

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

*Issued: December 4, 2014
Work Session: December 9, 2014
Legislative Day No. 21: December 15, 2014*

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



OFFICE OF THE COUNTY AUDITOR

BALTIMORE COUNTY COUNCIL

December 15, 2014

NOTES TO THE AGENDA

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**BALTIMORE COUNTY COUNCIL AGENDA
LEGISLATIVE SESSION 2014, LEGISLATIVE DAY NO. 21
DECEMBER 15, 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

NONE

APPROVAL OF FISCAL MATTERS/CONTRACTS

KEVIN REED, DEPARTMENT HEALTH AND HUMAN SERVICES

- 1 1. Contract - Quest Diagnostics, Inc. - Laboratory services for patients - Health Clinics - HHS

**MISCELLANEOUS
BUSINESS**

COUNCIL

- 13 1. Correspondence - (a)(1) - Non-Competitive Awards (November 14, 2014)
5 2. Res. 113-14 - Mr. Marks - Planning Board - Zoning Classification - Towson urban area
6 3. Res. 114-14 - Mr. Marks - Approval of proposed PUD - McDaniel Orchards

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- 9 4. Res. 116-14 - Mrs. Bevins(By Req.) - 2014 Triennial Review - Baltimore County Water & Sewer Plan
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COUNCIL

6. Res. 118-14 - Mrs. Bevins - Property Tax Exemption - DAV - Dwayne K. White
7. Res. 119-14 - Mr. Crandell - Property Tax Exemption - DAV - Charles W. Watt, Sr.

FM-1 (Contract)

Council District(s) All

Department of Health and Human Services

Laboratory Services for Patients – Health Clinics

The Administration is requesting approval of a contract with Quest Diagnostics, Inc. to provide general laboratory services to County residents participating in various Health Department programs (e.g., HIV/AIDS, reproductive health/women’s health, and tuberculosis control). The contract commenced June 1, 2014, continues until December 31, 2014, and may not exceed \$25,000 unless approved by the Council. If approved, the contract will continue through May 31, 2015 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 \$60,000 for the initial 1-year term. Compensation may not exceed \$300,000 for the entire 5-year and 4-month term, including the renewal and extension periods. See Exhibit A.

Fiscal Summary

Funding Source	Initial Term	Maximum Compensation
County ⁽¹⁾	\$ 55,000	\$ 275,000
State	--	--
Federal ⁽²⁾	5,000	25,000
Other	--	--
Total	<u>\$ 60,000</u> ⁽³⁾	<u>\$ 300,000</u> ⁽⁴⁾

⁽¹⁾ General Fund Operating Budget.

⁽²⁾ U.S. Department of Health and Human Services, Health Resources Services Administration.

⁽³⁾ Estimated compensation for the initial 1-year term. The contract does not specify a maximum compensation for the initial 1-year term.

⁽⁴⁾ Maximum compensation for the entire 5-year and 4-month term, including the renewal and extension periods.

Analysis

The contractor will provide general laboratory services (e.g., hematology, chemistry, and urinalysis) for uninsured and under-insured County residents through the Department's HIV/AIDS and tuberculosis (TB) control programs and family planning (women's health) clinics. The contractor will furnish all necessary supplies including blood collection tubes, urine collection jars, and lab requisition forms for the collection, preparation, and preservation of all specimens. Testing will include, but is not limited to, lipid panel, thyroid, testosterone, glucose, protein, sodium, and potassium; however, the County reserves the right to add or remove tests as new services become available.

The contractor will deliver supplies to various Department health centers/clinics and pick up specimens daily on the day they are obtained or at a patient's home for the TB program, as necessary. The contractor will be required to provide the results to the County within 1 week of the date of pick-up. Unit prices range from \$6.78 (blood clotting analysis) to \$167.17 (TB) depending on the type of test. The Department estimates that the contractor will provide approximately 9,355 lab tests, including approximately 1,200 tests for family planning each year. In addition, the Department expects to manage approximately 300 cases of treatment for latent TB infection and approximately 25-30 TB cases each year.

The contract commenced June 1, 2014, continues until December 31, 2014, and may not exceed \$25,000 unless approved by the Council. If approved, the contract will continue through May 31, 2015 and will automatically renew for four additional 1-year periods, unless the County provides notice of non-renewal. The County may further extend the initial term or any renewal term 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 \$60,000 for the initial 1-year term. Compensation may not exceed \$300,000 for the entire 5-year and 4-month term, including the renewal and extension periods. The Department advised that as of December 4, 2014, the contractor has provided approximately \$15,000 in services under this 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 the agreement by providing 30 days prior written notice.

The contract was awarded through a competitive procurement process for which no bids were received. The Department advised that the contract was subsequently negotiated with Quest Diagnostics, Inc., the contractor who was previously providing the services.

On September 20, 2004, the Council approved a similar 10-year contract with Quest Diagnostics, Inc. with an estimated total compensation of \$449,311. The contract commenced June 1, 2004 and expired May 31, 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....”

Executive Summary

Quest Diagnostics, Inc.

Summary

General laboratory services are provided for patients attending Baltimore County Health Department clinics. These services are offered through HIV/AIDS clinics, reproductive health/women's health clinics, and tuberculosis control clinics.

The County (Bureau of Healthcare Access) in conjunction with Johns Hopkins Hospital operates an HIV/AIDS Seropositive clinic, held within the county Health Department Clinics. These clinics serve the County HIV/AIDS residents who are uninsured. The goals are to provide comprehensive diagnostic evaluation services which include prescribed laboratory tests.

The County operates federally funded Family Planning clinics. Our services are utilized by patients who are uninsured, as well as those with third party payers (insurance). The goals of our clinic are to provide routine gynecologic examinations, contraceptive services and prescribed laboratory tests.

The County Tuberculosis Control Program case manages approximately twenty-five (25) to thirty (30) tuberculosis cases per year. In addition, over three hundred (300) TLTI (Treatment for Latent TB Infection) patients are case managed. As part of our treatment protocols, laboratory tests are performed either at the County health centers or in the patients' homes.

Back ground/Purpose

The Office of Budget and Finance's Purchasing Division, on behalf of the Department of Health and Human Services issued a bid for general laboratory services for patients attending Baltimore County Health Department clinics. No bids were received by the due date of 05/14/14. As allowed by Baltimore County Purchasing policy, the Purchasing Division contacted the incumbent vendor, Quest Diagnostics, who wished to continue services.

Fiscal Impact

This Agreement shall begin June 1, 2014 and will end December 31, 2014, unless the County Council approves this Agreement. In the event the County Council approves this Agreement, the term shall thereby continue through May 31, 2015 with four (4) one-year renewal options. The total cost of the contract including renewals must not exceed \$300,000. The contract allows for expenditures up to \$25,000 without council approval.

Prepared by: Department of Health and
Human Services

MB-2 (Res. 113-14)

Council District(s) 5

Mr. Marks

Zoning Classification – Towson Urban Area

Resolution 113-14 requests the Planning Board to create a new zoning classification for the downtown Towson area.

The resolution recites the fact that Baltimore County Master Plan 2020 recognizes the significant assets of Towson and details the policies and actions that are recommended in order to improve its performance as a commercial center, promote redevelopment opportunities, and strengthen compatible mixed-use, walkable development. It further recites that legislative efforts designed to achieve these goals have been enacted in a piecemeal fashion by amendments made to the Baltimore County Zoning Regulations for the C.T. (Commercial Town Center Core) District of Towson.

The resolution suggests that it is therefore necessary to conduct a comprehensive review of the existing laws and regulations that govern the development of downtown Towson and to incorporate these provisions into two new zoning classifications, one solely for the downtown Towson area that recognizes and accommodates the implementation of the goals of Master Plan 2020, and a second transitional zoning classification in areas where an abundance of student housing exists that is designed to mitigate the impact of student rentals on residential neighborhoods.

The resolution requests that the Planning Board conduct this review and recommend the two new zoning classifications and report its findings and recommendations to the County Council on or before March 1, 2015.

MB-3 (Res. 114-14)**Council District(s) 5**

Mr. Marks

Approval of Proposed PUD – McDaniel Orchards

Resolution 114-14 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 PUD. 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-Chapel Investments, LLC for approval of a 7.26-acre site at 5021 Joppa Road to be developed as a general development PUD to be known as McDaniel Orchards.

The applicant proposes to develop the site with a townhome community that will connect Gough Park and the Honeygo Village Center in a village concept. The applicant requests and the Resolution recites that the Council approves a modification of the density permitted for the proposed PUD in order to allow 65 single-family attached dwellings.

The applicant proposes a community benefit of \$20,000 to be used for improvements as follows:

1. Construction of a sidewalk from the entrance to the Soukup Arena west to Ryans Way, with the approval of the Departments of Public Works and Recreation and Parks in such a manner that it is consistent with future road widening and improvement efforts;
2. Fund and erect a sign, under the supervision of the Department of Public Works, to the bottom of the Honeygo Boulevard bridge at Honeygo Park. This sign will be at least 10 feet in length and say, in styling similar to the Honeygo Run image on nearby parks, "Welcome to the Villages of Honeygo in Perry Hall." The sign design will be reviewed by the County Council office in which the project is located, as well as PAI; and
3. The balance of the community benefit funds shall be allotted to Angel Park.

As an additional community benefit, any local open space waiver funding from the PUD shall be directed to the following projects:

1. To adequately screen area residences of Sunni Shade Court and Raxis Avenue from Gough Park and to properly fence Gough Park along Raxis Avenue, the local open space waiver funds shall be allocated for the installation of:
 - a. A row of scotch pines and fencing between 9033-9041 Sunni Shade Court and Gough Park;
 - b. Two rows of scotch pines and fencing between 9096-9100 Raxis Avenue and Gough Park; and
 - c. Fencing along the Gough Park frontage of Raxis Avenue.
2. The balance of the local open space waiver funds generated by this development shall be allocated to Angel Park.

Additionally, the eastern perimeter of the project, and the southern boundary from the southwest corner to the existing tree stand, shall be planted with fast-growing Thuja Green Giant Arborvitae trees at a spacing of between 5-7 feet apart to create a privacy barrier. There shall be no entrance from the development onto Raxis Avenue, and the applicant shall construct a cul-de-sac and any necessary infrastructure to close Raxis Avenue east of the forest stand outlined in the development plan, after coordination with the Department of Public Works.

Resolution 114-14 will be forwarded to the Departments of Planning and PAI for processing.

MB-4 (Res. 116-14)**Council District(s) All**

Mrs. Bevins (By Req.)

Department of Public Works

2014 Triennial Review – Baltimore County Water and Sewer Plan

Resolution 116-14 adopts the report of the 2014 Triennial Review of the Baltimore County Water Supply and Sewerage Plan.

Title 9, Subtitle 5 of the Environment Article of the Annotated Code of Maryland requires the County to adopt a comprehensive 10-year water supply and sewerage plan. State law also requires the County to review its plan every 3 years and submit a report of the review to the Maryland Department of the Environment (MDE).

The last separate triennial review report was approved by the County Council, following the recommendation of the Planning Board, in 2011 (Resolution 39-11). The 2011 Triennial Review was approved by MDE in a letter dated July 30, 2013 from the Director of its Water Management Administration.

The new Triennial Review is due for submission in 2014. The review includes updated population projections and reports on the status of the public water and sewer infrastructure and private on-site well and septic system issues, and demonstrates consistency with *Master Plan 2020* and all applicable County and State requirements for water and sewer planning.

The Planning Board held a public hearing on the report on September 4, 2014 and voted at its regular meeting on October 2, 2014 to adopt the 2014 Triennial Review and recommend that it be forwarded to the County Council for further action. The Council's public hearing will occur at the work session on December 9, 2014.

MB-5 (Res. 117-14)**Council District(s) 1**

Mrs. Bevins (By Req.)

Department of Public Works

Amendment to Baltimore County Water and Sewer Plan – 1121 S. Rolling Road

This resolution amends the Baltimore County Water Supply and Sewerage Plan (Cycle 32). Amendments to the Plan are made annually in accordance with the Executive Orders of April 11, 1990, July 22, 2003, and August 28, 2009.

The subject property is located inside the Urban Rural Demarcation Line (URDL), inside the Metropolitan District, has D.R. zoning, and is located within Growth Tier I. Development planned for the site should be served by public sewer as well as the existing public water. The property owner submitted a petition to amend the existing S-5 designation to S-3 to allow the site to be served by public sewer.

On July 17, 2014 the Planning Board held an advertised public hearing on the Water Supply and Sewerage Plan Amendment Petition for the “Timothy Norris Property” located at 1121 S. Rolling Road in the 1st Councilmanic District and reported the results of the hearing to the County Executive. The Departments of Environmental Protection and Sustainability, Public Works, and Planning, and the Planning Board reviewed the Amendment Petition and approved the requested amendment. The County Executive reviewed the proposed amendment and submitted it to the Council on December 1, 2014. Resolution 117-14 adopts the recommendation for the requested amendment.

Upon County Council approval, the amendment will be submitted to the Maryland Department of the Environment which has 90 days to act on the amendment. If approved, the amendment becomes part of the regulatory Plan.

Symbols used to describe the various water and sewer designations in the Plan are:

- | | <u>W=Water</u> | <u>S=Sewer</u> |
|----|----------------|--|
| 1. | W-1 or S-1: | Existing water and/or sewer area. |
| 2. | W-2 or S-2: | Not utilized. |
| 3. | W-3 or S-3: | Capital facilities area - in order to provide service, facilities need to be built and money is in the current year's Capital Budget or the ensuing 5 years' estimated budgets. Facilities are subject to budget limitations, petitions made for service, public work agreements, etc. |
| 4. | W-4 or S-4: | Not utilized. |
| 5. | W-5 or S-5: | Master Plan area - capital facilities are required to support the Land Use Master Plan. However, these areas are usually not in the Metropolitan District and the owners must petition to be included. |
| 6. | W-6 or S-6: | Areas of future consideration for Metropolitan District facilities. |
| 7. | W-7 or S-7: | No planned Metropolitan District facilities. |

The amendment to the Plan is as follows:

<u>Council District</u>	<u>Area/Property Name</u>	<u>Current Designation</u>	<u>Proposed Designation</u>
1	Timothy Norris Property	W-1, S-5	W-1, S-3

This resolution will take effect from the date of its passage by the County Council.

BALTIMORE COUNTY COUNCIL
NOTES TO THE AGENDA
APPENDIX A

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

TO: Fred Homan
Administrative Officer

DATE: 11/14/14

FROM: Keith Dorsey, Director
Office of Budget & Finance *KAD*

**COUNCIL MEETING
DATE:** 12/15/14

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 7470 The KEYW Corporation – Police, Direction finding antenna module,
KEYW Trachea2

This order is for the purchase of a Trachea2 wireless direction finding antenna for the BCPD Criminal Intelligence Unit.

According to the memo dated June 27, 2014 from Chief James Johnson, this antenna module is the only system specifically optimized to work from inside the vehicle, instead of being mounted on the roof. This diminishes the possibility of detection and improves officer safety.

Trachea2 is only available from KeyW Corporation Engineering Integration Group. The items are proprietary, developed, manufactured and sold by KeyW.

Amount: \$32,000.00
Award Date: 11/12/14

c: M. Field
T. Peddicord
L. Smelkinson