

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

*Issued: September 25, 2014
Work Session: September 30, 2014
Legislative Day No. 16 : October 6, 2014*

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



OFFICE OF THE COUNTY AUDITOR

BALTIMORE COUNTY COUNCIL

October 6, 2014

NOTES TO THE AGENDA

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**BALTIMORE COUNTY COUNCIL AGENDA
LEGISLATIVE SESSION 2014, LEGISLATIVE DAY NO. 16
OCTOBER 6, 2014 6:00 P.M.**

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

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CALL OF BILLS FOR FINAL READING AND VOTE

KEITH DORSEY, DIRECTOR, OFFICE OF BUDGET AND FINANCE

- * Bill 50-14 - Mrs. Bevins(By Req.) - CEB - General Fund - Fire and Corrections Bonus Pay
- 1 Bill 51-14 - Mrs. Bevins(By Req.) – Employees’ Retirement System - Purchase Credit for Service

JOHN HOHMAN, CHIEF, FIRE DEPARTMENT

- 3 Bill 52-14 - Mrs. Bevins(By Req.) - CEB - Assistance to Firefighters Grant

COUNCIL

- 5 Bill 53-14 - Mr. Marks - Bicycle Parking

APPROVAL OF FISCAL MATTERS/CONTRACTS

ED ADAMS, DIRECTOR, DEPARTMENT OF PUBLIC WORKS

- * 1. Amendment to Contract - WB Services, LLC - Transportation services for solid waste - Public Works
- 6 2. Contract - EESCO Pump and Valve, Inc. - machine pump and valve parts for pumping stations - Public Works

KEITH DORSEY, DIRECTOR, OFFICE OF BUDGET AND FINANCE

- 8 3. Contract - Otis Elevator Company - Elevator maintenance services and repair - OBF
- 10 4. Contract - Towson Economy Auto Rental - automobile rentals liability/claims division - OBF
- * 10. Contract - Walker Parking Consultants/Engineers, Inc. - Consulting services - parking garages at County buildings - OBF

AMY GROSSI, REAL ESTATE COMPLIANCE

- 12 5. Contract of Sale - George H. Rye - 4312 Chapel Road - widening of Cross Road - Perry Hall - Real Estate Compliance

DEBORAH RICHARDSON, DEPARTMENT OF CORRECTIONS

- 15 6. Contract - Caplan Brothers, Inc. - Glass and glazing services - Detention Center - Corrections
- 17 7. Contract - Johnson Controls, Inc. - Chiller maintenance - Detention Center - Corrections

STEPHANIE HOUSE, DEPARTMENT OF HEALTH AND HUMAN SERVICES

- 20 8. Amendment to Lease - St. John Properties, Inc. - Extension of lease of warehouse - HHS

ANDREA VAN ARSDALE, DIRECTOR, DEPARTMENT OF PLANNING

- 23 9. Contracts - (2) - Lead testing services - Planning

MISCELLANEOUS BUSINESS

COUNCIL

- 26 1. Res. 86-14 - Mr. Marks - Cowenton-Ebenezer Commercial Revitalization District
- 28 2. Res. 87-14 - Mr. Marks - Re-designation of park site - Angel Park
- 30 3. Res. 88-14 - Mr. Quirk - Adoption of Patapsco Area Management Plan - Baltimore County Master Plan 2020

* See Addendum

Bill 51-14**Council District(s) All**

Mrs. Bevins (By Req.)

Office of Budget and Finance

Employees' Retirement System – Purchase Credit for Service

Bill 51-14 authorizes certain retirement system members to purchase credit for service time earned before joining the system.

Bill 30-10, effective July 1, 2010, made certain changes to the Employees' Retirement System. One of these changes is codified in Section 5-1-203 of the Baltimore County Code, 2003. Prior to the enactment of Bill 30-10, Group 3 employees could delay entry into the Employees' Retirement System for a period up to 2 years, and this "waived time" could be purchased by the employee, at any time prior to retirement, by paying the employee contributions due, plus applicable interest.

Bill 30-10 changed the law by requiring that employees hired prior to July 1, 2010 had a window of opportunity to purchase their waived time. That window closed on June 30, 2012. After that date, employees could no longer purchase waived time. The law also excluded new employees hired on or after July 1, 2010 from purchasing waived service time.

According to the Administration, "there is a concern that some pre-July 1, 2010 employees failed to take advantage of the buyback of waived time due to reasons such as:

- They have forgotten that they waived time when hired many years ago, or
- They were not fully cognizant of the closing window with much of the communication during the last eight months of the window focused on the Retirement Incentive Program."

Bill 51-14, therefore, creates a new window for a Group 3 member who began service before July 1, 2010, and who did not purchase credit for service before joining the retirement system prior to the closure date provided in Bill 30-10 (June 30, 2012)⁽¹⁾. The member may purchase credit for service time earned before joining the retirement system by indicating an intent to do so not later than March 31, 2015 and by paying the contributions due, plus interest, in a single lump-sum payment not later than June 30, 2015.

The Administration intends to contact all affected employees to ensure that they are aware of this window of opportunity.

In an uncodified section, the bill makes it clear that its intent is not to authorize a person who failed to join the retirement system to do so, including a person who failed to join the retirement system during an earlier employment with the County or a County agency and later joined the retirement system on subsequent employment.

With the affirmative vote of five members of the County Council and signature by the County Executive, Bill 51-14 will take effect on October 19, 2014.

⁽¹⁾ Bill 51-14, as introduced, references a closure date of July 30, 2012; however, the Administration is proposing a technical amendment to the bill to reflect the actual closure date provided in Bill 30-10 of June 30, 2012.

Bill 52-14 (Supplemental Appropriation)

Council District(s) All

Mrs. Bevins (By Req.)

Fire Department

Assistance to Firefighters Grant

The Administration is requesting a supplemental appropriation of federal funds totaling \$2,343,600 to the Assistance to Firefighters Grant Gifts and Grants Fund program. The funds will be used to purchase Self-Contained Breathing Apparatus (SCBA) for career and volunteer firefighters' use when responding to fires, chemical incidents, and other life-threatening situations.

Fiscal Summary

Funding Source	Supplemental Appropriation	Current Appropriation	Total Appropriation
County ⁽¹⁾	--	--	--
State	--	--	--
Federal ⁽²⁾	\$ 2,343,600	--	\$ 2,343,600
Other	--	--	--
Total	<u>\$ 2,343,600</u>	<u>--</u>	<u>\$ 2,343,600</u>

⁽¹⁾ A 10% County match (\$260,400) is required. The County will exceed this match by covering the balance of the cost to replace its SCBA inventory using equipment financing funds; the total cost of the inventory replacement is estimated at \$9.4 million.

⁽²⁾ U.S. Department of Homeland Security, Federal Emergency Management Agency (FEMA) funds.

Analysis

The Assistance to Firefighters Program provides funding to protect the health and safety of the public and firefighting personnel against fire and fire-related hazards. The \$2,343,600 in grant funding will be used towards the Department's purchase of new SCBA units, which are used by

firefighters when responding to fires, chemical incidents, and other life-threatening situations. The Department advised that the current inventory of SCBA is outdated and in need of replacement. The Department also advised that in addition to providing respiratory protection, the new equipment will enhance firefighters' ability to call a MAYDAY if they are in danger and will provide the ancillary benefit of reduced repair costs, since the new units will be under warranty. The Department further advised that the duration of the warranty has not yet been determined; however, once the warranty expires, the County will enter into a maintenance agreement for the repair of the units.

The Department advised that the timeframe for the replacement of the SCBA units has not yet been determined because the County is waiting for updates to the National Fire Protection Association (NFPA) standards to be finalized. The Department further advised that each replacement unit is expected to cost approximately \$7,000 to \$10,000.

The grant period is June 27, 2014 through June 26, 2015. County matching funds of 10%, or \$260,400, are required. The County will exceed this match by covering the balance of the cost to replace its SCBA inventory, using available equipment financing funds. The total cost of the replacement is estimated at approximately \$9.4 million; this grant funding will offset a portion of the replacement cost.

With the affirmative vote of five members of the County Council, Bill 52-14 will take effect October 19, 2014.

Bill 53-14

Council District(s) All

Mr. Marks

Bicycle Parking

Bill 53-14 is a follow-up to two related bills that were passed by the County Council last year. Previously, Bill 38-13 established bicycle parking in the "Off-Street Parking and Loading" section of the Baltimore County Zoning Regulations. This new section required bicycle parking to be installed as part of all new construction projects (excluding single-family detached residential) and remodeling projects of over 50% expansion in the C.T. (Commercial, Town Center Core) District of Towson and the Catonsville Commercial Revitalization District. Bill 48-13 then expanded the coverage to include a number of additional commercial revitalization districts, as well as new commercial structures in the Honeygo Area.

Bill 53-14 amends the law's coverage in the Honeygo Area by deleting the phrase "new commercial structures" so that it applies to both residential and commercial structures in the Honeygo Area, while still excluding single-family detached residential as in the original Bill 38-13.

With the affirmative vote of five (5) members of the County Council and signature by the County Executive, Bill 53-14 shall take effect on October 20, 2014.

FM-2 (Contract)

Council District(s) All

Department of Public Works

Machine Pump and Valve Parts for Pumping Stations

The Administration is requesting approval of a contract with EESCO Pump & Valve, Inc. to provide on-call services for the fabrication and repair of customized machined parts used in the County's pumping stations. The contract commences upon Council approval, continues for 1 year, and will automatically renew for four additional 1-year periods with the option to further extend the initial term or any renewal term an additional 120 days. Compensation may not exceed \$43,950 for the initial 1-year term and may not exceed \$242,851 for the entire 5-year and 4-month term, including the renewal and extension periods.

Fiscal Summary

Funding Source	Initial Term	Maximum Compensation	Notes
County ⁽¹⁾	\$ 43,950	\$ 242,851	⁽¹⁾ Metropolitan District Operating Funds.
State	--	--	⁽²⁾ Maximum compensation for the initial 1-year term.
Federal	--	--	⁽³⁾ Maximum compensation for the entire 5-year and 4-month term, including the renewal and extension periods.
Other	--	--	
Total	<u>\$ 43,950</u> ⁽²⁾	<u>\$ 242,851</u> ⁽³⁾	

Analysis

The contractor will provide all labor, materials, supervision, equipment, services, incidentals, and related items required for the on-call fabrication and repair of customized machined parts (e.g., pump front heads, pump shafts, wear rings, shaft sleeves) used in the County's pumping stations. Typically, the County will deliver a part to the contractor for reproduction; however, on-site fabrication or repairs may be required. Reproduction time will typically be required within 5 days of the request; however, in emergency situations, the contractor may be required to

produce the part within 2 days. Hourly rates for machinist services will be billed at \$45 (regular time) and \$67.50 (overtime). Parts and materials costs include a 20% markup.

The contract commences upon Council approval, continues for 1 year, and will automatically renew for four additional 1-year periods unless the County provides notice of non-renewal. The County may further extend the contract at the end of the initial term or any renewal term for an additional 120 days on the same terms and conditions. Compensation may not exceed \$43,950 for the initial 1-year term and may not exceed \$242,851 for the entire 5-year and 4-month term, including the renewal and extension periods.

Prior to the commencement of each renewal term, the County may entertain a request for an escalation in unit prices in accordance with the Consumer Price Index – All Urban Consumers – United States Average – All Items (CPI-U), as published by the United States Department of Labor, Bureau of Labor Statistics at the time of the request or up to a maximum 5% increase on the current pricing, whichever is lower. The County may terminate the agreement by providing 30 days prior written notice.

The contract was awarded through a competitive procurement process; no other bids were received.

On September 8, 2009, the Council approved a 5-year and 3-month contract not to exceed \$242,852 with EESCO Pump & Valve, Inc. for the same services. As of September 8, 2014, expenditures and encumbrances under this contract totaled \$97,046.

County Charter, Section 715, requires that “any contract must be approved by the County Council before it is executed if the contract is...for services for a term in excess of two years or involving the expenditure of more than \$25,000 per year....”

FM-3 (Contract)

Council District(s) All

Office of Budget and Finance

Elevator Maintenance Services and Repair

The Administration is requesting approval of a contract with Otis Elevator Company to provide elevator maintenance services and repairs at County-owned and/or operated buildings. The contract commences upon Council approval, continues through September 30, 2019 with the option to extend the term an additional 120 days. Compensation may not exceed the amount appropriated. Estimated compensation totals \$1.9 million for the entire approximate 5-year and 4-month term, including the extension period.

Fiscal Summary

Funding Source	Total Compensation	Notes
County ⁽¹⁾	\$ 1,900,000	⁽¹⁾ General Fund Operating Budget. ⁽²⁾ Estimated compensation for the entire approximate 5-year and 4-month term, including the extension period. Compensation may not exceed the amount appropriated.
State	--	
Federal	--	
Other	--	
Total	<u>\$ 1,900,000</u> ⁽²⁾	

Analysis

The contractor will provide all labor, materials, equipment, supervision, and related items for preventive maintenance services and repairs to elevators, wheelchair lifts, and dumbwaiters at County-owned and/or operated buildings. Services will include regular routine maintenance, inspections, and safety tests required by the State of Maryland.

Preventive maintenance costs will be charged by building location at yearly rates ranging from \$1,200 to \$52,200 (depending on the quantity and type of equipment). Repairs, upgrades, and

enhancements will be charged on a time and materials basis. Hourly labor rates are \$130 and \$150 (regular time) and \$221 and \$255 (overtime) for an apprentice and a skilled mechanic, respectively. Materials costs include a 25% markup. Additionally, the contract establishes certain performance requirements (e.g., response to emergency calls within 2 hours) and remedies for non-performance (e.g., if necessary, the contractor will pay for all charges of having another qualified contractor perform emergency work).

The contract commences upon Council approval and continues through September 30, 2019. The County may extend the contract at the end of the term for an additional 120 days, on the same terms and conditions. Compensation is limited to the amount appropriated. Estimated compensation totals \$1.9 million for the entire approximate 5-year and 4-month term, including the extension period. Prior to the commencement of any year subsequent to the first year, the County may entertain a request for an escalation in unit prices up to a maximum 5% increase on the current pricing. The County or the contractor may terminate the agreement by providing 90 days prior written notice.

The contract was awarded based on a piggyback of an existing contract that was competitively procured by The Metropolitan Government of Nashville and Davidson County, Tennessee on behalf of the National Intergovernmental Purchasing Alliance Company.

On November 21, 2011, the Council approved a 5-year and 4-month contract with KONE, Inc. not to exceed \$2,986,908 for similar services. The Office of Budget and Finance advised that, as of September 18, 2014, \$380,339 has been expended under the contract. The Office advised that the contract was terminated for non-performance on September 9, 2014.

County Charter, Section 715, requires that "any contract must be approved by the County Council before it is executed if the contract is...for services for a term in excess of two years or involving the expenditure of more than \$25,000 per year...."

FM-4 (Contract)

Council District(s) All

Office of Budget and Finance

Automobile Rentals Liability/Claims Division

The Administration is requesting approval of a contract with Towson Economy Auto Rental, Inc. to provide automobile rental to individuals whose vehicles were damaged by County-owned/operated vehicles in traffic accidents or for any claim in which the County is negligent. The contract commences upon Council approval, continues for 1 year, and will automatically renew for four additional 1-year periods with the option to further extend the initial term or any renewal term an additional 120 days. Compensation may not exceed \$20,219 for the initial 1-year term and may not exceed \$111,724 for the entire 5-year and 4-month term, including the renewal and extension periods.

Fiscal Summary

Funding Source	Initial Term	Maximum Compensation	Notes
County ⁽¹⁾	\$ 20,219	\$ 111,724	(1) Self-Insurance Fund.
State	--	--	(2) Maximum compensation for the initial 1-year term.
Federal	--	--	(3) Maximum compensation for the entire 5-year and 4-month term, including the renewal and extension periods.
Other	--	--	
Total	<u>\$ 20,219</u> ⁽²⁾	<u>\$ 111,724</u> ⁽³⁾	

Analysis

The contractor will provide automobile rentals for the Liability/Claims Division of the Office of Budget and Finance. In the event a County-owned/operated vehicle is involved in an at-fault accident or for any claim in which the County is negligent, the County will provide a rental vehicle to the owner of the vehicle involved in the accident while their vehicle is being repaired. The contractor will provide the County with a single, per-day rental for late-model (1 to 2 years

old) sub-compact, compact, and mid-size vehicles (\$23.78), mini-vans (\$38.49), and pick-up trucks, passenger vans, and utility vans (\$41.19). The County will determine the length of the rental period, and the contractor will be responsible for making arrangements directly with the individual for delivery and pick-up of the vehicle.

The contract commences upon Council approval, continues for 1 year, and will automatically renew for four additional 1-year periods with the option to further extend the initial term or any renewal term an additional 120 days on the same terms and conditions. Compensation may not exceed \$20,219 for the initial 1-year term and may not exceed \$111,724 for the entire 5-year and 4-month term, including the renewal and extension periods. The County may terminate the agreement by providing 30 days prior written notice.

Prior to the commencement of each renewal period, the County may entertain a request for an escalation in unit prices in accordance with the Consumer Price Index – All Urban Consumers – United States Average – All Items (CPI-U), as published by the United States Department of Labor, Bureau of Labor Statistics at the time of the request, or up to a maximum 5% increase on the current pricing, whichever is lower.

On February 22, 2005, the Council approved a 10-year contract not to exceed \$324,890 with Reliable Rent-A-Car, LLC for the same services; the contract commenced November 1, 2004. The Office advised that expenditures as of September 15, 2014 totaled \$137,116 under this contract.

The contract was awarded through a competitive procurement process based on low bid from two bids received.

County Charter, Section 715, requires that “any contract must be approved by the County Council before it is executed if the contract is...for services for a term in excess of two years or involving the expenditure of more than \$25,000 per year....”

FM-5 (Contract)

Council District(s) 5

Department of Permits, Approvals and Inspections

4312 Chapel Road – Widening of Cross Road – Perry Hall

The Administration is requesting approval of a contract to acquire property totaling 0.141 acre for \$86,461 to be used for the widening of Cross Road in Perry Hall. George H. Rye currently owns the property, which is located at 4312 Chapel Road (the corner of Chapel Road and Cross Road). The property is zoned DR-3.5H (Density Residential, Honeygo Overlay District – 3.5 dwelling units/acre with specific setback requirements) and will be used for a highway widening area. See Exhibit A.

Fiscal Summary

Funding Source	Purchase Price	Notes
County ⁽¹⁾	\$ 86,461	⁽¹⁾ Capital Projects Fund.
State	--	
Federal	--	
Other	--	
Total	<u>\$ 86,461</u>	

Analysis

David B. Johns, staff appraiser, completed an appraisal of the property in October 2013, recommending a value of \$78,961. After review and analysis, S. David Nantz, review appraiser, concurred with the appraisal, recommending the respective amount as just compensation for the acquisition. The Department of Permits, Approvals and Inspections – Real Estate Compliance Division advised that the property owner rejected the County’s offer and made a counter offer of \$90,000. Upon further review, the County offered \$86,461 which the property owner accepted.

The 0.141-acre property to be acquired is part of a 0.459-acre parcel that is improved with a 1½-story, detached Cape Cod style dwelling with an attached garage and a shed. The purchase price of \$86,461 includes \$55,016 for the negative impact to the value of the property due to the increased proximity to traffic, \$1,000 for fence replacement, and \$200 for the adverse impact on the landscaping.

The Department advised that seven acquisitions are needed for this project, six of which require Council approval. As of September 15, 2014, the Council has approved two property acquisitions for this project.

The Cross Road project is identified in the Honeygo Plan as part of the improvements to be put in place as development occurs in the area as a result of the extension of Honeygo Boulevard. Estimated project costs for the widening of Cross Road (west side of Cross Road, from Chapel Road to Stoss Road) total \$750,000, including \$150,000 for construction. As of September 5, 2014, \$460,253 has been expended/encumbered for this project, excluding the cost of this acquisition. The Department advised that an anticipated construction date is not currently available.

County Charter, Section 715, requires Council approval of real property acquisitions where the purchase price exceeds \$5,000.

EXECUTIVE SUMMARY

PROGRAM TITLE:	Cross Road
PROJECT NO.:	205-0009-B001
FISCAL MATTER:	Contract of Sale
PROPERTY OWNER:	George H. Rye
PROPERTY INTEREST TO BE ACQUIRED:	Highway Widening Area containing 0.141 acre (6,155 sq. ft.) +/-, of which 0.042 Acre (1,838 sq. ft.) +/- lies in existing paving
LOCATION:	4312 Chapel Road Perry Hall, Maryland 21128
CONSIDERATION	\$86,461.00
PURPOSE OF PROJECT:	To acquire a portion of a parcel of land for the widening of Cross Road.
LIMITS OF PROJECT:	Chapel Road to Stoss Road

Prepared by: Department of Permits, Approvals &
Inspections

FM-6 (Contract)

Council District(s) All

Department of Corrections

Glass and Glazing Services

The Administration is requesting approval of a contract with Caplan Brothers, Inc. to provide on-call glass and glazing services at various County-owned and/or operated facilities, primarily for the Baltimore County Detention Center. The contract commenced July 7, 2014 and continues until October 31, 2014 unless approved by the Council. If approved, the contract will continue through July 6, 2015 and will automatically renew for four additional 1-year periods. The contract does not specify a maximum compensation for the initial 1-year term. Compensation may not exceed \$25,000 for the entire 5-year term.

Fiscal Summary

Funding Source	Maximum Compensation	Notes
County ⁽¹⁾	\$ 25,000	(1) General Fund Operating Budget.
State	--	(2) Maximum compensation for the entire 5-year term. The contract does not specify a maximum compensation for the initial 1-year term.
Federal	--	
Other	--	
Total	<u>\$ 25,000</u> ⁽²⁾	

Analysis

The contractor will provide all labor, materials, tools, equipment, fuel and supervision to perform glass and glazing services at various County-owned and/or operated facilities on an on-call basis. Work under this contract will be primarily for the Baltimore County Detention Center. Specifically, the contractor will furnish, install, and repair glass products including windows, doors, panels, walls, partitions, mirrors, and furniture tops. Hourly labor rates are \$80 (regular) and \$160 (overtime). Materials costs include a 75% markup.

The contract commenced July 7, 2014 and continues until October 31, 2014 unless approved by the Council. If approved, the contract will continue through July 6, 2015 and will automatically renew for four additional 1-year periods unless the County provides notice of non-renewal. The contract does not specify a maximum compensation for the initial 1-year term. Compensation may not exceed \$25,000 for the entire 5-year term. The Department advised that no costs have been incurred since the commencement of the proposed contract.

Prior to the commencement of each renewal period, the County may entertain a request for an escalation in unit prices in accordance with the Consumer Price Index – All Urban Consumers – United States Average – All Items (CPI-U), as published by the United States Department of Labor, Bureau of Labor Statistics at the time of the request, or up to a maximum 5% increase on the current pricing, whichever is lower. The County may terminate this agreement by providing 30 days prior written notice.

The contract was awarded through a competitive procurement process; no other bids were received.

On July 7, 2008, the Council approved a 5-year contract not to exceed \$413,375 with Caplan Brothers, Inc. for similar services. The contract expired July 6, 2013. The Office of Budget and Finance, Purchasing Division advised that the expenditures under the contract totaled \$16,861, with almost all of the costs incurred by the Department of Corrections. The Department advised that \$4,661 has been expended for services since the expiration of the contract and the commencement of the proposed contract.

County Charter, Section 715, requires that “any contract must be approved by the County Council before it is executed if the contract is...for services for a term in excess of two years or involving the expenditure of more than \$25,000 per year....”

FM-7 (Contract)

Council District(s) All

Department of Corrections

Chiller Maintenance – Detention Center

The Administration is requesting approval of a contract with Johnson Controls, Inc. to provide maintenance and minor repair services for three chiller systems at the Baltimore County Detention Center. The contract commences upon Council approval, continues for 1 year, and will automatically renew for four additional 1-year periods with the option to further extend the initial term or any renewal term an additional 120 days. The contract does not specify a maximum compensation for the initial 1-year term. Estimated compensation totals \$47,069 for the initial 1-year term. Compensation may not exceed \$312,100 for the entire 5-year and 4-month term, including the renewal and extension periods.

Fiscal Summary

Funding Source	Initial Term	Maximum Compensation	Notes
County ⁽¹⁾	\$ 47,069	\$ 312,100	⁽¹⁾ General Fund Operating Budget. ⁽²⁾ Estimated compensation for the initial 1-year term. The contract does not specify a maximum compensation for the initial 1-year term. ⁽³⁾ Maximum compensation for the entire 5-year and 4-month term, including the renewal and extension periods.
State	--	--	
Federal	--	--	
Other	--	--	
Total	<u>\$ 47,069</u> ⁽²⁾	<u>\$ 312,100</u> ⁽³⁾	

Analysis

The contractor will provide all labor, equipment, materials, supervision, tools, and related incidentals necessary to maintain and provide minor repairs to the three chiller systems, including three cooling towers, at the Baltimore County Detention Center. The contract covers the costs of all maintenance, including a comprehensive annual inspection, seasonal startup

and shutdown assistance, and a mid-season running inspection, as well as any minor repairs, trouble-shooting, and problem diagnosis that may be required. Emergency repairs will be provided on a 24-hour, 7-days-per-week basis.

Hourly labor rates are \$65 and \$110 (regular time) and \$97.50 and \$165 (overtime) for an apprentice and a skilled mechanic, respectively. Materials costs include a 15% markup. Monthly maintenance costs are \$259 for two of the chiller systems and \$632 for the third system. The cost of any repairs beyond the preventative maintenance and repair covered under the contract would be negotiated in addition to the contract pricing.

The contract commences upon Council approval, continues for 1 year, and will automatically renew for four additional 1-year periods, unless the County provides notice of non-renewal. The County may further extend the agreement at the end of the initial term or any renewal term for an additional 120 days, on the same terms and conditions. The contract does not specify a maximum compensation for the initial 1-year term. Estimated compensation totals \$47,069 for the initial 1-year term. Compensation may not exceed \$312,100 for the entire 5-year and 4-month term, including the renewal and extension periods. The Office of Budget and Finance, Purchasing Division advised that the maximum compensation includes a 20% contingency of approximately \$52,017 for unexpected repairs and equipment replacement.

Prior to the commencement of each renewal period, the County may entertain a request for an escalation in unit prices in accordance with the Consumer Price Index – All Urban Consumers – United States Average – All Items (CPI-U), as published by the United States Department of Labor, Bureau of Labor Statistics at the time of the request, or up to a maximum 5% increase on the current pricing, whichever is lower. The County may terminate the agreement by providing 30 days prior written notice.

The contract was awarded through a competitive procurement process based on low bid from three bids received.

On September 8, 2009, the Council approved a 5-year and 4-month contract with Dynastics, Inc. not to exceed \$156,784 for similar services. On November 5, 2012, the Council approved a \$76,179 amendment to increase the contract's maximum compensation to \$232,963 to cover the cost of unexpected repairs. The contract expired September 7, 2014. The Department advised that expenditures under this contract totaled \$224,199.

County Charter, Section 715, requires that “any contract must be approved by the County Council before it is executed if the contract is...for services for a term in excess of two years or involving the expenditure of more than \$25,000 per year....”

FM-8 (Amendment to Lease)

Council District(s) 3

Department of Health and Human Services

Extension of Lease of Warehouse

The Administration is requesting approval of an amendment to a 5-year lease agreement with St. John Properties, Inc. for warehouse storage space on Greenspring Drive in Timonium to house emergency preparedness and response equipment and supplies. The proposed amendment extends the lease term an additional five years, through December 31, 2019, and increases the warehouse capacity from 3,000 to 6,000 square feet. The estimated cost for the additional 5-year term totals \$410,551. The estimated cost for the entire 10-year term, including the 5-year extension period, totals \$599,015. See Exhibit A.

Fiscal Summary

Funding Source	Lease Amendment	Current Total Compensation	Amended Total Compensation
County	--	--	--
State	--	--	--
Federal ⁽¹⁾	\$ 410,551	\$ 188,464	\$ 599,015
Other	--	--	--
Total	<u>\$ 410,551</u> ⁽²⁾	<u>\$ 188,464</u> ⁽³⁾	<u>\$ 599,015</u> ⁽⁴⁾

⁽¹⁾ Centers for Disease Control and Prevention, Cities Readiness Initiative funds.

⁽²⁾ Estimated compensation for the additional 5-year lease period.

⁽³⁾ Estimated compensation for the initial 5-year lease period through December 31, 2014.

⁽⁴⁾ Estimated compensation for the entire 10-year term, including the 5-year extension period.

Analysis

Under the Public Health Emergency Preparedness Program, the Department must keep necessary supplies and materials on hand to respond to public health emergencies. On December 21, 2009, the Council approved a 5-year lease agreement with St. John Properties,

Inc. for 3,000 sq. ft. of storage space at 2187 Greenspring Drive in Timonium to house the Department's emergency preparedness and response equipment and supplies. The lease agreement commenced January 1, 2009 and expires December 31, 2014. The Department advised that the current warehouse lacks sufficient space to accommodate additional supplies and equipment as well as adequate access and a loading dock to move supplies easily when needed.

The proposed lease amendment extends the current 5-year term by an additional 5 years, from January 1, 2015 through December 31, 2019, and increases the warehouse capacity from 3,000 to 6,000 sq. ft. The new warehouse will be located at 2167-69 Greenspring Drive, a different location within the same warehouse structure. The Department advised that the increased space will accommodate additional equipment and supplies, provide greater accessibility to the stock, and have a loading dock. The proposed lease amendment stipulates that the current premises must be vacated by November 30, 2014; the Department anticipates the relocation to take place during October 2014. The proposed lease amendment also stipulates that the County's monthly rent and its pro-rata share of Common Area Maintenance (CAM) expenses will remain at their current rates through December 31, 2014 (\$3,095 and 1.58%, respectively).

The annual rent for CY 2015 will be \$72,000 (\$6,000 per month) and will increase by 3% each year for a total of \$382,258 through CY 2019. In addition to the rent, the County will be responsible for the cost of utilities (e.g., electricity and gas) estimated at \$21,813, its pro-rata share (3.17%) of CAM expenses of \$6,480, and any increase in property taxes (estimate not available). The estimated lease cost over the 5-year extension period totals \$410,551, excluding property taxes. The amendment provides that if the County Council fails to appropriate funds or if the funds are not otherwise made available, the County may terminate the lease by providing 120 days prior written notice.

Based on information provided by the Department, the projected cost of the original 5-year lease through December 31, 2014, excluding any increases in property taxes, will total \$188,464 as follows: rent - \$175,201; CAM expenses - \$2,357; and utilities - \$10,906. The estimated lease cost for the entire 10-year term, including the 5-year extension period, totals \$599,015.

County Charter, Section 715, requires Council approval for leases of real or leasehold property in excess of \$25,000 in the aggregate.

Executive Summary

First Amendment of Lease- St. Johns Properties, Inc., -10062014

The Department of Health and Human Services, Public Health Emergency Preparedness requests approval of a lease amendment with St. John's Properties to extend the term of its current lease for an additional five years and increase warehouse capacity from 3,000 to 6,000 square feet. The purpose of the Public Health Emergency Preparedness Program is to sustain and enhance the Department's ability to prepare for and respond to public health emergencies. Keeping necessary supplies and equipment on hand and at easy access is critical to an effective emergency response.

Additional space is needed to accommodate additional supplies to create a cache of Personal Protective Equipment (PPE) such as masks and isolation gowns, emergency shelter equipment and supplies, along with functional needs supplies, and Baltimore County Fire Supply containing PPE and shelter supplies.

In addition the current warehouse does not have adequate access or loading dock making it difficult to move supplies when needed.

Background – Baltimore County currently leases 3,000 square feet of warehouse space located at 2187 Greenspring Drive, Timonium. This lease is effective January 1, 2010 through December 31, 2014. The Annual rent was \$33,000, with a 3% increase annually. The cost of the lease is currently \$37,142.

Purpose- With this proposed lease amendment, the warehouse space will increase and relocate it to 2167-69 Greenspring Drive. This move will:

- Allow for all HHS supplies and equipment to be safely and properly stored, allowing room around the ropack (bulk storage containers) aisles for easy access to stock.
- Accommodate more incoming stock and cache equipment, in addition to deliveries.
- Provide sufficient lane space in order to pull ropacks and pallets with ease.
- Provide much needed workspace so that staff can quickly and effectively re-stock POD and vaccination carts.

Term- The term of the proposed amendment is for another five years beginning January 1, 2015.

Cost- The annual rent will be \$72,000 with a 3% escalation each year of the lease. In addition there is a 3.17% cost considered additional rent for common area expenses. Cost for the life of the amendment is \$382,258.

The lease provides for right of early termination of 120 days if funds are not appropriated.

Prepared by: Department of Health and
Human Services

FM-9 (2 Contracts)

Council District(s) All

Department of Planning

Lead Testing Services

The Administration is requesting approval of two contracts to provide laboratory services for residential lead testing. The two contractors are Martel Laboratories JDS, Inc. and Microbac Laboratories, Inc. Each contract commenced July 1, 2014, continues until October 31, 2014, and may not exceed \$25,000 unless approved by the Council. If approved, each contract will continue through June 30, 2015 and will automatically renew for two additional 1-year periods. The contracts do not specify a maximum compensation for the initial 1-year term. Compensation for both contractors combined may not exceed \$119,725 for the entire 3-year term, including the renewal periods.

Fiscal Summary

Funding Source	Combined Maximum Compensation	Notes
County	--	(1) U.S. Department of Housing and Urban Development (HUD), Office of Healthy Homes and Lead Hazard Control funds. (2) Maximum compensation for both contractors combined for the entire 3-year term, including the renewal periods. The contracts do not specify a maximum compensation for the initial 1-year term.
State	--	
Federal ⁽¹⁾	\$ 119,725	
Other	--	
Total	<u>\$ 119,725</u> ⁽²⁾	

Analysis

On November 4, 2013, the Council approved a supplemental appropriation totaling \$3 million to the Lead Hazard Reduction Demonstration Grant Program to create lead-safe housing units, conduct various initiatives related to lead remediation, and educate the public about the dangers of lead poisoning in children. Homeowners and rental property owners (landlords) must meet certain income and other eligibility requirements (e.g., property located within a Neighborhood

Improvement target area, home constructed prior to 1978, etc.) to receive lead abatement assistance through the program. As a lead remediation initiative, the contractors will provide supplies (e.g., wipes, vials, gloves, and containers) to County personnel who will collect samples of dust, paint chips, soil, and water from approximately 225 housing units and deliver the samples to the contractors' laboratories for lead testing. The contractors will provide the test results to the County within 5 to 7 business days, or within 24 hours for expedited services when requested. The County will be billed at unit prices ranging from \$3.00 to \$9.00 depending on the type of testing and requested turnaround time for the work performed. The Department advised that Martel will serve as the primary contractor based on lower pricing.

The Department will identify properties to be tested through its outreach efforts and through referrals from the County school system, the Departments of Health and Human Services, Permits, Approvals and Inspections, and Economic and Workforce Development, the Coalition to End Childhood Lead Poisoning, community churches, and other organizations. The Department estimates that approximately 8,550 dust-wipe tests and approximately 300 soil sample tests will be necessary over the term of these contracts, with paint chip and water sampling tests performed as needed.

Each contract commenced July 1, 2014, continues until October 31, 2014, and may not exceed \$25,000 unless approved by the Council. If approved, each contract will continue through June 30, 2015 and will automatically renew for two additional 1-year periods on the same terms and conditions, unless the County provides notice of non-renewal. The contracts do not specify a maximum compensation for the initial 1-year term. Compensation for both contractors combined may not exceed \$119,725 for the entire 3-year term, including the renewal periods. The Department estimates that as of September 18, 2014, the County has incurred less than \$100 under these contracts, utilizing only its primary contractor to date.

Prior to the commencement of each renewal period, the County may entertain a request for an escalation in unit prices in accordance with the Consumer Price Index – All Urban Consumers – United States Average – All Items (CPI-U), as published by the United States Department of Labor, Bureau of Labor Statistics at the time of the request, or up to a maximum 5% increase on the current pricing, whichever is lower. The County may terminate the agreements by providing 30 days prior written notice.

The contracts were awarded through a competitive procurement process from three bids received; the third bid was deemed non-responsive.

On April 4, 2011, the Council approved two 3-year and 3-month contracts not to exceed a combined maximum compensation of \$64,000 with Penniman and Browne, Inc. (now known as Microbac Laboratories, Inc.) and Martel Laboratories JDS, Inc. for similar services. The Department advised that the contracts expired on June 20, 2014 and that expenditures totaled \$33,950 (\$25,368 for Penniman and Browne and \$8,582 for Martel). The Department also advised that no residential lead testing services were performed between the expiration of these contracts and the commencement of the two proposed contracts on July 1, 2014.

On August 4, 2014, the Council approved a 2-year and 3-month contact not to exceed \$208,000 in HUD funding with the Coalition to End Childhood Lead Poisoning, Inc. t/a Green and Health Homes Initiative to provide public outreach and education for the County's Lead Remediation Program.

County Charter, Section 715, requires that "any contract must be approved by the County Council before it is executed if the contract is...for services for a term in excess of two years or involving the expenditure of more than \$25,000 per year...."

MB-1 (Res. 86-14)

Council District(s) 5

Mr. Marks

Cowenton-Ebenezer Commercial Revitalization District

Resolution 86-14 creates the Cowenton-Ebenezer Commercial Revitalization District. See Exhibit A.

The Master Plan 1989-2000 originally recognized 11 commercial revitalization districts. These districts were officially designated by the County Council in 1997 (Res. 114-97). In subsequent years, additional districts were designated by Council resolution, and there are now 16 districts.

Designation of an area as a commercial revitalization district carries with it certain benefits, including eligibility for County programs.

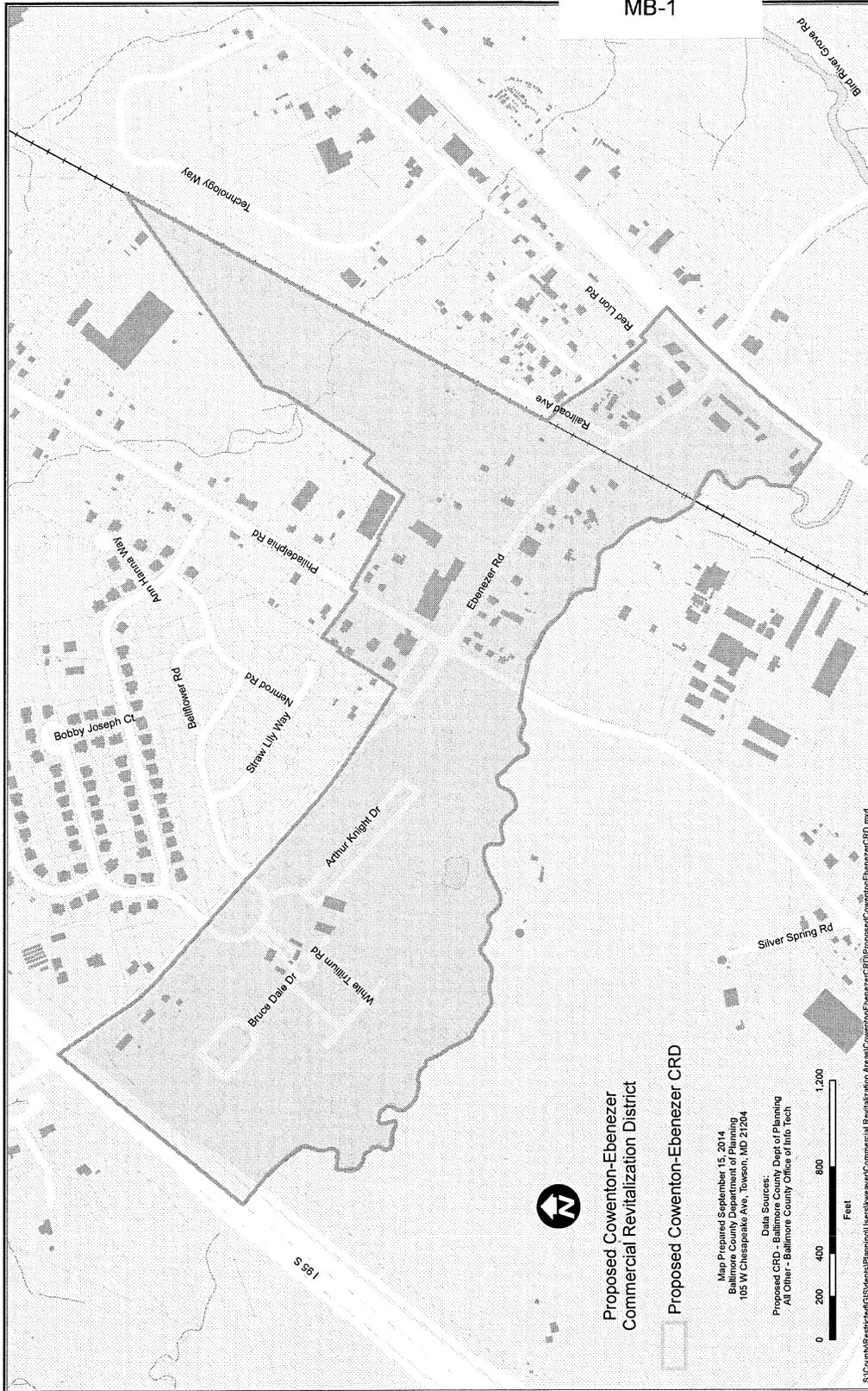
The County’s Commercial Revitalization Program was transferred to the Department of Planning in 2011 in order to address the issues of community development and neighborhood improvement in a more holistic fashion.

With respect to the new Cowenton-Ebenezer Commercial Revitalization District, Resolution 86-14 recites that the area along Cowenton Avenue and Ebenezer Road extending from Interstate 95 (to the west) to Pulaski Highway (to the east) has excellent development and redevelopment potential, and that this area contains a mix of commercial, industrial, and high-density residential zoning, and is easily accessible to Interstate 95. Moreover, in the Master Plan 2020, portions of the Cowenton Avenue/Ebenezer Road area have been identified as being within the Red Lion Road Subarea of the Middle River Development Area, but the development and redevelopment potential of this area has not been fully realized due to the economic downturn.

One of the main goals of the Cowenton-Ebenezer district designation is that it will provide assistance to the property owners and businesses in the Cowenton Avenue/Ebenezer Road area in order to stimulate public and private investment.

Resolution 86-14 shall take effect from the date of its passage by the County Council.

EXHIBIT A



MB-2 (Res. 87-14)

Council District(s) 5

Mr. Marks

Re-Designation of Park Site – Angel Park

Resolution 87-14 re-designates a park site in Perry Hall as “Angel Park.”

The County Council adopted the Honeygo Plan as part of the Baltimore County Master Plan on July 5, 1994 (Resolution 55-94) and subsequently adopted the Honeygo area zoning overlay districts (Bill 176-94). Since that time, the County has identified and acquired the land for several park sites in the Honeygo area. These park sites include the site shown on the map that accompanies Resolution 87-14, identified as a Future Park Site (name TBD), located on the north side of Honeygo Boulevard, across the street from the Perry Hall Park, and adjacent to the Perry Hall Library. See Exhibit A.

This site has been the subject of ongoing efforts by the Perry Hall community to build a 100% donor funded and community built park project that would represent the vision of an ideal setting for residents and visitors to relax, play, be entertained, and reflect.

The chosen name “Angel Park” was purposely selected by the Perry Hall community to reflect the goodness and positive impact that people can have on one another’s lives. It is also inspired by the fight of one little boy years ago and his parents. Perry Hall residents Kelli and Andy Szczybor lost their infant son, Ryan, to Leukemia over 16 years ago. They have turned their loss into the idea to build Angel Park.

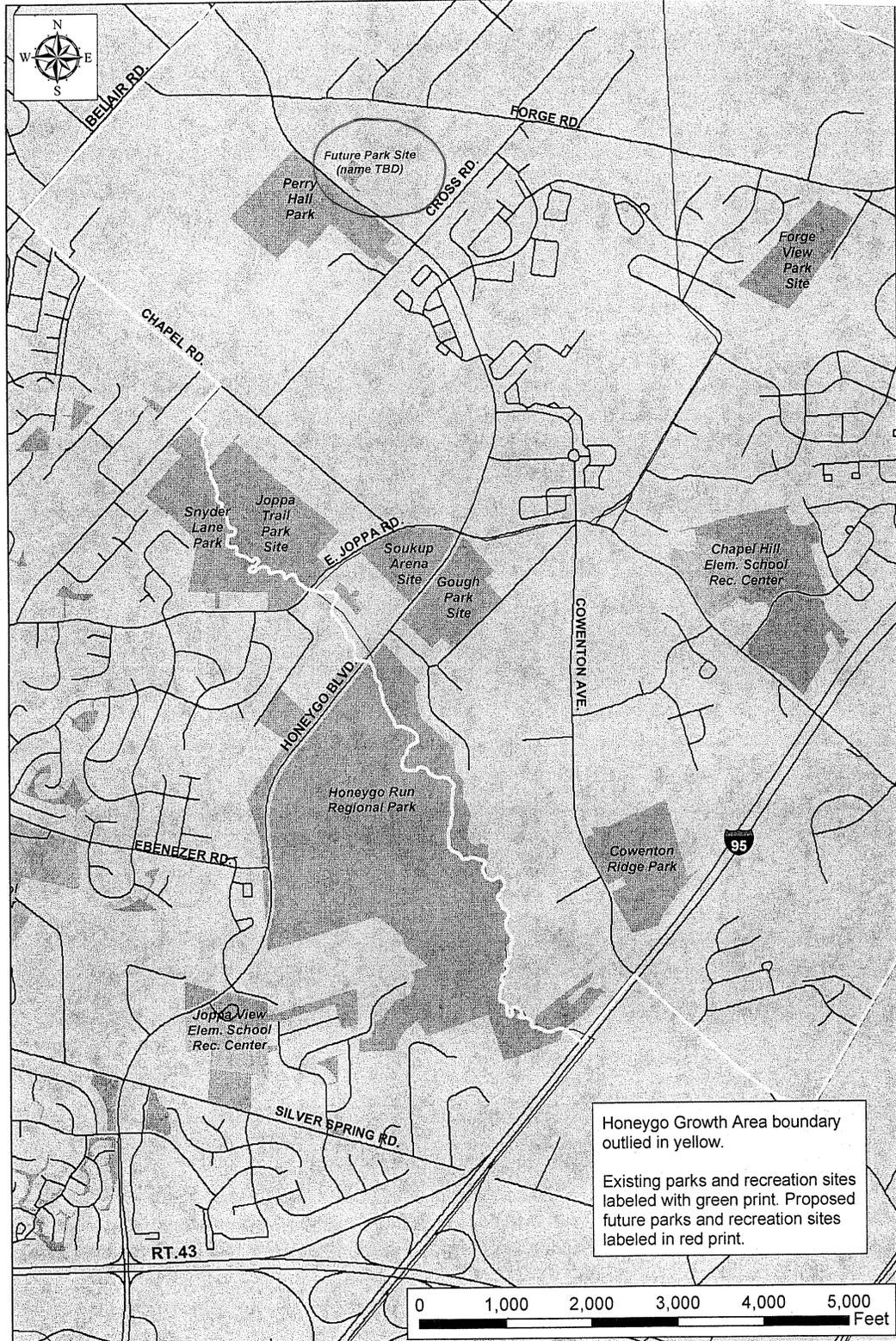
Resolution 87-14 will honor Ryan and the efforts of his parents and the community to see the vision for Angel Park realized in the near future.

More information on the proposed park can be found at the Angel Park website at www.angel-park.org.

Resolution 87-14 shall take effect from the date of its passage by the County Council.

GREATER HONEYGO PARKS AND REC. SITES

Exhibit A
MB-2



The cadastral information on this plot was compiled from existing deed information, and is not to be considered authoritative. Map created by the Baltimore County Department of Recreation and Parks, December 2013.

MB-3 (Res. 88-14)

Council District(s) 1

Mr. Quirk

**Adoption of Patapsco Area Management Plan –
Baltimore County Master Plan 2020**

Resolution 88-14 adopts the Patapsco Heritage Area Management Plan as a part of the Baltimore County Master Plan 2020.

The State's Maryland Heritage Area Program provides for the recognition and certification of heritage areas of the State that reflect the cultural themes of the State's development (Title 13, Subtitle 11, Financial Institutions Article, Annotated Code of Maryland). The Maryland Heritage Areas Authority operates the program. The Authority may consider proposals submitted by local jurisdictions to designate an area as a Certified Heritage Area. A Certified Heritage Area is eligible for a variety of State benefits, including matching grants, tax credits, loans, and operating support. There are currently 12 certified areas in the State.

In recent years, the Patapsco Heritage Greenway, Inc. (PHG) has laid the foundation for a successful heritage area, providing a vision for what the heritage area can be, building partnerships with heritage sites, working with local governments on stewardship issues, educating the public about heritage area management issues and needs, working as stewards of the area's resources, enhancing visitor services, improving access to and within the area, and developing interpretive and orientation materials. A map of the proposed Certified Heritage Area boundary is attached (see Exhibit A).

The Council had previously requested the Department of Planning to work with PHG in the preparation of a management plan for the Heritage Area (Resolution 127-13). The plan is the first step in the designation of a Certified Heritage Area.

PHG submitted its management plan to the Department. The Department and the Baltimore County Planning Board reviewed the plan and, on September 4, 2014, the Board voted to

approve the plan, with amendments, and submitted the plan to the County Council on September 12, 2014. The next step in the certification process is the passage of a resolution by the County Council to adopt the management plan as a part of the Master Plan.

Resolution 88-14 adopts the PHG Management Plan as a part of the Master Plan and forwards the Plan to the Maryland Heritage Areas Authority for its review. (The plan is available in electronic form.)

The resolution also urges PHG to invite all interested stakeholders to participate in projects sponsored by or work associated with PHG board activities, and makes it abundantly clear that the Management Plan constitutes a guide for PHG activities in the Certified Heritage Area and does not limit control, or bind the County governing body with respect to its land use or development policies or decisions in that area.

Exhibit A
MB-3

Patapsco Heritage Area Management Plan

Figure 1.2

Patapsco Heritage Area

- Patapsco Heritage Area
- Patapsco Valley State Park



DRAFT March 20, 2014

