

*BALTIMORE COUNTY COUNCIL
NOTES TO THE AGENDA
LEGISLATIVE SESSION 2014*

*Issued: April 24, 2014
Work Session: April 29, 2014
Legislative Day No. 9 : May 5, 2014*

*The accompanying notes are
compiled from unaudited
information provided by
the Administration and
other sources.*



OFFICE OF THE COUNTY AUDITOR

BALTIMORE COUNTY COUNCIL

May 5, 2014

NOTES TO THE AGENDA

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* Please see Addendum

**BALTIMORE COUNTY COUNCIL AGENDA
LEGISLATIVE SESSION 2013, LEGISLATIVE DAY NO. 9
MAY 5, 2014 6:00 P.M.**

**CEB = CURRENT EXPENSE BUDGET
BY REQ. = AT REQUEST OF COUNTY EXECUTIVE**

Page

CALL OF BILLS FOR FINAL READING AND VOTE

DAVE THOMAS, DEPARTMENT OF PUBLIC WORKS

1 Bill 14-14 - All Councilmembers - Basic Services Maps

JAMES JOHNSON, CHIEF, POLICE DEPARTMENT

DR. GREGORY BRANCH, HEALTH OFFICER, DEPARTMENT OF HEALTH AND HUMAN SERVICES

8 Bill 16-14 - All Councilmembers(By Req.) - Zoning Regulations-Hookah Lounges, Vapor Lounges-Definitions and Limitations

LIZ GLENN, DEPARTMENT OF PLANNING

9 Bill 17-14 - Mrs. Bevins(By Req.) - CEB - Weatherization - SEIF

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COUNCIL

15 Bill 15-14 - Councilmembers Quirk & Marks - Baltimore County Advisory Council on Physical Fitness

16 Bill 19-14 - Mr. Huff - Zoning Regulations - Community Care Center

* Bill 20-14 - Mrs. Bevins - Recreation and Parks - Background Checks

17 Bill 21-14 - Mr. Marks - Zoning Regulations - Signs

APPROVAL OF FISCAL MATTERS/CONTRACTS

VINCE GARDINA, DIRECTOR, DEPARTMENT OF ENVIRONMENTAL PROTECTION & SUSTAINABILITY

18 1. Agreement - Back River Restoration Committee, Inc.-Operation and maintenance of trash boom - Back River-DEPS

MISCELLANEOUS BUSINESS

COUNCIL

25 1. Correspondence - (a)(2) - Non-Competitive Awards (March 28, 2014)

26 (b)(1) - Non-Competitive Awards (March 31, 2014)

21 2. Res. 25-14 - Mr. Marks - Review of PUD - Joppa Mylander Properties, LLC - Loch Raven Commons

3. Res. 41-14 - Mr. Huff - Property Tax Exemption - DAV - George P. Korb

4. Res. 42-14 - Mr. Olszewski - Property Tax Exemption - DAV - Daniel Nedeloff

* Please see addendum

Bill 14-14**Council District(s) All**

All Councilmembers

Department of Public Works

Basic Services Maps

Article 4A of the Baltimore County Zoning Regulations sets out the provisions for growth management in Baltimore County. The growth management provisions are designed to facilitate implementation of the Master Plan with specific regard to the quantity and timing of new growth and development. Section 4A02.1 provides that:

“The County Council finds that important public facilities in certain predominately urban areas of the County are inadequate to serve all of the development that would be permitted under the regulations of the zones or commercial districts within which those areas lie. Basic Services Maps are hereby established to regulate nonindustrial development in those under-served areas to a degree commensurate with the availability of these facilities. Basic Services Maps are not permanent and will be reviewed annually with reports to the County Council.”

Basic Services Maps are designed to aid the County in providing public services (water, sewer, and transportation) in an amount that facilitates the level of growth allowed by the current zoning. This growth management system applies inside the Urban Rural Demarcation Line (URDL).

Article 4A requires that the three Basic Services Maps be prepared annually by the appropriate Executive agencies, and thereafter the Planning Board must recommend to the County Council any proposed annual revisions to the maps. The law requires the Council to take action on the maps after consideration of the recommendations of the Planning Board; the Council is required to hold one public hearing prior to the adoption of the maps. The hearing was held on April 7, 2014.

Bill 14-14 repeals the 2013 Basic Services Maps and enacts the 2014 Basic Services Maps. Attached is a summary of the changes proposed by the Planning Board on February 21, 2014. See Exhibit A.

With the affirmative vote of five members of the County Council and signature by the Executive, Bill 14-14 will take effect on May 19, 2014.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: January 2, 2014

TO: Edward C. Adams, Jr.
Director of Public Works

FROM: Steven A. Walsh, Chief 
Bureau of Engineering & Construction

SUBJECT: 2014 Basic Services Maps
Public Water and Sewer Status

In accordance with your request, we are furnishing an update for the 2014 Basic Services Map.

Water

No deficiencies are known to exist.

Sewer

Sanitary Sewer Overflows #14 (Moorehead Road), #120 (Charles Street Avenue), and #115 (Essex Avenue) have been monitored and have been closed. The areas of concern upstream of these SSOs have been removed from the Basic Services Map.

All of the remaining sewer relief point locations are being metered. We have completed several rehabilitation projects and are now performing post-monitoring to determine the projects' effectiveness. In addition, we have projects still in construction and in design which will eventually eliminate the areas of concern.

Everyone should be aware that the removal of an area of special concern does not mean that an area has unlimited development potential. All developments are evaluated hydraulically on a case-by-case basis, and determinations are made to see if the development will need downstream supplementation.

SAW:GAK:bjk

cc: David L. Thomas – Assistant to the Director
Glen A. Keller – Chief, Sewer Design Section
Lisa K. Eicholtz – Project Engineer, Sewer Design Section

BALTIMORE COUNTY, MARYLAND
BUREAU OF TRAFFIC ENGINEERING AND TRANSPORTATION PLANNING
INTER-OFFICE CORRESPONDENCE

DATE: January 10, 2014
TO: Ed Adams, Jr., Director
Department of Public Works
FROM: W. William Korpman, III, Chief 
Bureau of Traffic Engineering and Transportation Planning
SUBJECT: 2014 Basic Services Maps – Transportation: Final Report

Our bureau has restudied all of the intersections currently on the Basic Services Map for 2013 as well as continued the update of all other signalized intersections. Based on these studies over the past year, we are recommending the following changes to the Transportation Map for 2014:

<u>ADDITIONS:</u>	<u>LEVEL-OF-SERVICE</u>
None	--
<u>DELETIONS:</u>	
None	--
<u>CHANGES:</u>	
Baltimore National Pike(US 40)/N. Rolling Rd	D to F
York Rd(MD 45)/Burke Ave	E to F
Perring Pkwy(MD 41)/Putty Hill Ave	D to F
Pulaski Hwy(US 40)/66 th Street	D to F
Perring Pkwy(MD 41)/E. Joppa Rd	D to E

With the changes above, there are eight "F" level intersections and one "E" level intersections that are being proposed on the 2014 Basic Services Transportation Map that would control development. These intersections are:

Loch Raven Blvd (MD 542) and E. Joppa Rd	LOS = F
Falls Rd (MD 25) and W. Seminary Ave (MD 131)	LOS = F
Falls Rd (MD 25) and W. Joppa Rd	LOS = F
Frederick Rd (MD 144) and Bloomsbury Ave-Ingleside Ave	LOS = F
Baltimore National Pike(US 40)/N. Rolling Rd	LOS = F
York Rd(MD 45)/Burke Ave	LOS = F
Perring Pkwy(MD 41)/Putty Hill Ave	LOS = F
Pulaski Hwy(US 40)/66 th Street	LOS = F
Perring Pkwy(MD 41)/Joppa Rd	LOS = E

2014 Basic Services Maps – Transportation Report
January 10, 2014
Page 2

Numerous attempts were made by MdSHA to retime the traffic signals in the spring and fall of this year at the intersections noted above that were changed to E or F level intersections. Following these timing changes, field observations were conducted but these intersections remained at the E/F levels. We expect that as the economy improved the traffic volumes began to pick up again resulting in the drop in level-of-service. Note: the intersection of York Rd(Md 45)/Burke Ave was changed from an F to E on the 2013 maps however observations this year found it reverting back to the LOS F rating. The LOS F rating carries the same restrictions on development as the previous LOS E rating.

Commuter sheds for the “Changed” intersections noted above have been updated and will be shown on the 2014 Basic Services Map.

Enclosed is a list of the current D, E, and F intersections for your use. Should you have any questions in regard to the Basic Services Transportation Map for 2014, please contact Greg Carski or Steve Weber at ext. 3554.

WWK/GWC/gwc

Enclosure

cc: Dave Thomas
Steve Weber
Ben Myrick- OOTS
Erin Kuhn, Dist. 4 Traffic

J:\2013 Documents\Engineering\Carski\gwc122013 Basic Services 2014 - Final.docx

12/17/2013

D, E, F List1

Sig#	Prev Date	Prev LOS	Curr Date	Curr LOS	Time	1st Rd Name	2nd Rd Name	3rd Rd Name	4th Rd Name
S 13	9/25/12D		9/09/13F			Baltimore Nat'l Pik	Rolling Rd N		
C 423	9/20/12D		4/17/13D			Beaver Dam Rd	Cuba Rd	Shawan Rd	
S 22	3/13/12D		5/14/13D			Belair Rd	Ebenezer Rd	Joppa Rd	
S 27	3/20/12D		5/07/13D			Belair Rd	Fullerton Ave	Taylor Ave	
S 39	9/15/08D		9/25/13D			Bellona Ave	Charles St	Kenilworth Dr	
C 31	4/24/12F		9/16/13F			Bloomsbury Ave	Frederick Rd	Ingleside Ave	
C 223	2/25/13D		10/21/13D			Brenbrook Dr	Liberty Rd		
C 87	5/09/12E		9/12/13F			Burke Ave	Burke Ave W	York Rd	
C 002	9/12/12D		9/10/13D			Dulaney Valley Rd	Fairmount Ave		
C 379	5/03/12D		9/03/13D			Dulaney Valley Rd	Timonium Rd E		
S 72	4/18/12D		4/16/13D			Eastern Ave	Rolling Mill Rd	Eastpoint Mall	
S 74	3/21/12D		5/22/13D			Eastern Blvd	Stemmers Run Rd		
S 76	5/01/12D		4/24/13D	P		Ebenezer Rd	Pulaski Hwy		
C 376	4/19/12D		9/18/13D			Falls Rd	Greenspring Valley R	Station Dr	
C 174	5/24/12F		9/18/13F			Falls Rd	Seminary Ave W	Tufton Ave	
C 237	5/15/12D		9/24/13D			Falls Rd	Shawan Rd		
C 129	5/22/12F		9/18/13F			Falls Rd (S/B)	Falls Rd (E/B)	Jones Falls Expwy	Joppa Rd W
C 169	5/10/12D		4/15/13D			Frederick Rd	Rolling Rd S		
C 95	6/04/12D		5/15/13D			Goucher Blvd	Putty Hill Ave		
C 232	4/25/12D		4/30/13D			Harford Rd	Joppa Rd E		
C 32	3/04/12D		5/01/13D			Harford Rd	Taylor Ave		
C 591	4/26/12D		4/09/13D			Hillen Rd	Stevenson Ln		
S 90	3/24/10D		4/27/11D			Honeygo Blvd	White Marsh Blvd		
C 163	9/06/12D		5/16/13D			Jarrettsville Pike	Paper Mill Rd	Sweet Air Rd	
C 57	4/12/13F		10/03/13F			Joppa Rd E	Loch Raven Blvd		
C 90	3/28/11D		9/04/13E			Joppa Rd E	Perring Pkwy		
C 98	3/28/12D		4/22/13D			Liberty Rd	Washington Ave		
S 101	5/15/12D		5/06/13D	P		Middle River Rd	Pulaski Hwy		
C 112	4/10/12D		5/08/13D			Padonia Rd E/W	York Rd		
S 121	10/04/12D		10/02/13F			Perring Pkwy	Putty Hill Ave		
S 125	9/20/11D		5/23/13F	P		Pulaski Hwy	68th St		
C 220	9/17/12D		4/08/13D			Rolling Rd	Windsor Mill Rd		
C 232	2/26/13D		8/26/13D			Rolling Rd N	Security Blvd		

12/17/2013

D, E, F List1

Sig#	Prev Date	Prev LOS	Curr Date	Curr LOS	Time	1st Rd Name	2nd Rd Name	3rd Rd Name	4th Rd Name
C 54	3/27/12D		9/17/13D			Seminary Ave E/W	York Rd		
C 53	12/06/12D		10/01/13D			Timonium Rd E/W	York Rd		

Bill 16-14

Council District(s) All

All Councilmembers (By Req.)

**Police Department
Department of Health and Human Services**

Zoning Regulations – Hookah Lounges, Vapor Lounges

Bill 16-14 proposes to regulate the hours of operation of hookah and vapor lounges.

A hookah lounge is any establishment whose business operation, whether as its primary use or as an ancillary use, includes the smoking of tobacco or other substances through one or more hookah pipes. A hookah lounge may only operate between 6:00 a.m. and 8:00 p.m., Sunday through Thursday, and between 6:00 a.m. and 9:00 p.m., Friday and Saturday.

A vapor lounge is any establishment whether fixed or mobile, whose business operation, whether as its primary use or as an ancillary use, includes the utilization of a heating element that vaporizes a substance that releases nicotine, tobacco, flavored vapor or other substances, through an electronic or battery operated delivery device, including any device known as an electronic cigarette. A vapor lounge may only operate between 6:00 a.m. and 8:00 p.m., Sunday through Thursday, and between 6:00 a.m. and 9:00 p.m., Friday and Saturday.

Hookah lounges and vapor lounges are permitted in the County's B.L. (Business Local) Zones.

A hookah lounge or vapor lounge lawfully in existence on or before the effective date of the law must comply with the operating hours requirements of the law not more than 45 days after the effective date.

With the affirmative vote of five members of the County Council and signature by the County Executive, Bill 16-14 will take effect on May 18, 2014.

Bill 17-14 (Supplemental Appropriation)

Council District(s) All

Mrs. Bevins (By Req.)

Department of Planning

Weatherization - SEIF

The Administration is requesting a supplemental appropriation of state funds totaling \$10,667 to the Weatherization - SEIF (Strategic Energy Investment Fund) Gifts and Grants Fund program. The funds will be used to implement residential improvement projects to increase energy efficiency in approximately two low-income households. See Exhibit A.

Fiscal Summary

Funding Source	Supplemental Appropriation	Current Appropriation	Total Appropriation
County	--	--	--
State ⁽¹⁾	\$ 10,667	--	\$ 10,667
Federal	--	--	--
Other	--	--	--
Total	<u>\$ 10,667</u>	<u>--</u>	<u>\$ 10,667</u>

⁽¹⁾ Maryland Energy Administration funds managed by the Maryland Department of Housing and Community Development. No County matching funds are required.

Analysis

The purpose of the Weatherization - SEIF Program is to provide a home weatherization program for low-income County residents. The program will provide approximately two homeowners with weatherization services. The Department advised that eligible services include: installation of insulation; hot water system improvements; lighting retrofits; furnace cleanings, repairs, tune-

ups, and burner retrofits/replacements; and air infiltration reduction (i.e., identifying and sealing air leaks).

The Department advised that the program will be advertised on the County's website, the Maryland Department of Housing and Community Development (DHCD) website, and via DHCD handouts. To be eligible for the program, homeowners must be County residents with incomes not exceeding 200% of the federal poverty level (e.g., \$23,340 for a single-person household and \$31,460 for a 2-person household). The Department advised that once its underwriter has verified the homeowner's eligibility, one of the Department's Building Performance Institute (BPI)-certified inspectors will perform an energy audit on the home and develop a scope of work. The homeowner will then be required to obtain bids from three contractors and choose the contractor with the lowest bid who is also BPI-certified. After the work is completed, a different BPI-certified County inspector will perform a quality control inspection to ensure that the scope of work was completed satisfactorily.

On March 17, 2014, the Council approved two supplemental appropriations: Bill 10-14 totaling \$33,600 to the Department's Maryland Energy Assistance Program, and Bill 11-14 totaling \$179,148 to the Department's Weatherization Assistance Program for similar residential energy efficiency improvement projects for approximately 5 and 31 low-income homeowners, respectively.

Bill 18-14 on this agenda appropriates \$226,983 to the Weatherization - EmPOWER Gifts and Grants Fund program for the same purpose and will serve approximately 30 additional homeowners.

The grant period is from July 1, 2013 through December 31, 2014. No County matching funds are required for this grant. With the affirmative vote of five members of the County Council, Bill 17-14 will take effect May 19, 2014.

Weatherization - SEIF
Supplemental Appropriation
Executive Summary

The Baltimore County Department of Planning was awarded \$10,667 from the Maryland Energy Administration from the Strategic Energy Investment Fund (SEIF) in conjunction with the Weatherization Assistance Program and managed by the Maryland Department of Housing and Community Development (DHCD) to operate a weatherization program for low income persons in Baltimore County.

These funds will be used to retrofit approximately 2 low income Baltimore County households to improve energy efficiency, which will lower the overall household energy costs.

Once eligibility is determined, Baltimore County will schedule an energy audit inspection. If the existing condition of the dwelling permits, the program may provide the following treatments to make the unit more energy efficient:

- Blower door air infiltration reduction
- Insulation in the attic, floors, walls
- Hot water system improvements
- Lighting retrofit
- Furnace clean/tune, safety repairs, burner retrofit or replacement
- Health and safety items

Prepared by: Department of Planning

Bill 18-14 (Supplemental Appropriation)

Council District(s) All

Mrs. Bevins (By Req.)

Department of Planning

Weatherization - EmPOWER

The Administration is requesting a supplemental appropriation of state funds totaling \$226,983 to the Weatherization - EmPOWER Gifts and Grants Fund program. The funds will be used to implement residential improvement projects to increase energy efficiency in approximately 30 low-income households. See Exhibit A.

Fiscal Summary

<u>Funding Source</u>	<u>Supplemental Appropriation</u>	<u>Current Appropriation</u>	<u>Total Appropriation</u>
County	--	--	--
State ⁽¹⁾	\$ 226,983	--	\$ 226,983
Federal	--	--	--
Other	--	--	--
Total	<u>\$ 226,983</u>	<u>--</u>	<u>\$ 226,983</u>

⁽¹⁾ Maryland Department of Housing and Community Development. No County matching funds are required.

Analysis

The purpose of the Weatherization - EmPOWER Program is to provide a home weatherization program for low-income County residents. The program will provide approximately 30 homeowners with weatherization services valued at up to \$6,500 per household. The Department advised that eligible services include: installation of insulation; hot water system improvements; lighting retrofits; furnace cleanings, repairs, tune-ups, and burner retrofits/replacements; and air infiltration reduction (i.e., identifying and sealing air leaks).

The Department advised that the program will be advertised on the County's website, the Maryland Department of Housing and Community Development (DHCD) website, and via DHCD handouts. To be eligible for the program, homeowners must be County residents with incomes not exceeding 200% of the federal poverty level (e.g., \$23,340 for a single-person household and \$31,460 for a 2-person household). The Department advised that once its underwriter has verified the homeowner's eligibility, one of the Department's Building Performance Institute (BPI)-certified inspectors will perform an energy audit on the home and develop a scope of work. The homeowner will then be required to obtain bids from three contractors and choose the contractor with the lowest bid who is also BPI-certified. After the work is completed, a different BPI-certified County inspector will perform a quality control inspection to ensure that the scope of work was completed satisfactorily.

The Department advised that of the proposed \$226,983 grant funds, \$34,474 will be utilized for salary, benefits, and mileage expenses for the Department's housing services personnel.

On March 17, 2014, the Council approved two supplemental appropriations: Bill 10-14 totaling \$33,600 to the Department's Maryland Energy Assistance Program, and Bill 11-14 totaling \$179,148 to the Department's Weatherization Assistance Program for similar residential energy efficiency improvement projects for approximately 5 and 31 low-income homeowners, respectively.

Bill 17-14 on this agenda appropriates \$10,667 to the Weatherization - SEIF Gifts and Grants Fund program for the same purpose and will serve approximately two additional homeowners.

The grant period is from July 1, 2013 through December 31, 2014. No County matching funds are required for this grant. With the affirmative vote of five members of the County Council, Bill 18-14 will take effect May 19, 2014.

Weatherization - EmPOWER
Supplemental Appropriation
Executive Summary

The Baltimore County Department of Planning was awarded \$226,983 from the Maryland Department of Housing and Community Development (DHCD) under the Public Service Commission of Maryland Order No. 84569 Maryland EmPOWER Energy Efficiency Act of 2008 to operate a weatherization program for low income persons in Baltimore County.

These funds will be used to retrofit approximately 30 low income Baltimore County households to improve energy efficiency, which will lower the overall household energy costs.

Once eligibility is determined, Baltimore County will schedule an energy audit inspection. If the existing condition of the dwelling permits, the program may provide the following treatments to make the unit more energy efficient:

- Blower door air infiltration reduction
- Insulation in the attic, floors, walls
- Hot water system improvements
- Lighting retrofit
- Furnace clean/tune, safety repairs, burner retrofit or replacement
- Health and safety items

Prepared by: Department of Planning

Bill 15-14

Council District(s) All

Councilmembers Quirk and Marks

Baltimore County Advisory Council on Physical Fitness

Bill 15-14 creates the Baltimore County Advisory Council on Physical Fitness.

The Council will consist of 11 members. Each Councilmember will appoint one member, and the Executive will appoint four. The Directors of the Departments of Aging, Education, Health, and Recreation and Parks will each designate to the Council an ex officio, non-voting member to provide technical assistance. The term of a member is 3 years. (An amendment will be offered to the bill to provide for staggered terms for the members.)

The Council will be required to:

- (1) Maintain liaison with:
 - (I) The Department of Education;
 - (II) The State Advisory Council on Physical Fitness;
 - (III) Private and parochial schools;
 - (IV) Physical fitness councils in other counties; and
 - (V) Physical fitness agencies in other states and in the federal government.
- (2) Consult with county advisory councils on their physical fitness programs;
- (3) Distribute information on physical fitness programs in the County by publication, advertisement, conferences, workshops, programs, lectures, and other means;
- (4) Collect and assemble pertinent information that is available from other agencies;
- (5) Encourage the improvement of physical fitness habits through education, sports, and exercise; and
- (6) Generally promote physical fitness in the County.

The Council must submit an annual report to the County Council and the County Executive that summarizes the Council's activities for the preceding year and makes recommendations to the County Council and County Executive.

Bill 15-14 shall take effect 45 days from the date of its passage by the County Council.

Bill 19-14**Council District(s) All**

Mr. Huff

Zoning Regulations – Community Care Center

Bill 19-14 amends the Baltimore County Zoning Regulations with regard to the number of persons permitted at a day community care center in the R.C.2 (Agricultural) Zone.

Currently, a day community care center is permitted in the R.C.2 Zone by special exception, which requires a public hearing before the Office of Administrative Hearings and requires the petitioner to present testimony and/or evidence in support of the requested use, including that the proposed use will not be contrary or detrimental to the special exception criteria set forth in Section 502.1 of the Zoning Regulations. Although a day community care center is permitted by special exception, it is presently limited to no more than 15 persons per acre, nor more than 75 persons per site in the R.C.2 Zone.

In lieu of the maximum number of persons as set forth above, if the site is in excess of two (2) net acres and located outside the Urban Rural Demarcation Line (“URDL”), Bill 19-14 will permit the special exception hearing authority to assess and determine the number of persons permitted at a day community care center based on the total acreage of the site and the testimony and evidence presented at the hearing.

Bill 19-14 shall take effect 45 days after its passage by the County Council.

Bill 21-14**Council District(s) All**

Mr. Marks

Zoning Regulations - Signs

Bill 21-14 proposes to amend the Zoning Regulations to permit roof signs in the Towson C.T. (Commercial, Town Center Core) District under certain circumstances.

An enterprise sign is an accessory sign which displays the identity and which may otherwise advertise the products or services associated with an individual organization. It is generally permitted as a wall-mounted, canopy, or projecting sign in the business or manufacturing zones. It is also permitted in the Towson C.T. District in a plan of development with at least 300,000 sq. ft. of retail or office floor space.

Bill 21-14 will permit an enterprise roof sign in the Towson C.T. District, but it may extend no more than 2½ ft. above the roof line, and the Director of Planning shall confirm that the location for the sign will not adversely conflict with architectural elements of the building.

Bill 21-14 shall take effect 45 days from the date of its passage by the County Council.

FM-1 (Grant Agreement)

Council District(s) 6 & 7

Department of Environmental Protection & Sustainability

**Back River Restoration Committee, Inc. –
Operation and Maintenance of Trash Boom**

The Administration is requesting approval of a grant agreement with the Back River Restoration Committee, Inc. to maintain, clean, and repair the trash boom that spans a section of the Back River. The grant agreement commences upon Council approval and continues for 1 year with an option to further extend the term an additional 90 days. The grant totals \$78,480. See Exhibit A.

Fiscal Summary

Funding Source	Grant Amount	Notes
County ⁽¹⁾	\$ 78,480	⁽¹⁾ Capital Projects Fund.
State	--	⁽²⁾ BRRC will provide voluntary in-kind donations totaling \$152,160, including volunteer labor valued at \$128,160 and two jon boats with operators valued at \$24,000.
Federal	--	
Other ⁽²⁾	--	⁽³⁾ Total grant award for the approximate 1-year and 3-month term, including the extension period.
Total	<u>\$ 78,480</u> ⁽³⁾	

Analysis

The Back River Restoration Committee, Inc. (BRRC) will continue to maintain, clean, and repair a trash boom that spans the Back River under the I-695 Bridge. Of the \$78,480 proposed grant, \$56,420 will be used for labor and \$22,060 will be used for insurance and maintenance costs, including replacement parts and repairs to the equipment used (the boom, two jon boats, two argo all-terrain vehicles, smaller motorized watercraft, and a skid loader).

The grantee is a nonprofit organization dedicated to restoring the tidal portion (approximately 7,720 acres, or 22%) of the Back River watershed. The Department advised that the drainage area of the watershed, wastewater discharge, and historical industrial dumping have contaminated the river. The boom prevents trash and other debris exiting Baltimore City and other areas via the Herring Run from entering the Back River and other County waterways. The Department advised that as of April 15, 2014, the boom has captured 244 tons of trash and debris in the last grant period. The BRRC removes trash from the boom following storm events, inspects the boom, makes repairs where necessary, and proactively removes large wood debris from the Herring Run.

The grant agreement commences upon Council approval and continues for 1 year with an option to further extend the term an additional 90 days. The grant totals \$78,480. The grant application states that the BRRC will provide in-kind donations totaling \$152,160, including volunteer labor valued at \$128,160 and equipment (two jon boats with operators) valued at \$24,000. Either party may terminate the agreement by providing 30 days prior written notice.

A County contractor installed the trash boom in March 2010 and initially maintained it. On March 21, 2011, the Council approved a grant totaling \$70,000 to enable the BRRC to operate the trash boom (\$50,000 for maintenance costs and \$20,000 for equipment). On April 2, 2012, and April 1, 2013, the Council approved grants to the BRRC totaling \$70,000 and \$88,100, respectively, for the continued operation of the trash boom. Additionally, on December 13, 2013, the Council approved a grant to the BRRC totaling \$11,900 for repairs to the boom and to clean up the river from a significant June 2013 storm event. This year's grant represents the fourth year in which the County would be providing funding support to the BRRC for the boom. The Department advised that in addition to providing funding support, it has also been providing guidance and technical assistance to the BRRC when needed.

The proposed grant was originally submitted as part of the 14-day grants review process and has been placed on a legislative agenda in accordance with Baltimore County Code, Section 3-10-103(e).

EXECUTIVE SUMMARY

\$78,480 BACK RIVER TRASH BOOM GRANT

Grantee: Back River Restoration Committee

March 6, 2014

This grant will be used by the Back River Restoration Committee, Inc. (BRRC) to continue the operation and maintenance of the trash boom installed across Back River under the US Route 695 Bridge. The trash boom was designed, installed and initially operated under a EPS contract. Following the execution of an initial County grant in March 2011, the BRRC took over operation of the Boom beginning in May of 2011. This year's grant under FY14 will be the 4th year for which the County is providing funding support to the BRRC for the boom. In addition to financial support, EPS has also been providing guidance and technical assistance to the BRRC whenever needed.

Since May of 2011, there have been a number of documented large storm events that resulted in massive amounts of debris being washed down the River and ultimately intercepted by the trash boom. The accumulated debris has included trash, litter, bottles and similar small items, as well as whole trees, tree limbs, lumber and even large appliances. After each storm, the debris must be quickly removed, the boom inspected, and repairs made where necessary. A couple of the storms have been so severe, that sections of the boom separated from their anchors and were shifted in a downstream direction. In each case, the BRRC quickly acted to retrieve the boom sections, return (drag) them to their proper position, and replace the missing anchors to restore the boom's function. The woody debris takes a particular toll on the trash boom because of the size and weight of the material. Since the initial installation, EPS has periodically visited the site to inspect the operation and condition of the boom. We have noted the deterioration of the boom sections over time and replacement of some sections has been necessary.

The grant application breaks out the grant in to two major components. The Grantee is requesting \$56,420 for labor involving operations and trash removal. In addition, \$22,060 will be used to purchase replacement parts and to repair the boom and the equipment used by the trash boom crew. The equipment used by the BRRC when operating and maintaining the boom includes a Jon boat, two argo vehicles (one previously furnished by the County), and smaller motorized watercraft. As of the end of the third quarter of the current (FY13) grant year, the total amount of trash & debris removed was 216 tons (the tonnage is particularly high largely due to a severe storm that hit Back River June of 2013).

Prepared by: Department of Environmental Protection and Sustainability

MB-2 (Res. 25-14)

Council District(s) 5

Mr. Marks

Review of PUD – Loch Raven Commons

Resolution 25-14 approves the review of a proposed planned unit development (PUD) in the 5th Councilmanic District.

Bill 5-10 substantially revised the process for the review and approval of a Planned Unit Development. However, the first step in the process was not changed. As the first step in the review process, an application for a PUD must be submitted to the Council member in whose district the PUD is proposed to be located.

Bill 36-11 further amended the PUD process to require that, after submission of the PUD application to the Council member, the applicant must hold a post-submission community meeting. The applicant must give 3 weeks' notice of the meeting and post the property. Notice must be mailed to adjoining property owners and community associations that represent the area. The applicant must provide information about the plan, allow questions and comments, maintain a record, compile minutes, and forward the minutes to the Council member and to the Department of Permits, Approvals and Inspections (PAI). Community residents and organizations may provide written comment to the Council member. The Council member may require the applicant to hold another post-submission meeting.

The applicant must also send copies of the PUD application to PAI; PAI must then transmit copies to the appropriate review agencies, and these agencies must provide a preliminary written evaluation of the PUD proposal to the Council member.

Once these procedures are completed to the satisfaction of the Council member, and if the Council finds that the proposed site is eligible for review, the Council, by adoption of a resolution, may approve the continued review of the PUD, subject to additional advertising and posting requirements. The adopting resolution is introduced only after all of the steps required by Bill 36-11 have been concluded.

In this case, an application was filed by Joppa Mylander Properties, LLC for approval of a 9.35-acre site on East Joppa Road in Towson to be developed as a general development PUD to be known as Loch Raven Commons.

The applicant proposes to redevelop the property with a mixed-use development which will include a residential component (maximum of 225 rental apartments on 5.87± acres), a commercial component (25,000-35,000 ± square feet) with a mix of general retail, restaurant, fuel service station/convenience store, and other possible uses, and related amenities, such as a public village center.

The applicant proposes a financial contribution of \$50,000 as a capital improvement benefit. This contribution will be distributed as follows: \$26,000 for planting trees and landscaping, or constructing pedestrian improvements, on publicly-owned land in Loch Raven Village, and \$24,000 for capital improvements on publicly-owned land in the Towson Estates neighborhood. Any local open space waiver fee paid will be applied to exterior improvements at Loch Raven Elementary School or Pleasant Plains Elementary School.

The applicant proposes these additional upgrades:

1. Additional landscaping along Joppa Road and Mylander Lane.
2. Architectural design and building materials will be compatible with the adjacent Loch Raven Village with dark red brick being the predominant building material.
3. A 20-ft. front property line setback along East Joppa Road for the fuel service station use.
4. Applicant will design buildings so that loading areas and dumpsters are not visible from Joppa Road or are appropriately screened.
5. Access to the site from Joppa Road will be through the joint access point with Radio Park at LaSalle Road.
6. The design of the fuel service station canopy shall be compatible with the principal fuel service station building, and the support columns for the canopy shall include brick. To avoid light spill onto neighboring properties and reduce glare, lighting under the canopy shall be directed downward, and LED fixtures (or later technology) shall be used.
7. Signage in the proposed development may not include changeable copy.
8. Signage for the fuel service station shall be monumental in form with a brick base, and the sign may not include changeable copy, with the exception of fuel pricing.

9. Applicant shall erect a small community sign along the East Joppa Road frontage to mark the transition from Loch Raven to Towson.
10. Tattoo parlors, bail bonds businesses, hookah lounges, and automobile dealerships are prohibited on the property.
11. Applicant shall provide bike parking in accordance with the requirements of the adjacent Loch Raven Commercial Revitalization District.
12. Any shopping carts used on the site shall be equipped with electronic wheel locking devices.
13. Applicant shall resurface the public portion of Mylander Lane from Joppa Road to the cul-de-sac and make it function safely for two-way traffic and pedestrians. Applicant also shall resurface the entire width of East Joppa Road from the western entrance of the property to Mylander Lane.
14. Applicant shall eliminate any potential access to the existing tunnel under Joppa Road.

Resolution 25-14 will be forwarded to the Department of Planning and PAI.

BALTIMORE COUNTY COUNCIL
NOTES TO THE AGENDA
APPENDIX A

**BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE**

TO: Fred Homan
Administrative Officer

DATE: 3/28/14

FROM: Keith Dorsey, Director 
Office of Budget & Finance

**COUNCIL MEETING
DATE:** 5/05/14

SUBJECT: Public Recordation of Announcement
of Non-Competitive Awards Charter Sec. 902(f)

Whenever a contract over \$25,000 is awarded by a process other than a formal competitive bid, a copy of the contract must be given to the County Council, and at the next legislative session-day following the award of the contract, the Secretary to the County Council shall formally announce to the Council the nature of the contract and the parties to the contract. The announcement shall be recorded in the minutes of the County Council, and shall be available for inspection by the public. In compliance with this procedure, information is attached concerning the following awards, which are to be forwarded to the County Council:

Purchase Order

PO 6670 Olney Masonry Corp– Pick-up and delivery of salt

As indicated by DPW Director Edward Adams in the memo dated March 10, 2014, the County has experienced several back-to-back inclement weather events this winter season. The frequent weather events have affected the normal stock and delivery of salt in our region.

In order to continue salting County roads, an additional 15,900 tons of salt was purchased. To facilitate delivery, the County arranged for trucks from Olney Masonry Corporation, Benjer, Inc., and Gray and Son, Inc, to pick-up and delivery salt from Rukert Terminal and Project Stevedore Terminal to various County salt domes.

Amount: \$114,885.00
Award Date: 03/28/14

PO 6761 Verizon-Public Works Eng Const Contracts
Offtutt Road Bridge replacement Verizon- Relocation

This purchase order represents the relocation of distribution facilities on Offutt Road Bridge relocation, Verizon owns the distribution facilities and is the only source for this relocation work.

Amount: \$42,830.00
Award Date: 03/28/14

c: M. Field
T. Peddicord
L. Smelkinson

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Fred Homan
Administrative Officer **DATE:** 3/31/14

FROM: Keith Dorsey, Director *KAD* **COUNCIL MEETING**
Office of Budget & Finance **DATE:** 5/05/14

SUBJECT: Public Recordation of Announcement
of Non-Competitive Awards Charter Sec. 902(f)

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Purchase Order

PO 6785 Furmanite America Inc. – Force Main Repair at Texas Pump Station

As indicated by DPW Director Edward Adams in the memo dated March 10, 2014, the County experienced contractor damage to Texas Pump Station force main, requiring emergency repairs. The tapping sleeve was ordered by Utilities and requested to be expedited. An alternate repair method was used, but this material was custom-manufactured and could not be returned.

Amount: \$32,686.51
Award Date: 03/31/14

c: M. Field
T. Peddicord
L. Smelkinson