

AGENDA
REGULAR CITY COUNCIL MEETING
MONDAY, JANUARY 7, 2019
COUNCIL CHAMBERS - 8 p.m.

I. **CALL MEETING TO ORDER**

II. **PLEDGE OF ALLEGIANCE**

III. **QUORUM**

IV. **AGENDA ADDITIONS/DELETIONS/AMENDMENTS**

V. **CITIZEN PARTICIPATION**

VI. **PRESENTATIONS**

A. Proclamation for Sky Zone

VII. **CITY BOARDS AND COMMITTEES**

VIII. **COUNCIL ANNOUNCEMENTS**

IX. **CITY MANAGER'S REPORT**

X. **CONSENT AGENDA**

A. Approval of November 19 Meeting Minutes

Documents:

[20190103 - NOVEMBER 19 MEETING MINUTES.PDF](#)

B. Approval of December 3 Meeting Minutes

Documents:

[20190103 - DECEMBER 3 MEETING MINUTES.PDF](#)

C. Approval of Resolution R-1-19

Accepting a Proposal for an Agreement for Architect/Engineering Open End Contract – Category 5

Documents:

[20190103 - RESOLUTION R-1-19.PDF](#)

D. Approval of Resolution R-2-19

Authorizing the Issuance of a Purchase Order to Bay Land Consultants & Designs, Inc. for Task Order/RFP#3-01 and RFP#3-02 in Accordance With the Master Contract Approved on November 6, 2018

Documents:

[20190103 - RESOLUTION R-2-19.PDF](#)

E. Approval of Resolution R-3-19

Accepting Bid for Design/Build Services for a Water SCADA (Telemetry)

System

Documents:

[20190103 - RESOLUTION R-3-19.PDF](#)

F. Approval of Resolution R-4-19

Authorizing the Issuance of a Purchase Order to A. Morton Thomas & Associates, Inc. for Task Order/RFP #2-02 in Accordance With the Master Contract Approved on October 31, 2018

Documents:

[20190103 - RESOLUTION R-4-19.PDF](#)

G. Approval of Resolution R-5-19

Authorizing the Issuance of a Purchase Order to KCI Technologies, Inc. for Task Order/RFP#1-01 in Accordance With the Master Contract Approved on November 6, 2018

Documents:

[20190103 - RESOLUTION R-5-19.PDF](#)

H. Approval of Resolution R-6-19

Waiving by a Two-Thirds Vote, the Bidding Requirements of Section 61 of the City Charter and Authorizing the City Manager to Enter Into an Annual Support and Licensing Agreement With Tyler Technologies, Inc., Munis Division, to Enable the City's Continued Use of Its Enterprise Resource Planning Software System

Documents:

[20190103 - RESOLUTION R-6-19.PDF](#)

XI. OLD BUSINESS

XII. NEW BUSINESS

XIII. ADJOURNMENT

Note: The Ethics Commission has advised that under certain circumstances, members of the public may qualify as lobbyists when they testify before the City Council. If so, the Bowie Ethics Ordinance requires that certain information be filed with the Ethics Commission. Please review the information about lobbying that is provided with the City Clerk. If you have any questions about lobbying, please contact the Ethics Commission or the Assistant City Manager.

This meeting will be televised live on Verizon Channel 10 and Comcast Channel 71 and 996, repeated on 1/9/19 and 1/12/19 at 7 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 2019 Council Meetings list. Once the meeting video opens, be sure to click on "CC" button to turn on closed captioning.

NEXT REGULAR MEETING OF THE BOWIE CITY COUNCIL - TUESDAY, JANUARY 22,
2019 - COUNCIL CHAMBERS - 8 p.m.

REGULAR CITY COUNCIL MEETING MINUTES

MONDAY, NOVEMBER 19, 2018

CALL MEETING TO ORDER:

The Regular Meeting of the Bowie City Council was held on Monday, November 19, 2018 in the Council Chambers at City Hall. Mayor Robinson called the meeting to order at 8:03 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG:

Mayor Robinson led the Pledge of Allegiance to the Flag.

QUORUM:

In attendance were Mayor Robinson, Councilmembers Esteve, Gardner, Marcos, Truth and Woolfley, City Manager Lott, Assistant City Manager Mears, City Clerk Hernandez, City Attorney Levan, Staff, Press and the Public.

AGENDA ADDITIONS/DELETIONS/AMENDMENTS:

Mayor Robinson stated that Item A under Old Business South Lake Declaration of Covenants Resolution R-76-18, is rescheduled to the December 3 meeting.

CITIZEN PARTICIPATION:

1. Virginia Weimer, Gold Cup Lane – Spoke in regards to neighbor cutting down trees without approval from HOA or a permit, would recommend the City to adopt a permit procedure in order to avoid this from happening again.

PRESENTATIONS:

Councilmember Woolfley presented a Proclamation to Ms. Laney Puhalla winner of the Gold Medal in the Junior Women's Event at the 2018 World Baton Twirling Championship.

CITY BOARDS AND COMMITTEES:

- A. Appointments/Reappointments/Swearing-in
 1. Mayor Pro Tem Gardner made a motion to appoint Joshua Wooten to the Green Team Executive Committee for a 2-year term. Councilmember Truth seconded the motion. Motion passed 6-0.
 2. Councilmember Woolfley made a motion to appoint Julie Kelly to the Education Committee for a 2-year term. Councilmember Marcos seconded the motion. Motion passed 6-0.

3. Councilmember Truth made a motion to appoint Charles Mutama to the Community Outreach Committee for a 2-year term. Councilmember Marcos seconded the motion. Motion passed 6-0.
4. Councilmember Marcos made a motion to reappoint the following members to the Board of Elections: Yolanda Jones, Camilla M. Gaines, Louis D'Orsaneo, Brian Suddeth, Albert Curley and Susan Curley for a 2-year term. Mayor Pro Tem Gardner seconded the motion. Motion passed 6-0.
5. Mayor Robinson swore-in the members to their respective committees.

COUNCIL ANNOUNCEMENTS:

Mayor Robinson wished everyone a safe and happy Thanksgiving holiday and mentioned that this year's Tree Lighting event will take place on December 2 at 7:00 p.m. at the Belair Mansion.

CITY MANAGER'S REPORT:

City Manager Lott reported a summary of the City's expenditures for Fiscal Year 2018. General Fund Budget Expenditures was \$55,739,400 actual expenditures were \$50,742,522 leaving a net change in fund balance of \$(1,595,842). (Copy of report attached)

CONSENT AGENDA:

Councilmember Marcos moved the approval of Consent Agenda Items: A) Approval of Resolution R-79-18 Accepting a Proposal for an Agreement for Architect/Engineering Open End Contract – Category 4; B) Approval of Resolution R-80-18 Accepting a Bid Proposal for Regrade Bowie Forest Stormwater Management Pond; C) Approval of Resolution R-81-18 Allowing for the Reduction of the Performance Security Guaranteeing Construction of the Stormwater Management at Page Court; D) Approval of Resolution R-82-18 Allowing for the Reduction of the Performance Security Guaranteeing Construction of the Storm Drain/Paving at Page Court; E) Approval of Resolution R-83-18 Accepting Bid for Analytical Laboratory Services. Mayor Pro Tem Gardner seconded the motion and it passed 6-0.

NEW BUSINESS:

A. Auditors Presentation – Ms. Aires Coleman from the audit firm CliftonLarsonAllen, LLP, briefed Council on the audit findings. Overall the City is in great standings and financial statements for the fiscal year ending June 30, 2018 were fairly presented in conformity with GAAP. One item that remains on the auditors' management letter is the Information Technology Risk Assessment. Even though the City has a risk assessment over the IT functions, under industry standards they would suggest the City enhance their risk assessment to make it a little more robust.

B. Twisting Lane Traffic - Public Works Director George Stephanos summarized the traffic study that was done on Twisting Lane in 2017. The study results did not support installation of speed humps or other physical traffic calming devices. The current City policy states that installation of traffic calming devices could be installed even when the study results conclude the street ineligible, if 90% of the homeowners on the affected street and 60% on all side streets agree in writing to the proposed installation.

Mr. James Caruso, who resides on Twisting Lane and presented a petition for speed humps on Twisting Lane spoke with concerns on the study which seem to be erroneous especially on the blind curves.

Councilmember Gardner commented that he has witnessed himself, several vehicles speeding on Twisting Lane at different times of the day in both directions and hopes that his colleagues would look at this situation as a special exception to the City's Neighborhood Traffic Management Program and overlook the requirements for traffic calming on Twisting Lane.

Councilmember Woolfley mentioned that staff should consider having a community meeting for residents to come in and voice their concerns about the speeding similar to what was done for Belair Drive.

Councilmember Truth asked Mr. Stephanos to look at past files and see what was done on Pin Oak Parkway several years ago when they had the same situation. Mr. Stephanos stated that the two roads are not similar but will look into it.

Councilmember Woolfley made a two-part motion: Part 1) direct staff to review current standards on the traffic policy and see if any changes are needed; Part 2) to move forward on a trial basis, the installation of temporary speed humps on Twisting Lane and measure traffic pattern after installation. Councilmember Truth seconded the motion. Motion carried 6-0.

C. City Election Code and Charter - City Clerk Awilda Hernandez summarized the previous recommendations from the Board of Elections on candidate filing procedures as well as possible changes to recall process. During the budget process for Fiscal Year 2018, Council requested the Board of Elections to review the City's procedures for candidacy filing. The Boards' recommendations were presented to Council on June 5, 2017 and stated the following: 1) the filing fee should remain at \$25, with the addition of requiring candidates to submit a 100-signature petition with the signatures of registered Bowie residents at the time they file the fee; 2) the board also recommended extending the filing deadline to 45 days and that nomination packets for candidates become available beginning May 1st of the election year. In 2017, the City went through their first Recall Election of a City Councilmember, during that process the Board and City Clerk noticed several other changes that Council should consider updating in the Charter which include extending the period for conducting the recall election from 30 days to 60 days and the period relating to the time remaining in an official's term from 6 months to 18 months. The City's next election is scheduled for November 5, 2019, in order for any of the proposed changes to be effective prior to the next election, Council would need to take action soon since Charter Amendments takes approximately 50 days to become effective once Council adopts it.

Public Hearing:

1. Larry Swank, Scarlett Lane – Suggests expanding the 100-signature petition to candidates that are filling a vacant Council seat outside of a regular election period, strike out the action challenging the reason for a recall and not changing the officials term from 6 months to 18 months as well as extending the time to collect signatures for the petition from 30 to 60 days.
2. Fiona Moodie, Ithan Lane – Suggests removing the period for collection of signatures during the recall process, 80% of surrounding municipalities do not have a timeframe.
3. Dennis Brady, Paisley Lane – Recommends a Task Force be formed to review the charter, timeframe change from 6 months to 18 months is not warranted, contributions should be clearly stated. A copy of Mr. Brady's comment are attached.

Councilmember Esteve asked if any other municipalities require signatures for their candidates. City Clerk Hernandez responded that when the Board reviewed this item they polled surrounding municipalities that are similar in size to Bowie (Greenbelt, College Park, Laurel, Gaithersburg, and Rockville) and found that 4 out of the 5 require signatures, Greenbelt is the only one that does not require it, nor do they have a filing fee.

Councilmember Esteve suggests staff look into having a separate Counsel to represent the Board of Elections to help adjudicated with any election issues. City Counsel Levan was in agreement with Councilmember Esteve's recommendation.

Councilmember Woolfley has concerns of not having a clear understanding and transparency of the entire election process. He is also in agreement of forming a Task Force to review all election rules and how they are adjudicated. It should be formed with residents, staff, past elected officials as well as the Board of Election members. We want to encourage people to run for office, not feel that they are being boxed out.

Mayor Pro Tem Gardner is in agreement with his colleagues to have an organized effort to define the rules for elections and does not support the signature requirements.

Councilmember Truth is also against the signature requirements.

Mayor Robinson asked the City Clerk if it would be feasible to have the Board of Elections come before Council at the first meeting in January to work with Council on the changes recommended before the next election cycle.

Councilmember Woolfley does not think that it is wise to cherry pick items, the entire review should be done at one time.

City Clerk Hernandez responded that it might be difficult to get the Board to have answers by the first meeting in January or form a Task Force to thoroughly review the charter before residents consider filing for the 2019 election.

Councilmember Truth asked his colleagues if anyone is in opposition to setting the May 1st as the opening of the election cycle. There was no opposition.

City Counsel stated that Council could do a Code change via an Emergency Ordinance which requires less time than a Charter Amendment in order to meet the time for candidates to file beginning May 1st and then, once the Task Force is formed, reviews the charter and presents their recommendations to Council, at that time then it can be changed in the Charter.

Councilmember Truth made a motion to have staff proceed with an Emergency Ordinance to set May 1st as the start of candidate filings for City elections. Councilmember Woolfley seconded the motion. Motion carried 5-1 (Esteve).

ADJOURNMENT AND MOVE TO CLOSE SESSION:

Mayor Pro Tem Gardner moved to adjourn the Regular City Council meeting and move to Close Session, General Provisions Article §3-305(b)(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. Councilmember Truth seconded the motion and it carried 6-0. The meeting adjourned at 10:40 p.m.

Respectfully submitted,

Awilda Hernandez, MMC
City Clerk

**Comments on Council Item XI.-C City Election Code and Charter
(Document 20181119 - City Elections.pdf)
City Council Meeting of November 19, 2018**

At the outset, I would strongly recommend that Council establish a Task Force to investigate the conduct of past elections, research what documentation and requirements other municipalities (MML and PGCMA are excellent sources of information) utilize in carrying out their elections, and determine what "Best Methods" are available. The task force's meetings should be open and include public participation.

This item tonight appears to be version 2.0 of last September's Charter Amendment Resolution which sought to severely restrict/limit the ability of Bowie's citizens to recall an elected official.

We seem to forget that elections are truly a popularity contest. When someone is elected to an office, it doesn't necessarily mean that the best candidate won; only the one with the most votes. This is different than what we expect when hiring a prospective employee.

As a result, the requirement that there be a reason for a Recall, especially if it is limited to a few restrictive qualifiers, is not only unfair but it is unnecessary.

It is unfortunate that the supporting data for the Board's recommendation is not included. What is the rationale for the requirement of a "100-signature petition"? Where did this come from and what is the basis for it. I do not support this change but must say that it is at odds with the requirement for the recall petition: signatures must be from 25% of the total eligible voters in their respective district or, for Mayor and At-Large, of the total eligible voters in the City.

The recommendation to change the cutoff time for recall from 6 months to 18 months is not warranted. It is clearly based upon the unnecessary cost and conflict that a special election has on staff. The same can be argued in the first 6 or 18 months of one's term in office. As a recall is a rare occurrence, this change is unsupportable. And, if we visit the theatre of the absurd, where a recall's impact is minimized with respect to the previous election (first months in) and to the next election (final months), then there is only one date available for a recall: the first Tuesday following the first Monday of November in the odd year between City elections.

The recommendation to extend the special election date from 30 to 60 days is reasonable and supported. But this same extension should apply to the time for signatures to be collected on Recall Petitions.

The recommendation to move the cutoff date for filing from 30 days to 90 days is supportable.

The code needs to clarify its definitions with respect to who cannot contribute to a candidate. Corporate contributions should continue to be prohibited. Additionally, contributions from developers and their representatives should also be prohibited. And the limits of contributions should better define what is prohibited.

Any individual, group or business that has a contractual relationship with the City should be prohibited from contributing to a candidate or participating in that candidate's campaign.

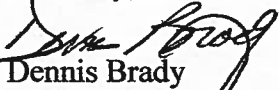
My experience in City 11 elections leaves me concerned with the veracity of information provided in Treasure's Reports. While I reported every contribution received and every expenditure made, I do not have the same level of confidence in several other candidates who ran over that same period of time. Treasure Reports must be independently audited and discrepancies corrected.

A process for adjudicating complaints about the conduct of elections needs to be formalized. The City Attorney, due to their employment by the Council, cannot be the one to resolve complaints, especially those directed at an incumbent. An outside attorney should be hired by the Board of Elections to provide them with legal advice and services related to the conduct of an election.

Of recent elections, the issue of partisanship has infected the City's election. Since Bowie beginnings as a bedroom community for Washington DC and the federal workforce, its structure was intentionally established as non-partisan to allow the many residents affected by the Hatch Act to serve in an elected capacity. Either this partisanship needs to be stopped or the City should establish a partisan style election with primaries and general elections.

There is much more that I could say and write about this item on tonight's agenda but I will stop here. The bottom line is that, whatever you do, it needs to be done in full view of the citizens and with public input and involvement.

Sincerely,



Dennis Brady

Former Bowie City Councilman (April 1994 through November 2015)

REGULAR CITY COUNCIL MEETING MINUTES

MONDAY, DECEMBER 3, 2018

CALL MEETING TO ORDER:

The Regular Meeting of the Bowie City Council was held on Monday, December 3, 2018 in the Council Chambers at City Hall. Mayor Robinson called the meeting to order at 8:00 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG:

Mayor Robinson led the Pledge of Allegiance to the Flag.

QUORUM:

In attendance were Mayor Robinson, Councilmembers Esteve, Gardner, Marcos, Truth and Woolfley, City Manager Lott, Assistant City Manager Mears, City Clerk Hernandez, City Attorney Levan, Staff, Press and the Public.

CITIZEN PARTICIPATION:

1. Barbara Ochester, Northview Drive – Stated that Salvera Medical Cannabis Dispensary is now open and has serviced more than 600 patients to date.
2. Dustin Kuzan, Silver Maple Court – Spoke in support of Council's reconsideration to continue funding the Phase II of Heritage Trail project.
3. Will Sulima, Moylan Drive – Spoke in support of funding for the Heritage Trail project, Phase II.

CITY BOARDS AND COMMITTEES:

A. Appointments/Reappointments/Swearing-in

1. Councilmember Marcos made a motion to appoint Dr. Kimberly L. Bolling to the Community Outreach Committee for a 2-year term. Councilmember Truth seconded the motion. Motion passed 6-0.
2. Mayor Robinson swore-in Dr. Bolling to the committee.

CITY MANAGER'S REPORT:

City Manager Lott had no report.

CONSENT AGENDA:

Councilmember Marcos moved the approval of Consent Agenda Items: A) Approval of November 5 Meeting Minutes; B) Approval of Resolution R-84-18 Accepting Bid Proposal for Construction Inspection and Lead-Based Paint Inspection for the HUD CDBG Housing Rehabilitation Program; C) Approval of Resolution R-85-18 Accepting Bid Proposal for Energy Audits for the HUD

CDBG Housing Rehabilitation Program; D) Approval of Resolution R-86-18 Approving Variance Application BV-12-18, a Request by Ms. Chakita Kay to Allow the Construction of Approximately 191 Linear Feet of Six Foot High Vinyl Replacement Fencing Along Plymouth Court When, According to the Prince George's County Zoning Ordinance, Such Fencing Shall Not be More Than Four Feet High, at 15915 Perkins Lane; E) Approval of Resolution R-87-18 Approving Variance Application BV-13-18, a Request by Ms. Vickie Dippel for a Variance to Validate Existing Lot Coverage at 31.7% and to Further Increase Lot Coverage by 0.2% to Allow Construction of a 5' x 6' Bump-out Addition Onto the Rear of the Dwelling for a Total of 31.9% Lot Coverage When, According to the Prince George's County Zoning Ordinance, Lot Coverage in the R-80 Zone Shall Not be More Than 30% at 2405 Pittland Lane; F) Approval of Resolution R-88-18 Accepting a Proposal for an Agreement for Architect/Engineering Open End Contract – Categories 8, 9 & 13; G) Approval of Resolution R-89-18 By Two-Thirds Vote Waiving of Bidding Requirements of Section 61 of the City Charter to Authorize the Purchase of Sewer Foam Injection Root Control Services; H) Approval of Resolution R-92-18 Accepting a Proposal for an Agreement for Architect/Engineering Open End Contract – Category 7; I) Approval of Resolution R-93-18 Accepting a Proposal for an Agreement for Architect/Engineering Open End Contract – Categories 6, 11 & 14; J) Approval of Resolution R-94-18 Accepting a Proposal for an Agreement for Architect/Engineering Open End Contract – Category 10. Mayor Pro Tem Gardner seconded the motion and it passed 6-0.

OLD BUSINESS:

A. Introduction and Approval of Emergency Ordinance O-9-18 Amending City Code Chapter 6, "Elections", Article IV, "Fair Elections Practices", to Add Section 6-66A, "Date for Filing Certificate of Candidacy," to Establish the First Date on Which Candidates May Establish Candidacy for City Elective Office – City Counsel Levan summarized the proposed Ordinance which is stemmed from Council's last meeting in November which would set a beginning date for candidates to file for candidacy.

Public Hearing:

1. Dustin Kuzan, Silver Maple Ct – Spoke in opposition to changing the date of filing in order to keep the door open for new people that might be interested in running.

Since there were no other persons signed up to speak, the Mayor declared the Public Hearing to have been held.

Councilmember Marcos made a motion to approve Emergency Ordinance O-9-18. Motion died, lack of a second motion.

B. Approval of Annexation Resolution R-71-18 Enlarging the Corporate Boundaries of the City of Bowie, by Annexing Into the City Lands Contiguous to and Adjoining the City's Existing Corporate Boundary, Including Outparcels A and B and Karington Center Boulevard in Karington (Now Known as South Lake), Part of Parcel 8 and all of Parcels 126 and 127 on Prince George's County Tax Map 70, Generally Located on the South Side of Maryland Route 214 and West Side of US 301 – Planning Director Joe Meinert summarized the staff report. Resolution R-71-18 will enlarge the City boundaries by annexing 421.0920 acres of land.

Public Hearing:

Since there were no persons signed up to speak, the Mayor declared the Public Hearing to have been held.

Councilmember Woolfley stated that he is in opposition of this annexation, which will compound traffic concerns, as well as lack of space in current school population.

Councilmember Truth stated that in District 4 where this property is being annexed, residents want the retail amenities, which includes a major grocery store that is not there currently.

Councilmember Marcos made a motion to approve Annexation Resolution R-71-18. Councilmember Truth seconded the motion. Motion passed 4-2 (Esteve, Woolfley). The annexation becomes effective January 17, 2019.

C. South Lake (Karington) Declaration of Covenants Resolution R-76-18 – Planning Director Joe Meinert summarized the staff report. The covenant limits the number of building permits for residential dwelling units to no more than 1,360 units, excluding age-restricted dwelling units, for a period of 15 years after the City’s annexation becomes effective. It also references the developer being responsible for certain transportation improvements at the intersection of Trade Zone Avenue and US 301.

Public Hearing:

Since there were no persons signed up to speak, the Mayor declared the Public Hearing to have been held.

Councilmember Truth made a motion to approve Resolution R-76-18. Mayor Pro Tem Gardner seconded the motion. Motion passed 5-1 (Esteve).

NEW BUSINESS:

A. Budget Guidance FY 2020 – Mr. Byron Matthews, Finance Director, presented a guidance of possible impacts for the FY 2020 Budget which include potential federal cutbacks and lower wages which would impact income taxes and expenditures continue to outpace revenues. In summary, the City’s financial position remains strong and essential core services continue to be provided while maintaining a constant property tax rate that has not increased in the last 9 years. Expenditure growth is expected to be between 5 to 7 percent.

Councilmember Marcos thanked staff for the guidance and directed staff to see if the funding for the trail project can be re-established since the City has already invested a large amount in securing permits for this project, would hate for that to go to waste.

Councilmember Woolfley thanked staff for the report and maintaining the fund balance at a good level. Based on conversations with constituents they want no cutbacks in the refuse collection, or snow removal, water and sewer fee collection for pipe replacements should be based on usage and not the same for everyone.

Mayor Robinson thanked staff for the guidance

B. South Lake (Karington) Resolution R-90-18 - Mr. John Henry King, Economic Development Director introduced Resolution R-90-18 Approving the Establishment by Prince George’s County, Maryland of the Karington Development District.

Councilmember Marcos made a motion to introduce Resolution R-90-18. Mayor Pro Tem Gardner seconded the motion, Motion carried 4-2 (Esteve, Woolfley).

December 3, 2018

C. South Lake (Karington) Resolution R-91-18 - Mr. John Henry King, Economic Development Director introduced Resolution R-91-18 For the Purpose of Ratifying, Confirming and Consenting to the Establishment by Prince George's County, Maryland of the Karington Special Taxing District.

Councilmember Marcos made a motion to introduce Resolution R-91-18. Councilmember Truth seconded the motion. Motion carried 4-2 (Esteve, Woolfley).

D. Introduction of Ordinance O-8-18 - Mr. John Henry King, Economic Development Director introduced Ordinance O-8-18 Authorizing the Pledge of Incremental Property Tax Revenues from the Karington (South Lake) Development District.

Councilmember Marcos made a motion to introduce Ordinance O-8-18. Councilmember Truth seconded the motion. Motion carried 4-2 (Esteve, Woolfley).

ADJOURNMENT:

Mayor Pro Tem Gardner moved to adjourn the Regular City Council meeting. Councilmember Truth seconded the motion and it carried 6-0. The meeting adjourned at 9:35 p.m.

Respectfully submitted,

Awilda Hernandez, MMC
City Clerk

MEMORANDUM

TO: City Council

FROM: Alfred D. Lott, City Manager

SUBJECT: Contract Award, Agreement for Architect/Engineering Open End Contract – Category 5 - R-1-19

DATE: December 17, 2018

A legal notice advertising a Request for Qualifications (RFQ) for an Agreement for Architect/Engineering Open End Contract was placed in the Bowie Blade, on eMaryland Marketplace and on the City's website on April 26, 2018. The RFQ included 15 separate technical categories of services. Interested firms were permitted to submit for one or multiple categories. A total of (86) eighty-six Proposals were submitted at the June 14, 2018 due date. The following is a list of the categories and number of Proposals received:

Category 1-Water/Wastewater Treatment (Design) (7)
Category 2-Water/Wastewater Distribution (Design) (9)
Category 3-Stormwater Management and Ecological (Design & CMI) (12)
Category 4-Traffic Engineering (Design) (4)
Category 5-Roadways/Bridges (Design) (7)
Category 6-Mechanical, Electrical and Plumbing (Design) (7)
Category 7-Architectural (Design) (10)
Category 8-Survey Services (4)
Category 9-Structural and Geotechnical (Design) (5)
Category 10-Geographic Information Systems (4)
Category 11-Planning and Administrative for A/E Services (4)
Category 12-Water/Wastewater (CMI Services) (4)
Category 13-Streets/Bridges (CMI Services) (5)
Category 14-Building/Structural/Architectural/MEP (CMI Services) (4)
Category 15-Corrosion (Design and CMI Services) (0)

As described in the RFQ, the City's intent is to identify well qualified engineering firms in each of these categories, and enter into open ended agreements with multiple firms. The open ended agreements will significantly shorten the time required to select firms and negotiate contracts needed for these engineering services. Professional services delivered through these Agreements will be negotiated and procured on a Task Order basis as the City's needs arise.

The base term of the Agreement is three (3) years, FY19 (Award Date -6/30/19), FY20 (7/1/19-6/30/20) and FY21 (7/1/20-6/30/21). This Contract may be renewed for two (2) additional two-year periods with the same terms and conditions in the sole discretion of the City.

At this time, staff has completed the reviews for Category 5. Proposals were evaluated by a two (2) member panel made up of City staff. As required by City Charter and the Procurement Policy, criteria for selection included the firm's experience, qualifications, capacity, reputation and understanding of the City requirements.

After careful review, it was determined that A. Morton Thomas & Associates, Inc. (AMT) of Rockville, MD, EBA Engineering, Inc. (EBA) of Laurel, MD, McLaren Technical Services, Inc. (McLaren) of Baltimore, MD, and Brudis & Associates, Inc. (BAI) of Columbia, MD had submitted the most responsive and responsible proposals for Category 5-Roadways/Bridges (Design).

I concur with the above recommendation and request your approval of R-1-19.

ADL/GS/cs

RESOLUTION
OF THE COUNCIL OF THE CITY OF BOWIE, MARYLAND
ACCEPTING A PROPOSAL FOR AN AGREEMENT FOR
ARCHITECT/ENGINEERING OPEN END CONTRACT-CATEGORY 5

WHEREAS, pursuant to Section 61 of the City Charter, a Request for Qualifications (RFQ) was issued in the Bowie Blade, on eMaryland Marketplace, and on the City’s website for an Agreement for Architect/Engineering Open End Contract; and

WHEREAS, this RFQ included 15 separate technical categories of services and interested firms were permitted to submit for one or multiple categories; and

WHEREAS, the City’s intent is to identify well qualified engineering firms in each of these categories, and enter into open ended agreements with multiple firms to significantly shorten the time required to negotiate contracts needed for these engineering services; and

WHEREAS, on the June 14, 2018 due date, the City received eighty six (86) proposals; and

WHEREAS, after careful review, it was determined that A. Morton Thomas & Associates, Inc. (AMT) of Rockville, MD, EBA Engineering, Inc. (EBA) of Laurel, MD, McLaren Technical Services, Inc. (McLaren) of Baltimore, MD, and Brudis & Associates, Inc. (BAI) of Columbia, MD had submitted the most responsive and responsible proposals for Category 5-Roadways/Bridges (Design).

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Bowie, Maryland, that the Council hereby accepts the proposal of AMT, EBA, McLaren and BAI and authorizes the City Manager to enter into a contract with AMT, EBA, McLaren and BAI consistent with the terms and conditions in the RFQ and in the proposal submitted by these firms dated June 14, 2018 for Category 5-Roadway/Bridges (Design).

INTRODUCED AND PASSED by the Council of the City of Bowie, Maryland at a meeting on January 7, 2019.

ATTEST:

THE CITY OF BOWIE, MARYLAND

Awilda Hernandez
City Clerk

G. Frederick Robinson
Mayor

MEMORANDUM

TO: City Council

FROM: Alfred D. Lott
City Manager

SUBJECT: Design and Construction Management
for Saddlebrook Stream Restoration RFP#3-01
and Woodhaven Lane SWM Pond RFP#3-02
R-2-19

DATE: January 3, 2019

The FY19 CIP included funding for design of modification to a Stormwater Management (SWM) Pond on Woodhaven Lane. This project is part of the Chesapeake Bay Restoration Program in the CIP. During the project planning phase, staff determined that the scope of this project should be expanded to include restoration of a section of the Saddlebrook Branch, located downstream from the Woodhaven Lane Pond outfall. This project expansion is needed to achieve the credits for restorations required in the City's Municipal Separate Storm Sewer System (MS4) Permit.

On December 13, 2018, the Public Works Department advertised a Notice of Intent to Negotiate for two tasks for design and construction management: one for Woodhaven Pond Modifications and 2nd for the Saddlebrook Stream Restoration. Proposals were accepted from the five firms which have open ended professional services agreements with the City for Stormwater Management and Ecological Design. These firms include KCI Technologies, Inc. (KCI) of Sparks, Maryland, Rummel, Klepper & Kahl, LLP (RK&K), of Baltimore, MD, A. Morton Thomas & Associates, Inc. (AMT) of Rockville, MD, Brudis & Associates, Inc.(BAI), of Columbia, MD and Bay Land Consultants & Designs, Inc., Columbia, MD. For both tasks, the proposals from Bay Land Consultants & Designs, Inc. were selected based on cost, capacity to perform in a timely manner and understanding of the project.

In accordance with City Charter Section 61(b)(4), a fee of \$139,427.34 for Saddlebrook Stream Restoration and \$35,722.37 for Woodhaven Lane SWM Pond for the required services were negotiated. This is within the amount budgeted in the FY19 Chesapeake Bay CIP budget.

The Public Works Department recommends that Council authorize the issuance of a Purchase Order to Bay Land Consultants & Designs, Inc. for Task Order/RFP#3-01 and RFP#3-02 pursuant to the Master Contract approved on November 6, 2018.

I concur with the recommendation of the Public Works Department and request your approval of R-2-19.

ADL:GS:cs

RESOLUTION
OF THE COUNCIL OF THE CITY OF BOWIE, MARYLAND
AUTHORIZING THE ISSUANCE OF A PURCHASE ORDER TO BAY LAND
CONSULTANTS & DESIGNS, INC. FOR TASK ORDER/RFP#3-01 AND
RFP#3-02 IN ACCORDANCE WITH THE MASTER CONTRACT APPROVED
ON NOVEMBER 6, 2018

WHEREAS, On December 13, 2018, the Public Works Department advertised a Notice of Intent to Negotiate for two tasks for design and construction management: one for Woodhaven Pond Modifications and 2nd for the Saddlebrook Stream Restoration; and

WHEREAS, proposals were accepted from the five (5) firms which have open ended professional services agreements with the City for Stormwater Management and Ecological Design. These firms include KCI Technologies, Inc. (KCI) of Sparks, Maryland, Rummel, Klepper & Kahl, LLP (RK&K), of Baltimore, MD, A. Morton Thomas & Associates, Inc. (AMT) of Rockville, MD, Brudis & Associates, Inc.(BAI), of Columbia, MD and Bay Land Consultants & Designs, Inc., Columbia, MD; and

WHEREAS, for both tasks, the proposals from Bay Land Consultants & Designs, Inc. were selected based on cost, capacity to perform in a timely manner and understanding of the project.

WHEREAS, following negotiations in accordance with City Charter 61(b)(4) a fee of \$139,427.34 for Saddlebrook Stream Restoration and \$35,722.37 for Woodhaven Lane SWM Pond for the required services were negotiated. This is within the amount budgeted in the FY19 Chesapeake Bay CIP budget.

NOW, THEREFORE BE IT RESOLVED, by the Council of the City of Bowie, Maryland that the Council authorizes the issuance of a purchase order to Bay Land Consultants & Designs, Inc. for Task Order/RFP#3-01 and RFP#3-02 in accordance with the Master Contract approved on November 6, 2018.

INTRODUCED AND PASSED by the Council of the City of Bowie, Maryland at a Regular Meeting on January 7, 2019.

ATTEST:

Awilda Hernandez, City Clerk

G. Frederick Robinson, Mayor

MEMORANDUM

To: City Council
From: Alfred D. Lott, City Manager
Date: January 2, 2019
Subject: Design/Build Services
Water SCADA (Telemetry) System
R-3-19

Legal notices were placed and Requests for Proposals (RFPs) were sent to selected firms for design/build services for a water SCADA (telemetry) system. At the close of bidding at 11:00 a.m., Thursday, December 13, 2018, the City received seven (7) bid proposals. Below is a tabulation of the bid proposals received:

Hartwell Engineering, Inc. Stevensville, Maryland	\$179,649.00
Innovative Mission Systems, LLC Hunt Valley, Maryland	\$210,981.15
Kroeger Electric Company Glen Burnie, Maryland	\$246,184.80
MIS Controls, Inc. Owings Mills, Maryland	\$292,825.00
Keystone Engineering Group, Inc. Frazier, Pennsylvania	\$329,756.00
Sherwood-Logan & Associates, Inc. Annapolis, Maryland	\$403,984.00
M.C. Dean, Inc. Tysons, Virginia	\$528,941.00

Proposals were evaluated based on price and technical evaluation criteria described in the RFP. After careful review, it was determined that Innovative Missions

Systems, LLC of Hunt Valley, Maryland had submitted the most responsive and responsible proposal. The FY19 budget for this project is \$189,000; however, due to other projects coming in considerably under budget there are sufficient funds in the Water Plant Capital Improvement Program budget.

The Public Works Department recommends that the bid proposal from Innovative Mission Systems, LLC be accepted.

I concur with the above recommendation to award to Innovative Mission Systems, LLC in the amount of \$210,981.15 and request your approval of R-3-19.

ADL:HY:JT

RESOLUTION
OF THE COUNCIL OF THE CITY OF BOWIE, MARYLAND
ACCEPTING BID FOR DESIGN/BUILD SERVICES FOR A WATER
SCADA (TELEMETRY) SYSTEM

WHEREAS, advertisements were placed in local newspapers and requests for bid proposals were sent to selected firms for design/build services for a new water SCADA (telemetry) system; and

WHEREAS, at the close of bidding at 11:00 a.m., Thursday, December 13, 2018, the City received seven (7) bid proposals; and

WHEREAS, after careful review of the bid proposals submitted, it was determined that Innovative Mission Systems, LLC, of Hunt Valley, Maryland, had submitted the most responsible and responsive bid proposal in the amount of \$210,981.15.

NOW, THEREFORE BE IT RESOLVED, by the Council of the City of Bowie, Maryland, that the Council, hereby accepts the bid proposal of Innovative Mission Systems, LLC and hereby directs the City Manager to sign a contract with Innovative Mission Systems, LLC.

INTRODUCED AND PASSED by the Council of the City of Bowie, Maryland, at a Regular Meeting on January 7, 2019.

ATTEST:

CITY OF BOWIE, MARYLAND

Awilda Hernandez, City Clerk

G. Frederick Robinson, Mayor

MEMORANDUM

TO: City Council

FROM: Alfred D. Lott, City Manager

SUBJECT: Design and Construction Management for Playhouse Sanitary Sewer and Drainage Improvements RFP#2-02 - R-4-19

DATE: January 3, 2019

The FY19 CIP included funding for design and/or construction management services for Sanitary Sewer and Drainage Improvements at the Bowie Playhouse located at 16500 Whitemarsh Park Drive. The objective of the project is to provide the Bowie Playhouse with a stable sewer conveyance system through a packaged duplex pumping station and remove the failing septic system. Additionally, surface (stormwater) drainage behind the Playhouse is inadequate.

On December 13, 2018, the Public Works Department advertised a Notice of Intent to Negotiate for Task Order/RFP#2-02- Design and Construction Management for Playhouse Sanitary Sewer and Drainage Improvements. Proposals were accepted from the four firms which have open ended professional services agreements with the City for Water/Wastewater Distribution Design. These firms include KCI Technologies, Inc. (KCI) of Sparks, Maryland, Rummel, Klepper & Kahl, LLP (RK&K), of Baltimore, MD, A. Morton Thomas & Associates, Inc. (AMT) of Rockville, MD and EBA Engineering, Inc. (EBA) of Laurel, MD. The Proposal from AMT was selected based on cost, capacity to perform in a timely manner and understanding of the project.

In accordance with City Charter Section 61(b)(4), a fee of \$49,975.84 was negotiated for the design. This is within the amount budgeted in the FY19 Bowie Playhouse CIP budget. Construction Management Services in the amount of \$7,680 will be awarded pending available funds in the FY20 Bowie Playhouse CIP budget.

The Public Works Department recommends that Council authorize the issuance of a Purchase Order to AMT for Task Order/RFP#2-02 pursuant to the Master Contract approved on October 31, 2018.

I concur with the recommendation of the Public Works Department and request your approval of R-4-19.

ADL:GS:cs

RESOLUTION
OF THE COUNCIL OF THE CITY OF BOWIE, MARYLAND
AUTHORIZING THE ISSUANCE OF A PURCHASE ORDER TO A. MORTON
THOMAS & ASSOCIATES, INC. FOR TASK ORDER/RFP#2-02 IN
ACCORDANCE WITH THE MASTER CONTRACT APPROVED
ON OCTOBER 31, 2018

WHEREAS, On December 13, 2018, the Public Works Department advertised a Notice of Intent to Negotiate for Task Order/RFP#2-02- Design and Construction Management for Playhouse Sanitary Sewer and Drainage Improvements; and

WHEREAS, proposals were accepted from the four (4) firms which have open ended professional services agreements with the City for Water/Wastewater Distribution Design. These firms include KCI Technologies, Inc. (KCI) of Sparks, Maryland, Rummel, Klepper & Kahl, LLP (RK&K), of Baltimore, MD, A. Morton Thomas & Associates, Inc. (AMT) of Rockville, MD, and EBA Engineering, Inc. (EBA) of Laurel, MD; and

WHEREAS, the proposal AMT selected based on cost, capacity to perform in a timely manner and understanding of the project.

WHEREAS, following negotiations in accordance with City Charter 61(b)(4) a fee of \$49,975.84 was negotiated for the design. This is within the amount budgeted in the FY19 Bowie Playhouse CIP budget. Construction Management Services in the amount of \$7,680 will be awarded pending available funds in the FY20 Bowie Playhouse CIP budget.

NOW, THEREFORE BE IT RESOLVED, by the Council of the City of Bowie, Maryland that the Council authorizes the issuance of a purchase order to AMT for Task Order/RFP#2-02 pursuant to the Master Contract approved on October 31, 2018.

INTRODUCED AND PASSED by the Council of the City of Bowie, Maryland at a Regular Meeting on January 7, 2019.

ATTEST:

Awilda Hernandez, City Clerk

G. Frederick Robinson, Mayor

MEMORANDUM

TO: City Council

FROM: Alfred D. Lott, City Manager

SUBJECT: Water Treatment System Condition and Needs Assessment R-5-19

DATE: January 3, 2019

The FY19 Water Division Professional Services has funding available to assess the condition and needs of the Water Treatment System. The objective of the project is to determine current condition of the Water Treatment Plant and associated major distribution system components, identify areas for repair/replacement and process improvement/upgrade, assess priorities and cost associated with the recommendations.

On December 13, 2018, the Public Works Department advertised a Notice of Intent to Negotiate for Task Order/RFP#1-01-Bowie Water Treatment System Condition Needs and Assessment. Proposals were accepted from the three (3) firms which have open ended professional services agreements with the City for Water/Wastewater Treatment Design. These firms include KCI Technologies, Inc. (KCI) of Sparks, Maryland, Rummel, Klepper & Kahl, LLP (RK&K), of Baltimore, MD and George, Miles & Buhr, LLC (GMB) of Sparks, MD. The Proposal from KCI was selected based on cost, capacity to perform in a timely manner and understanding of the project.

In accordance with City Charter Section 61(b)(4), a fee of \$7,853 (Base Bid-All Water Filtration Assets excluding Sand Filter), \$9,085 (Alternate 1-Sand Filter) and \$5,186 (Alternate 2-Booster Station and Elevated Tank) was negotiated. This is within the available budget in the FY19 Water Plant Professional Services budget. Alternate 3-3 Remote Well Sites in the amount of \$4,086 will be awarded pending available funds in the FY20 Water Plant Professional Services budget.

The Public Works Department recommends that Council authorize the issuance of a Purchase Order to KCI for Task Order/RFP#1-01 pursuant to the Master Contract approved on November 6, 2018.

I concur with the recommendation of the Public Works Department and request your approval of R-5-19.

ADL:GS:cs

RESOLUTION
OF THE COUNCIL OF THE CITY OF BOWIE, MARYLAND
AUTHORIZING THE ISSUANCE OF A PURCHASE ORDER TO KCI
TECHNOLOGIES, INC. FOR TASK ORDER/RFP#1-01 IN ACCORDANCE
WITH THE MASTER CONTRACT APPROVED
ON NOVEMBER 6, 2018

WHEREAS, On December 13, 2018, the Public Works Department advertised a Notice of Intent to Negotiate for Task Order/RFP#1-01-Bowie Water Treatment System Condition Needs and Assessment; and

WHEREAS, proposals were accepted from the three (3) firms which have open ended professional services agreements with the City for Water/Wastewater Treatment Design. These firms include KCI Technologies, Inc. (KCI) of Sparks, Maryland, Rummel, Klepper & Kahl, LLP (RK&K), of Baltimore, MD and George, Miles & Buhr, LLC (GMB) of Sparks, MD; and

WHEREAS, the proposal KCI selected based on cost, capacity to perform in a timely manner and understanding of the project.

WHEREAS, following negotiations in accordance with City Charter 61(b)(4) a fee of \$7,853 (Base Bid-All Water Filtration Assets excluding Sand Filter), \$9,085 (Alternate 1-Sand Filter) and \$5,186 (Alternate 2-Booster Station and Elevated Tank) was negotiated. This is within the available budget in the FY19 Water Plant Professional Services budget. Alternate 3-3 Remote Well Sites in the amount of \$4,086 will be awarded pending available funds in the FY20 Water Plant Professional Services budget.

NOW, THEREFORE BE IT RESOLVED, by the Council of the City of Bowie, Maryland that the Council authorizes the issuance of a purchase order to KCI for Task Order/RFP#1-01 pursuant to the Master Contract approved on November 6, 2018.

INTRODUCED AND PASSED by the Council of the City of Bowie, Maryland at a Regular Meeting on January 7, 2019.

ATTEST:

Awilda Hernandez, City Clerk

G. Frederick Robinson, Mayor

MEMORANDUM

TO: City Council

FROM: Alfred D. Lott, City Manager

SUBJECT: Waive Bidding for Annual Support Agreement for MUNIS
R-6-19

DATE: January 2, 2019

The City's current enterprise resource planning (ERP) software is MUNIS, a product of Tyler Technologies, Inc. This product has been in use since 2003 and the City is satisfied with the capabilities of the system and the support provided by Tyler Technologies, Inc. The City is dependent on use of the MUNIS software for a large portion of its governmental operations. It would be cost prohibitive and no benefit to the City to change vendors at this time.

Tyler Technologies, Inc. is the sole provider of annual support of the MUNIS product and seeking new bids would not be expected to yield better results.

In accordance with City Charter Section 62, we are requesting that Council waive bidding requirements and allow for the issuance of a Purchase Order to Tyler Technologies, Inc. in the amount of \$96,023.51. The funds for the maintenance are allocated in the FY19 budget.

I concur with the above recommendation and request your approval of R-6-19.

ADL/DH
Attachment

RESOLUTION
OF THE COUNCIL OF THE CITY OF BOWIE, MARYLAND
WAIVING, BY A TWO-THIRDS VOTE, THE BIDDING REQUIREMENTS
OF SECTION 61 OF THE CITY CHARTER AND AUTHORIZING THE CITY
MANAGER TO ENTER INTO AN ANNUAL SUPPORT AND LICENSING
AGREEMENT WITH TYLER TECHNOLOGIES, INC., MUNIS DIVISION,
TO ENABLE THE CITY'S CONTINUED USE OF ITS ENTERPRISE RESOURCE
PLANNING SOFTWARE SYSTEM

WHEREAS, by Resolution R-91-03, the City Council authorized the City Manager to enter into a competitively-bid contract with Tyler Technologies, Inc., Munis Division (“Tyler”), for certain Enterprise Resource Planning software which is currently used for financial, code enforcement, and human resources software known as “MUNIS” at a cost of more than \$300,000; and

WHEREAS, the MUNIS enterprise software works properly and efficiently, and City staff is satisfied with the capabilities of the system and the support provided by Tyler; and

WHEREAS, City government is dependent on the use of its MUNIS software for large portions of its governmental operations; and

WHEREAS, replacing the MUNIS software with another vendor would be cost-prohibitive and would not achieve any operational or financial benefit to the City at this time; and

WHEREAS, the total value of the Annual Support Agreement and License Agreement will exceed \$25,000; and

WHEREAS, Section 61(b)(1) of the City Charter requires that procurements for goods and services exceeding \$25,000 be made upon a competitive bids and that awards be approved by the City Council; and

WHEREAS, notwithstanding the provisions of Charter Section 61(b)(1), Section 61(b)(3) permits the Council to waive bidding requirements upon a showing of good cause; and

WHEREAS, licensing and support for the MUNIS system is, therefore, a sole source procurement, constituting good cause for a waiver of the competitive bid process.

NOW THEREFORE BE IT RESOLVED, the Council of the City of Bowie, Maryland resolves to authorize the City Manager to enter into an Annual Support Agreement and License at a cost of \$96,023.51.

INTRODUCED AND PASSED by the Council of the City of Bowie, Maryland at a Regular Meeting on January 7, 2019.

ATTEST:

THE CITY OF BOWIE, MARYLAND

Awilda Hernandez
City Clerk

G. Frederick Robinson
Mayor