in this Section 5 for more than one series of the Bonds.

Section 6: **AND BE IT FURTHER ORDAINED** by the Council of the City of Bowie, Maryland, that:

(a) Pursuant to the authority of the Bond Anticipation Note Act, Sections 58 and 59 of the Charter and any other applicable law, the City is hereby authorized and empowered to sell and issue, upon its full faith and credit, its general obligation bond anticipation notes in one or more series from time to time in an original aggregate principal amount not to exceed Sixteen Million Dollars (\$16,000,000) (each, a “series of the BANs” and, collectively, the “BANs”), prior to and in anticipation of the sale of any series of the Bonds, for the public purpose of financing, reimbursing or refinancing Costs of the Project on an interim basis. Any such series of the BANs may consist of one or more notes and any note may be issued in installment form and/or draw-down form.

(b) Prior to the sale, issuance and delivery of each series of the BANs, the Council shall adopt a resolution or resolutions pursuant to the authority of the Bond Anticipation Note Act, Sections 58 and 59 of the Charter, any other applicable law and this Ordinance authorizing such series of the BANs and specifying, prescribing, determining or providing for the determination of, providing for, or approving or providing for the approval of, with respect to such series of the BANs, the same types of matters, details, forms, documents, procedures or determinations detailed in Section 5 hereof that may be made or addressed with respect to any series of the Bonds, to the extent applicable with respect to such series of the BANs, and as otherwise may be authorized or required by applicable law, including, without limitation, whether any net original issue premium realized upon sale shall be applied to reduce the par amount of such series of the BANs to be issued for the intended purposes. By resolution the Council may delegate to one or more City officials the authority to make any final determinations, approvals or decisions with respect to any series of the BANs. Any resolution may specify, prescribe, determine or provide for the determination of, provide for, or approve or provide for the approval of, the details required or authorized by this Section 6 for more than one series of the BANs.

(c) The City hereby covenants (i) to pay from the proceeds of one or more series of the Bonds the principal of any series of the BANs actually issued, (ii) to the extent that interest on any series of the BANs is not paid from proceeds of such BANs (within the limitations of applicable law), to pay the interest on such series of the BANs from the proceeds of one or more series of the Bonds, and (iii) to issue the applicable series of the Bonds as soon as there is no longer a reason for deferring its issuance. This covenant shall not be construed to prevent the City from paying principal of and/or interest on any series of the BANs from sources of funds other than proceeds of the Bonds, to the extent such other funds are lawfully available for such purpose.

(d) As authorized by the Bond Anticipation Note Act, by resolution the Council may provide for the renewal of any series of the BANs at maturity with or without resale, together with any amendments or modifications to or replacements of such series of the BANs and any related documentation.

Section 7: **AND BE IT FURTHER ORDAINED** by the Council of the City of Bowie, Maryland, that:

(a) Pursuant to the authority of the Enabling Act, the Refunding Act, Sections 58 and 59 of the Charter and any other applicable law, the City is hereby authorized and empowered to sell and issue, upon its full faith and credit, its general obligation refunding bonds in one or more series from time to time (each, a “series of the Refunding Bonds” and, collectively, the “Refunding Bonds”), for the purpose of currently refunding or advance refunding in whole or in part any of the Bonds then outstanding, including paying all or any portion of the following: outstanding principal, any prepayment or redemption premium, and/or interest accrued or to accrue to the date or dates of prepayment, redemption, purchase or maturity of the Bonds to be refunded, paying costs and expenses in connection with the sale, issuance and delivery of such series of the Refunding Bonds (including, without limitation, legal and financial costs and costs of any credit enhancement or liquidity enhancement), and, to the extent determined or provided for by the Council by resolution, paying interest on such series of the Refunding Bonds, for the public purpose of (A) realizing savings to the City in the total cost of debt service on a direct comparison or present value basis, (B) debt restructuring that reduces the total cost of debt service, (C) debt restructuring that is determined to be in the best interests of the City, to be consistent with the City’s long-term financial plan, and to realize a financial objective of the City, including improving the relationship of debt service to any source of payment such as taxes, assessments or other charges, and/or (D) for any other purpose then authorized by the Refunding Act or other applicable law, and as determined or provided for by the Council by resolution; provided that, the original aggregate principal amount of any series of the Refunding Bonds shall not exceed one hundred thirty percent (130%) of the aggregate principal amount of the Bonds refunded therefrom. Any such series of the Refunding Bonds may consist of one or more bonds and any bond may be issued in installment form and/or draw-down form. Any series of the Refunding Bonds may be issued in any fiscal year.

(b) Prior to the sale, issuance and delivery of each series of the Refunding Bonds, the Council shall adopt a resolution or resolutions pursuant to the authority of the Refunding Act, Sections 58 and 59 of the Charter, any other applicable law and this Ordinance authorizing such series of the Refunding Bonds and specifying, prescribing, determining or providing for the determination of, providing for, or approving or providing for the approval of, with respect to such series of the Refunding Bonds, the same types of matters, details, forms, documents, procedures and determinations detailed in Section 5 hereof that may be made or addressed with respect to any series of the Bonds, to the extent applicable to such series of the Refunding Bonds, and as otherwise may be authorized or required by applicable law, including, without limitation, the purposes of the Refunding Act or other applicable law to be achieved by the issuance of such series of the Refunding Bonds; whether any net original issue premium realized upon sale shall be applied to reduce the par amount of such series of the Refunding Bonds to be issued for the intended purposes; unless otherwise required by applicable law, the selection of any escrow agent, verification

consultant, escrow bidding agent or other service provider; the determination of the Bonds to be refunded in whole or in part from such series of the Refunding Bonds; and any agreements, documents or other instruments necessary or desirable in connection with the refunding. By resolution the Council may delegate to one or more City officials the authority to make any final determinations, approvals or decisions with respect to any series of the Refunding Bonds. Any resolution may specify, prescribe, determine or provide for the determination of, provide for, or approve or provide for the approval of, the details required or authorized by this Section 7 for more than one series of the Refunding Bonds.

(c) By resolution or as otherwise allowed by applicable law, and without notice to or the consent of the owners of any issued series of the Refunding Bonds, the Council may determine or provide for the determination of, and subsequently reallocate, how any unexpended par amount of such series of the Refunding Bonds, any net original issue premium realized upon sale and/or any investment earnings shall be expended, which may include, without limitation, on refunding the applicable Bonds, on costs of issuance of such series of the Refunding Bonds, and/or on debt service payable or prepayable on such series of the Refunding Bonds, to the extent not prohibited by applicable law.

Section 8: AND BE IT FURTHER ORDAINED by the Council of the City of Bowie, Maryland, that:

(a) The full faith and credit and unlimited taxing power of the City are hereby pledged to the payment of the principal of and interest on each series of the Bonds, the BANs or the Refunding Bonds (each, a "series of the Obligations" and, collectively, the "Obligations") actually issued, as applicable, when due and to the imposition of the taxes hereinbelow described as and when such taxes may become necessary in order to provide sufficient funds to meet the debt service requirements of each series of the Obligations. Subject to the further provisions of this Section 8, the City hereby covenants with the owners of the Obligations of each issued series to impose ad valorem taxes on all real and tangible personal property in the City that is subject to assessment for unlimited municipal taxation at a rate and in an amount sufficient to pay the principal of and the interest on the Obligations in each fiscal year in which any of the Obligations are outstanding and to take any further action that may be lawfully appropriate from time to time during the period that the Obligations of such series remain outstanding and unpaid to provide the funds necessary to pay promptly the principal thereof and the interest due thereon. If the proceeds from the taxes so imposed in any such fiscal year are inadequate for such payment, additional taxes shall be imposed in the succeeding fiscal year to make up such deficiency.

(b) The foregoing provisions shall not be construed so as to prohibit the City from paying the principal of and interest on the issued Obligations of any series from the proceeds of the sale of any other obligations of the City or from any other funds legally available for that purpose (including, without limitation, with respect to any

BANs, from the proceeds of any Bonds and, with respect to any Bonds, from the proceeds of any Refunding Bonds). Within the limitations of any applicable Maryland or federal law (including, without limitation, to the extent applicable, the Internal Revenue Code of 1986, as amended, and the U.S. Treasury Regulations promulgated thereunder), the City may apply to the payment of the principal of or interest on the Obligations of any series any funds received by it from the State of Maryland or the United States of America, or any governmental agency or instrumentality, or from any other source, if the funds are granted or paid to the City for the purpose of assisting the City in accomplishing the components of Costs of the Project which the Obligations of such series are issued to finance, reimburse or refinance or are otherwise available for such purpose, and to the extent of any such funds received or receivable in any fiscal year, the taxes hereby required to be imposed may be reduced proportionately.

(c) Pursuant to the authority of Section 58(b)(2)(C) of the Charter, by resolution the Council may provide that all or a portion of the debt service on any issued series of the Obligations shall be payable in the first instance from specified revenues or other moneys identified in such resolution, to the extent available for such purpose.

Section 9: **AND BE IT FURTHER ORDAINED** by the Council of the City of Bowie, Maryland, that by resolution, the Council may make any appropriate arrangements (including, without limitation, by authorizing one or more appropriate officials to make any elections, designations, determinations or filings on the City's behalf) in the event any right of the owner of an Obligation to put or cause the prepayment or redemption of such Obligation at its option, or any change in the interest rate of an Obligation, or any other modification to an Obligation could lead to a reissuance of such Obligation for purposes of the Internal Revenue Code of 1986, as amended, and the U.S. Treasury Regulations promulgated thereunder.

Section 10: **AND BE IT FURTHER ORDAINED** by the Council of the City of Bowie, Maryland, that by resolution, the Council may determine that any of the Bonds, the BANs or the Refunding Bonds may be consolidated with any bonds, bond anticipation notes and/or refunding bonds authorized by the Council and issued as a single series of bonds, bond anticipation notes and/or refunding bonds, as applicable.

Section 11: **AND BE IT FURTHER ORDAINED** by the Council of the City of Bowie, Maryland, that by resolution the Council may make or authorize any modifications to (i) any series of the Obligations once issued, and (ii) any related documentation, agreements, certificates or instruments, unless under applicable law the proposed modifications require action by ordinance in addition to or in place of a resolution.

Section 12: **AND BE IT FURTHER ORDAINED** by the Council of the City of Bowie, Maryland, that with respect to any series of the Obligations, the Council by resolution may delegate to one or more specified officials the authority to negotiate, approve, execute and deliver, as applicable, any documents, agreements, certificates or instruments relating to such Obligations or to take other actions with respect thereto. The

following City officials: the Mayor, the City Manager, the Director of Finance, the City Clerk and all other appropriate officials of the City are hereby authorized, empowered and directed to (i) take any and all action necessary to complete and close the sale, issuance and delivery of the Bonds, the BANs and the Refunding Bonds, (ii) negotiate, approve, execute and deliver all documents, agreements, certificates and instruments necessary or appropriate in connection with any such sale, issuance and delivery, and (iii) carry out the transactions contemplated by this Ordinance, any ordinance amendatory of or supplemental to this Ordinance, any resolution adopted in furtherance of this Ordinance (including any amendatory or supplemental resolutions), and any documents, agreements, certificates or instruments executed and delivered in connection with any series of the Obligations, all to the extent any particular action is within the scope of such official's authority and such authorization has not otherwise been delegated to one or more specified City officials by ordinance or resolution.

Section 13: **AND BE IT FURTHER ORDAINED** by the Council of the City of Bowie, Maryland, that nothing in this Ordinance shall be construed as preventing the City from applying other available moneys to any of the purposes for which any series of the Obligations is issued, in addition to proceeds of such Obligations.

Section 14: **AND BE IT FURTHER ORDAINED** by the Council of the City of Bowie, Maryland, that in addition to the Mayor and the City Manager, the City Clerk is hereby authorized and empowered to attest to the impression or affixing of the City seal on any of the Obligations or any related documents, agreements, certificates and instruments. Notwithstanding the previous sentence, none of such listed officials may both execute any document, agreement or Obligation on behalf of the City and attest to the impression or affixing of the City seal on the same; provided that, any such official may both certify to the impression or affixing of the City seal on and make other certifications in any closing certificate.

Section 15: **AND BE IT FURTHER ORDAINED** by the Council of the City of Bowie, Maryland, that this Ordinance may be executed (i) in counterparts and/or (ii) to the extent not prohibited by applicable law, by electronic, stamped or facsimile signature, and all executed counterparts of this Ordinance shall be treated as one and the same instrument.

Section 16: **AND BE IT FURTHER ORDAINED** by the Council of the City of Bowie, Maryland, that the title of this Ordinance shall be deemed to be, and is, a fair summary of this Ordinance for publication and all other purposes; provided that, the City may provide for a fair summary of this Ordinance that otherwise satisfies the Charter or other applicable law.

Section 17: **AND BE IT FURTHER ORDAINED** by the Council of the City of Bowie, Maryland, that the provisions of this Ordinance shall be liberally construed in order to effectuate the transactions contemplated by this Ordinance.

Section 18: AND BE IT FURTHER ORDAINED by the Council of the City of Bowie, Maryland, that this Ordinance shall become effective at the expiration of thirty (30) calendar days following its passage by the Council of the City of Bowie, Maryland provided that a fair summary of this Ordinance is published at least once prior to the passage and at least once within ten (10) days after the date of passage in a newspaper having general circulation in the City.

INTRODUCED by the Council of the City of Bowie, Maryland at a meeting on _____, 2026.

PASSED by the Council of the City of Bowie, Maryland at a meeting on _____, 2026.

ATTEST:

THE CITY OF BOWIE, MARYLAND

Awilda Hernandez, MMC
City Clerk

Michael P. Estève
Mayor

**APPROVED AS TO FORM AND
SUFFICIENCY:**

Elissa D. Levan
City Attorney

#245177;52000.315



Memorandum

TO: City Council

FROM: Angel Jones, City Manager

SUBJECT: Bowie State University Briefing

DATE: 09/03/2026

Dr. Aminta H. Breaux, President of Bowie State University, will present current initiatives, developments, and activities at the University.

ATTACHMENTS: 1. 20260908 - BSU Presentation for Bowie City Council



**10 Years and
Counting:
Leadership,
Excellence & Impact**



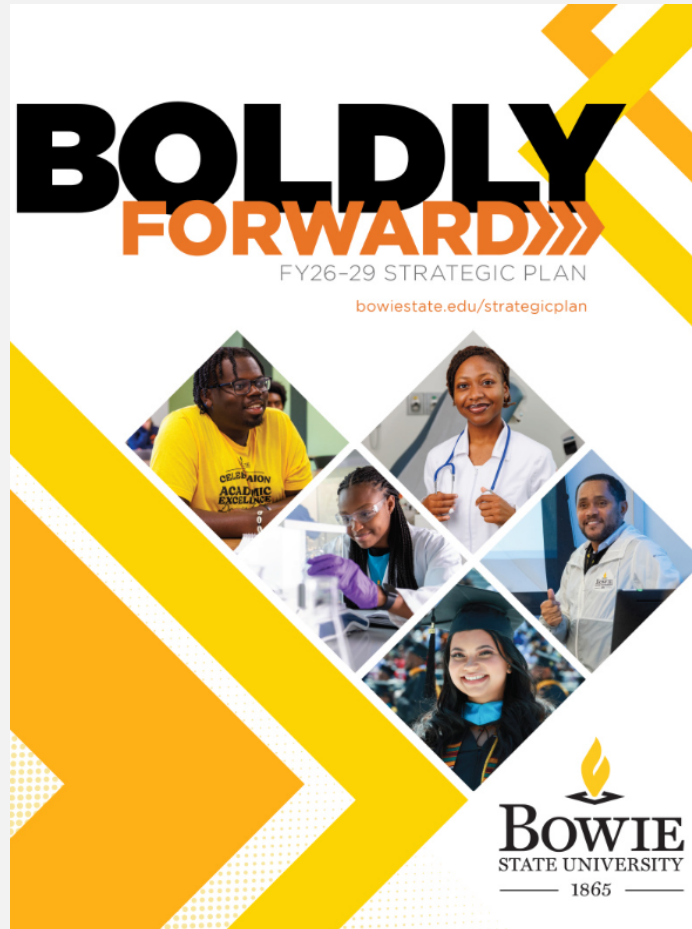
President Breaux's Vision

My vision for Bowie State University is to build on strength and excellence together as a community of learners to:

- Preserve the lasting legacy of Bowie State University as the first Historically Black Institution in the State of Maryland.
- Continue to build academic excellence.
- Create curricular and co-curricular opportunities supportive and engaging of 21st generation of learners.
- Encourage and support the diversity of learners enrolled at Bowie State University.
- Create new partnerships in our local and global communities.
- Develop new and distinctive programs that uniquely define Bowie State University.
- Demonstrate fiscally sound models, metrics and accountability measures to our internal and external stakeholders in public higher education.
- Promote the value of the quality educational experience provided by Bowie State University faculty, staff and administrators.
- And ensure the long-term viability of the university - growing the resources we need to support our mission for access and affordability to a quality education. (2017)



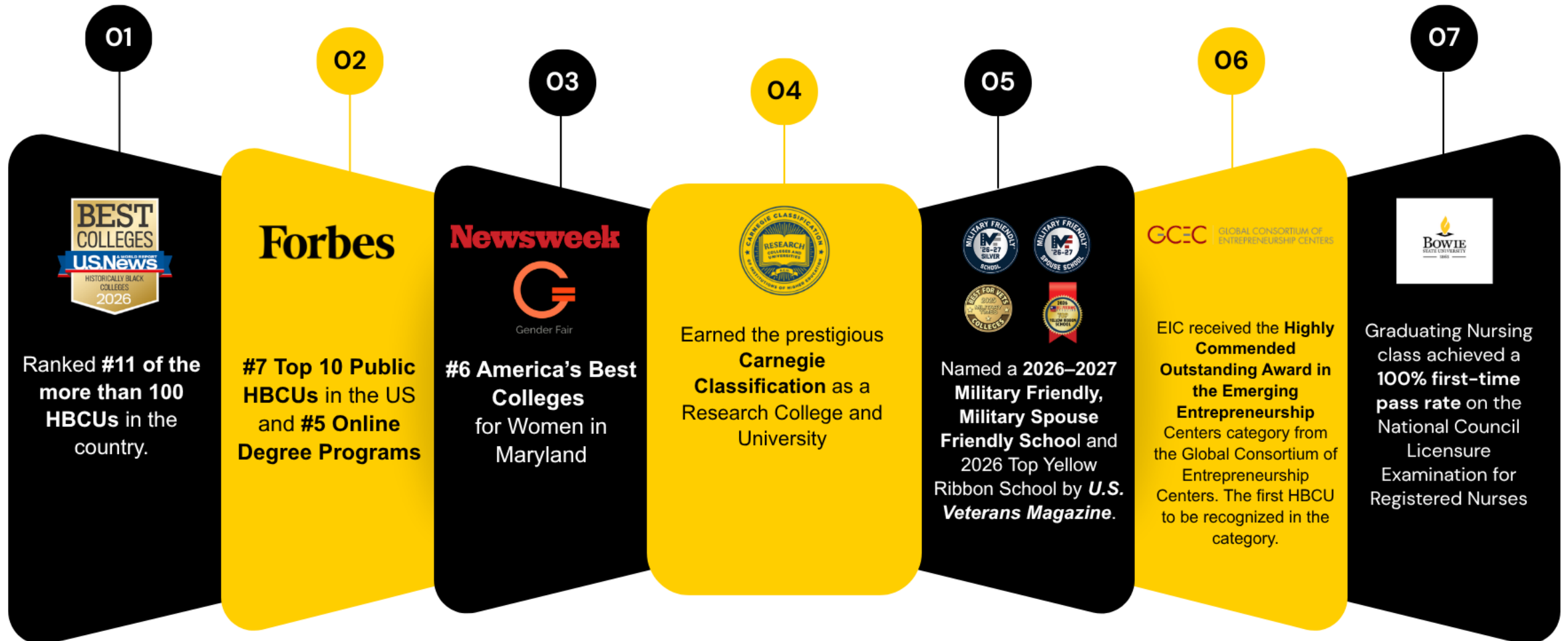
Boldly Forward Strategic Plan



**Scan the QR code to read the entire
*Boldly Forward Strategic Plan.***

- **Advancing Academic Distinction**
Bowie State University is committed to enhancing its reputation as a center of excellence in research, education, and innovation. The university will strive to enhance its academic programs, faculty development, and student experiences to meet the evolving demands of higher education and the workforce
- **Transforming the Student Experience**
By enhancing internal processes and campus-wide resources that contribute to student's academic, well-being, and career-related needs.
- **Fostering a Culture of Inclusivity, Equity, Civic Engagement, and Social Justice**
Build a diverse and inclusive campus environment that champions equity, civic engagement, and social justice. The university will implement actions that ensure all campus community members feel valued, respected, and empowered to participate actively in societal and civic matters.
- **Ensuring Bowie State's Future through Growth and Innovation**
Bowie State University will evolve into a model institution known for its innovative community engagement, philanthropy, work environment, and partnerships.

Rankings and Achievements



BSU in the News



1. Bowie State hosts His Majesty Otumfuo Osei Tutu II, King of the Asante Kingdom, and the Akwasidae Festival, a celebration of the history and cultural heritage of Asanteman.
2. President Breaux named to the list of the 2026 Most Powerful Women by the *Washingtonian*.
3. BSU was named a 2026 Top Yellow School by *U.S. Veterans Magazine*.
4. Nursing Department secures \$2.3 million in statewide nursing grants.

BSU in the News



5. Spring 2026 Commencement celebrated the largest graduating class in the institution's history.
6. Bowie State introduces a new Bachelor of Science in Artificial Intelligence.
7. Two faculty members selected for 2026-2027 USM Generative AI Pedagogy Fellows Program.
8. President Breaux Featured in *The EDULedger* article about women leading colleges and universities nationwide.

BSU in the News

- Northern Division Championships: Women's Basketball and Softball.
- Head Coach Shadae Swan awarded *Winningest Coach* in Bowie State Women's Basketball history.
- Dawson Odums named head coach of Bowie State University's Football team.



State and County Support

- The Bowie State MARC Station Joint Development project marks the Maryland Department of Transportation's second awarded development in the 2024 MARC Penn Line Transit-Oriented Development Strategy
- Redevelopment of both state-owned and private land at the Bowie State MARC station has the potential to support up to 670 construction jobs, yield more than 400 housing units and generate \$108 million in state and local tax revenue.
- \$2 million for infrastructure improvements and long-term redevelopment at the Bowie State MARC station



Recap Summary: FY26

- Demand for Bowie State University remains strong. More than 10,000 applications for about 1,000 first-time, full-time seats, and our students now come from 41 states and more than 39 countries. Families recognize the value of a Bowie State education.
- Affordability is the #1 obstacle for student enrollment and graduation.
- Applications of first-time, full-time enrollment has decreased due to affordability.

FTE Trend Analysis (Provided by OPAA)									
							1 year	2 year	5 year
Level	2020	2021	2022	2023	2024	2025	% chg	% chg	% chg
Undergraduate	5,354	5,381	5,378	5,288	5,136	4,810	-6.3%	-9.0%	-10.6%
First-Time, Full-Time, Degree Seeking Freshman (IPEDS cohort)	957	888	1,170	965	908	855	-5.8%	-11.4%	-3.7%
Graduate	896	927	897	1,120	1,217	1,160	-4.7%	3.6%	25.1%
Total	6,250	6,308	6,275	6,408	6,353	5,970	-6.0%	-6.8%	-5.4%

Private Giving

- Endowment increased
 - \$7 million in 2017 to **\$89 million in 2026.**
- *BSU Bold: The Campaign for Excellence*
 - Closed at **\$128.5 million.**
- 271% increase in endowed scholarship dollars
 - \$135,359 to **\$502,333** in FY 25
- Student emergency fund established
 - 0 to **\$272,300**
 - Increase in current use scholarship dollars award
 - \$147,081 to **\$1,478,371** in FY 24



BSU Bold: The Campaign of Excellence Final Report on Campaign Performance February 2026



Work-force Related Academic Programs

- B.S. Accounting
- B.S. Data Science
- Post-Baccalaureate Certificate Public Health Informatics
- Post-Baccalaureate Certificate Behavioral Health and Public Policy
- M.Ed. Culturally Responsive Teacher Leadership

Boldly Forward

- **Bowie State University is financially sound**

Balanced budget year-over-year

- **Transformation continues**

- **Partnerships are essential**

- **Investment in economic development is required.**

Bowie State generates about \$351 million in annual economic impact for Maryland.

- **Private giving continues**



Call to Action

This is the moment to:

- Collaborate
- Partner
- Invest
- Transform



A photograph of three students walking on a paved path in a campus setting. On the left, a woman with long dreadlocks and glasses wears a black polo shirt with 'BOWIE STATE WOLFTEAM' and an Under Armour logo, and a black skirt. In the center, a man with a beard wears a dark blue sweatshirt and khaki pants. On the right, a man with glasses and a goatee wears a white 'BOWIE STATE' sweatshirt and khaki cargo pants. The background features large trees with green and yellowing leaves, a modern building, and a black metal fence. The text 'THANK YOU' is overlaid in large yellow letters.

THANK YOU