

*BALTIMORE COUNTY COUNCIL  
NOTES TO THE AGENDA  
LEGISLATIVE SESSION 2015*

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*Issued: February 5, 2015  
Work Session: February 10, 2015  
Legislative Day No. 4 : February 17, 2015*

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



OFFICE OF THE COUNTY AUDITOR

BALTIMORE COUNTY COUNCIL

February 17, 2015

NOTES TO THE AGENDA

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**BALTIMORE COUNTY COUNCIL AGENDA  
LEGISLATIVE SESSION 2015, LEGISLATIVE DAY NO. 4  
FEBRUARY 17, 2015 6:00 P.M.**

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

Page

**CALL OF BILLS FOR FINAL READING AND VOTE**

**KEITH DORSEY, DIRECTOR, OFFICE OF BUDGET AND FINANCE**

1 Bill 4-15 - Mrs. Bevins(By Req.) - 2014-2015 Capital Budget

**JOANNE WILLAMS, DIRECTOR, DEPARTMENT OF AGING**

7 Bill 5-15 - Mrs. Bevins(By Req.) - CEB - Rural Public Transportation

**COUNCIL**

10 Bill 6-15 - Councilmembers Almond & Kach - Zoning Regulations - Conservation Burial Ground

12 Bill 7-15 - Mr. Marks - Hucksters and Peddlers

**APPROVAL OF FISCAL MATTERS/CONTRACTS**

**ED ADAMS, DIRECTOR, DIRECTOR, DEPARTMENT OF PUBLIC WORKS**

14 1. Amendment to Contract - Wallace, Montgomery & Associates - On-call civil engineering services –  
Public Works

**MISCELLANEOUS BUSINESS**

**COUNCIL**

22 1. Correspondence - (a)(2) - Non-Competitive Awards (January 13, 2015)

**BARRY WILLIAMS, DIRECTOR, DEPARTMENT OF RECREATION & PARKS**

18 2. Res. 6-15 - Mrs. Bevins(By Req.) - 2005-2006 Land Preservation, Parks and Recreation Plan Update

**COUNCIL**

3. Res. 8-15 - Mr. Quirk - Property Tax Exemption - DAV - Dwight A. Rabb

4. Res. 9-15 - Mr. Jones - Property Tax Exemption - DAV - Plummer L. Talley

Bill 4-15 (Supplemental Appropriation)

Council District(s) All

Mrs. Bevins (By Req.)

Office of Budget and Finance

## 2014-2015 Capital Budget

The Administration is requesting a supplemental appropriation of County bond funds (\$131,645,500) and Local Open Space (LOS) Waiver Fees (\$1,200,000) totaling \$132,845,500 to the FY 2015 Adopted Capital Budget for various projects. The borrowing referendum approved by the voters on November 4, 2014 authorizes the issuance of the bonds for these projects. The projects were programmed to receive funding in FY 2016. In addition, a supplemental appropriation of \$1,200,000 in LOS Waiver Fees in excess of the appropriated amount is being requested. The proposed supplemental appropriation will enable the Administration to expedite the projects. See Exhibit A.

## Fiscal Summary

<u>Capital Project</u>	<u>Supplemental Appropriation</u>	<u>Current Appropriation <sup>(2)</sup></u>	<u>Total Appropriation</u>
<b>Community College:</b>			
Catonsville – Renovations/Additions	\$ 2,950,000	\$ 39,305,000	\$ 42,255,000
<b>Total</b>	<b>\$ 2,950,000</b>	<b>\$ 39,305,000</b>	<b>\$ 42,255,000</b>
<b>Public Works - Streets and Roads:</b>			
Street Rehabilitation	\$ 6,050,000	\$ 37,904,580	\$ 43,954,580
Roadway Resurfacing	8,325,000	172,370,821	180,695,821
Alley Reconstruction	1,750,000	7,113,587	8,863,587
Curbs, Gutters, and Sidewalks	6,500,000	53,300,733	59,800,733
<b>Total</b>	<b>\$ 22,625,000</b>	<b>\$ 270,689,721</b>	<b>\$ 293,314,721</b>
<b>Schools:</b>			
SW Area New Constr., Addns & Renovs.	\$ 49,999,000	\$ 4,600,000	\$ 54,599,000
NE Area New Constr., Addns & Renovs.	2,800,000	--	2,800,000
School Air Conditioning Projects	11,734,000	3,119,000	14,853,000
Roof Rehabilitation	3,287,500	107,878,133	111,165,633
<b>Total</b>	<b>\$ 67,820,500</b>	<b>\$ 115,597,133</b>	<b>\$ 183,417,633</b>

**General Government Buildings:**

<b>Bldg Repair, Renovs, Minor Additions</b>	\$ 26,250,000	\$ 129,519,921	\$ 155,769,921
<b>Total</b>	\$ 26,250,000	\$ 129,519,921	\$ 155,769,921

**Parks, Preservation & Greenways:**

<b>Community/Neighborhood Park Dvlpmt.</b>	\$ 5,200,000 <sup>(1)</sup>	\$ 37,006,108	\$ 42,206,108
<b>Total</b>	\$ 5,200,000	\$ 37,006,108	\$ 42,206,108

**Refuse Disposal:**

<b>Eastern Sanitary Landfill</b>	\$ 8,000,000	\$ 22,906,419	\$ 30,906,419
<b>Total</b>	\$ 8,000,000	\$ 22,906,419	\$ 30,906,419

<b>Grand Total</b>	\$ 132,845,500	\$ 615,024,302	\$ 747,869,802
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(1) \$4,000,000 in County funds (bonds) and \$1,200,000 in LOS Waiver Fees.

(2) Catonsville-Renovations/Additions; Street Rehabilitation; Roadway Resurfacing; Alley Reconstruction; Curbs, Gutters, and Sidewalks; Roof Rehabilitation; Building Repair, Renovations & Minor Additions; and Community/Neighborhood Park Development are on-going capital projects. The current appropriations for these projects are based on the County's financial system as of January 20, 2015, but may not necessarily reflect total appropriations since the inception of these capital projects.

**Analysis**

The borrowing referendum approved by the voters on November 4, 2014 included \$277,699,000 for various capital projects. This funding was programmed in FY 2016 as part of the adopted FY 2015 – 2020 Capital Budget and Program. The purpose of this supplemental appropriation is to appropriate \$131,645,500 of this bond funding to the FY 2015 capital budget effective March 1, 2015. In addition, \$1,200,000 of Local Open Space Waiver Fees in excess of previously appropriated amounts will be appropriated to the FY 2015 capital budget effective March 1, 2015. The Office of Budget and Finance advised the LOS funds reflect prior year collections that had not been recognized.

The distribution of the proposed supplemental appropriation is as follows:

- \$2,950,000 will be appropriated to the Catonsville-Renovations/Additions project to fund the Phase 2 conversion of the former Library building to a Science and Mathematics Hall, as well as an addition to the facility;
- \$22,625,000 will be appropriated to various countywide Streets and Highways projects to continue repair and resurfacing activities necessitated by the harsh 2013-2014 winter season;

- \$67,820,500 will be appropriated to expedite various school projects, including the construction of the new Westowne and Relay elementary schools, the Westchester Elementary addition, and design of the new Lansdowne and Victory Villa elementary schools; air conditioning projects at Halstead Academy, and Villa Cresta, Carney, Joppa View, Pleasant Plains, and Chase elementary schools; and roof replacement projects at Owings Mills, Deer Park, and Chesapeake Terrace elementary schools to match funds awarded by the State in FY 2015;
- \$26,250,000 will be appropriated to the countywide Building Repair, Renovations, Minor Additions project to expedite construction of a new westside homeless shelter on the Spring Grove site, and parking garage improvements at the Public Safety Building and Drumcastle Center;
- \$4,000,000 in bond funds and \$1,200,000 in LOS Waiver Fees will be appropriated to the countywide Community/Neighborhood Park Development project for the construction of community centers in Catonsville and Dundalk; and
- \$8,000,000 will be appropriated to the Eastern Sanitary Landfill project for the construction of a new transfer station at the landfill.

Upon approval of the proposed supplemental appropriation, \$144,853,500 in County bond funding would remain programmed in FY 2016 for various capital projects throughout the County. An additional \$256,448,000 and \$255,489,000 in County bond funding is programmed in fiscal years 2018 and 2020, respectively, for various capital projects throughout the County.

With the affirmative vote of five members of the County Council, Bill 4-15 will take effect March 1, 2015.

## EXECUTIVE SUMMARY

The Administration is requesting a supplemental appropriation to the FY 2015 Adopted Capital Budget totaling \$132,845,500 for various projects that are expected to need funding prior to July 1, 2015 or FY 2016. The Capital Improvement Program for FY 2016 in the FY 2015 Adopted Capital Budget includes General Obligation Bonds totaling \$277,699,000 programmed to various projects and funds. The programmed bond amounts were included on the borrowing referenda in the November 4, 2015 General Election. The referenda were approved by Baltimore County voters and this supplemental appropriation requests Council approval of appropriating \$131,645,500 of the borrowing authority to the FY2015 Capital Budget. Also requested is the supplemental appropriation of \$1,200,000 of local open space waiver fees in excess of appropriated amounts. The distribution of the supplemental appropriation is as follows:

### **Fund 209 Community Colleges**

A supplemental appropriation of bond funds totaling \$2,950,000 to project 209-0103 Catonsville – Renovations / Additions will be used to fund the Phase 2 conversion of the building formerly known as the Library to a Science and Mathematics Hall as well as an addition to the facility. The construction completion is projected to be summer 2015 with the facility opening for classes in fall 2015.

### **Fund 210 Streets and Roads**

A supplemental appropriation of bond funds totaling \$22,625,000 will provide funds to Department of Public Works streets and highways projects to continue repair and resurfacing activities necessitated by the harsh 2013 -2014 winter season. The specific projects are as follows: Project 2050002 Street Rehabilitation \$6,050,000; 2050133 Roadway Resurfacing \$8,325,000; 2050250 Alley Reconstruction \$1,750,000; and 2050301 Curbs, Gutters and Sidewalks \$6,500,000.

### **Fund 211 Public Schools**

A supplemental appropriation of bond funds totaling \$67,820,500 will provide funds to Baltimore County Public Schools for the continued implementation of the Schools for Our Future program for the construction of additional elementary school seats to address overcrowding and air conditioning projects. The funds will also be used for roof replacements to match funds approved by the State of Maryland in FY2015. The specific projects are as follows:

Project 2130203 SW Area New Construction, Additions, and Renovations funds totaling \$49,999,000 will be used to fund the construction of the new Westowne ES (\$20,437,000), the new Relay ES (\$23,014,000), the Westchester ES addition (\$3,748,000), and design of the new Lansdowne ES (\$2,800,000).

Project 2130207 NE Area New Construction, Additions, and Renovations funds totaling \$2,800,000 will be used for the design of new Victory Villa ES.

Project 2130209 School Air Conditioning Projects funds totaling \$11,734,000 will be used to fund air conditioning projects at Halstead Academy (\$2,459,000), Villa Cresta ES (\$1,850,200), Carney ES (\$1,976,200), Joppa View ES (\$1,582,200), Pleasant Plains ES (\$2,174,200) and Chase ES (\$1,692,200).

Project 2130671 Roof Rehabilitation funds totaling \$3,287,500 will be used for roof replacement projects at Owings Mills ES (\$1,303,000), Deer Park ES (\$1,128,500), and Chesapeake Terrace ES (\$856,000). These funds will match funds awarded by the State in FY2015.

**Fund 241 Operational Buildings**

A supplemental appropriation of bonds totaling \$26,250,000 to project 210-0036 Building Repair, Renovations, Minor Additions for the construction of a new West Side homeless shelter on the Spring Grove site. Funds will also be used for parking garage improvements at the Public Safety Building and Drumcastle Center. Both facilities are in rapid decline with anticipated improvements commencing prior to FY2016.

**Fund 242 Parks, Preservation, Greenways**

A supplemental appropriation of bonds and local open space waiver fees totaling \$5,200,000 to project 212-0307 Community/Neighborhood Park Development for the construction of community centers in Catonsville and Dundalk. The supplemental appropriation consists of \$4,000,000 in bonds and \$1,200,000 of local open space waiver fees. The local open space waiver fees are revenues in excess of current appropriations.

**Fund 246 Refuse Disposal**

A supplemental appropriation of bond funds totaling \$8,000,000 to project 208-0010 Eastern Sanitary Landfill will provide funding for the construction of a new transfer station at the landfill. The new, larger transfer station is required to accommodate the more than 100,000 tons of municipal solid waste anticipated from Harford County beginning in March 2016.

Prepared by: Office of Budget and Finance

**FY15 Supplemental Appropriation**

Fund	Project	Project Title	Revenue Object	Revenue Title	FY15 Suppl Appropriation
209	2090103	Catonsville - Renovations/Additions	9441R	Bonds	\$ 2,950,000
<b>209</b>	<b>209</b>	<b>CCBC Total</b>			<b>\$ 2,950,000</b>
210	2050002	Street Rehabilitation	9441R	Bonds	\$ 6,050,000
210	2050133	Roadway Resurfacing	9441R	Bonds	\$ 8,325,000
210	2050250	Alley Reconstruction	9441R	Bonds	\$ 1,750,000
210	2050301	Curbs, Gutters and Sidewalks	9441R	Bonds	\$ 6,500,000
<b>210</b>	<b>205</b>	<b>Streets &amp; Highways Total</b>			<b>\$ 22,625,000</b>
211	2130203	SW Area New Constr., Addns, and Renov	9441R	Bonds	\$ 49,999,000
211	2130207	NE Area New Constr., Addns, and Renov	9441R	Bonds	\$ 2,800,000
211	2130209	School Air Conditioning Projects	9331R	Bonds	\$ 11,734,000
211	2130671	Roof Rehabilitation	9441R	Bonds	\$ 3,287,500
<b>211</b>	<b>213</b>	<b>Schools Total</b>			<b>\$ 67,820,500</b>
241	2100036	Bldg Repair, Renovations, Minor Addns	9441R	Bonds	\$ 26,250,000
<b>241</b>	<b>210</b>	<b>Gen'l Government Bldgs Total</b>			<b>\$ 26,250,000</b>
242	2120307	Community/Neighborhood Park Dvlpmnt	9441R	Bonds	\$ 4,000,000
242	2120307	Community/Neighborhood Park Dvlpmnt	9671R	LOS Waiver Fee	\$ 1,200,000
<b>242</b>	<b>212</b>	<b>Parks, Preservation, Greenways Total</b>			<b>\$ 5,200,000</b>
246	2080010	Eastern Sanitary Landfill	9441R	Bonds	\$ 8,000,000
<b>246</b>	<b>208</b>	<b>Refuse Disposal Total</b>			<b>\$ 8,000,000</b>
		<b>TOTAL</b>			<b>\$ 132,845,500</b>

9441R	Bonds	\$ 131,645,500
9671R	LOS Waiver Fee	\$ 1,200,000
	<b>TOTAL</b>	<b>\$ 132,845,500</b>

Prepared by: Office of Budget and Finance

**Bill 5-15 (Supplemental Appropriation)**

**Council District(s) All**

**Mrs. Bevins (By Req.)**

**Department of Aging**

**Rural Public Transportation**

The Administration is requesting a supplemental appropriation of state funds totaling \$64,000 to the Rural Public Transportation Gifts and Grants Fund program. The funds will be used to provide taxi services for CountyRide ambulatory trips of two or less miles (\$50,000) and to hire a part-time (20 hours-per-week) mobility manager (\$14,000). See Exhibit A.

**Fiscal Summary**

<b>Funding Source</b>	<b>Supplemental Appropriation</b>	<b>Current Appropriation</b>	<b>Total Appropriation</b>
<b>County</b>	-- (1)	\$ 112,186 (2)	\$ 112,186
<b>State (3)</b>	\$ 64,000	31,493	95,493
<b>Federal (4)</b>	--	68,123	68,123
<b>Other (5)</b>	--	17,699	17,699
<b>Total</b>	<u>\$ 64,000</u>	<u>\$ 229,501</u>	<u>\$ 293,501</u>

(1) A required 20% County match (\$16,000) is being provided from Local Share Program funds.

(2) Local Share Program funds.

(3) Maryland Department of Transportation, Maryland Transit Administration (MTA) funds.

(4) U.S. Department of Transportation, Federal Transit Administration funds passed through the MTA.

(5) Ridership fees collected.

**Analysis**

The Rural Public Transportation Program provides transportation services to Baltimore County residents (60 years of age or older), disabled residents (ages 18 to 59), and rural residents of all ages who have limited access to public, private, or commercial transportation due to sparse population, long distances, and/or lack of support services to various destinations. Destinations include medical appointments, shopping, and other general purpose trips. Transportation is

provided with standard bus-sized vehicles and fares range from \$2.50 to \$6.00 each way, depending on whether the fare is pre-paid or paid at the time of service and whether the destination is within the County or crosses the City-County line.

The proposed \$64,000 supplemental appropriation will be used to contract taxi services for CountyRide ambulatory trips of two or less miles (\$50,000) and to hire a part-time (20 hours-per-week) mobility manager (\$14,000). The Department advised that its research has shown that using standard bus-sized vehicles is less efficient for short distances. The Department also advised that it expects an additional 100 clients (total of 12,100) will be served and approximately 1,200 additional trips per year will be provided. The additional funding is provided from the State's increase in motor fuel tax per the Transportation Infrastructure Act of 2013.

The grant period is FY 2015. The grant requires the County to provide a 20% match of the total program cost, or \$16,000, which will be met from Local Share Program funds.

With the affirmative vote of five members of the County Council, Bill 5-15 will take effect March 2, 2015.

## Executive Summary

The Baltimore County Department of Aging receives funds from the Maryland <sup>Transit</sup>~~Transportation~~ Administration to support transportation services to residents of Baltimore County who are disabled and elderly and have limited access to proper public, private or commercial transportation. This additional funding opportunity will allow us to substitute taxi or sedan rides for CountyRide ambulatory trips of two miles or less. This program will not distinctly differ from our existing CountyRide program; it will merely be an integrated, operational expansion of existing services. These supplementary funds will allow us to increase our capacity and thereby expand our client services by giving CountyRide much-needed additional capacity at peak operational times. This will allow CountyRide the opportunity to expand our services by approximately 1,200 trips per year and serve an additional 100 clients. Current Rural appropriation is \$229,501.00 consisting of state and federal grant money, \$99,616.00, local money, \$112,186 and estimated fees collected, 17,699.00.

Bill 6-15

Council District(s) All

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**Councilmembers Almond and Kach**

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**Zoning Regulations – Conservation Burial Ground**

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Bill 6-15 creates a new use - the conservation burial ground - and permits this use in the County's R.C. 8 (Resource Conservation, Environmental Enhancement) Zone by Special Exception.

Green, or natural burial is an environmentally friendly option, free from the carbon emissions produced through the embalming or cremation process, that allows the interment of the body of a deceased person in a manner that does not inhibit decomposition but allows the body to recycle naturally. The process also conserves or restores the land.

The bill defines a conservation burial ground as a property intended for use for the burial or permanent disposition of the remains of the dead, utilizing natural burial methods and biodegradable materials that permit the body to return naturally to the earth. It is permitted by Special Exception in a R.C. 8 Zone.

The use is subject to the following conditions:

- The burial ground must be designed, operated, and maintained in a manner that produces a natural appearance, by using plants and materials native to the region, and landscape patterns derived from and compatible with regional ecosystems.
- The land must be subject to a permanent conservation easement and a qualified land trust. A minimum tract of 60 acres is required. Buildings or structures on the land are subject to the easement limitations. Fences are not permitted, except in connection with an agricultural use.
- Memorial grave markers may not be raised above the ground. Markers must consist of natural and native materials that will not impede the natural landscape.
- A maximum of 100 burials per acre is permitted.
- A conservation burial ground must comply with all requirements of state law.

- The owner of a conservation burial ground shall file a plat of the burial ground with the Department of Permits, Approvals and Inspections.

With the affirmative vote of five members of the County Council and signature by the County Executive, Bill 6-15 will take effect on March 2, 2015.

Bill 7-15

Council District(s) All

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**Mr. Marks**

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**Hucksters and Peddlers**

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Bill 7-15 changes a certain part of the laws relating to door-to-door soliciting.

Baltimore County has regulated hucksters and peddlers since 1937. The regulatory statute has not changed significantly over the years.

To summarize the statute: in order to sell goods or services on the street, or door-to-door, a person must obtain a license from the Clerk of Court. Farmers selling their own products are exempt. The person must display the license. He may not maintain a sidewalk stand, but must continuously move. A person may not sell near school property, or on County-owned property, without the approval of the Administrative Officer. Criminal penalties and fines attach to any violation of the statute.

In 2010, the Council placed the following additional restrictions on door-to-door sales in residential areas (Bill 84-10).

1. If a person has displayed a “no soliciting” sign, or a sign containing similar words, on his residential property, a vendor may not sell or offer to sell anything to the occupant of that property.
2. The above prohibition applies to all residences in a neighborhood or community if a “no soliciting” sign, or similar sign, is displayed at each vehicle entrance to the neighborhood or community.
3. A vendor may not sell or offer to sell anything to the occupant of any residential property before 9 a.m. or after 5 p.m., or sunset on any day, whichever is earlier, sunset being defined as the time identified by the national weather service for that day in the Baltimore Metropolitan area.

Therefore, in residential communities, soliciting is prohibited at all times in a community that is posted. Soliciting is prohibited at all times at any individual residence that is posted. And soliciting is prohibited in all residential communities, whether posted or not, before 9 a.m. or after 5 p.m., or sunset, whichever is earlier.

Bill 7-15 proposes to delete the reference to 5 p.m., thus prohibiting soliciting in residential communities after sunset, at whatever time that may occur.

The 2010 legislation was prompted by complaints about soliciting after dark. The sponsor feels that Bill 84-10 dealt with that issue by empowering communities and individual homeowners to prohibit soliciting at any time of day by posting a sign to that effect. For those individuals or communities who do not wish to post a specific prohibition, the prohibition on soliciting after sunset was included in the statute. However, the 5 p.m. reference in the current law simply confuses the issue by permitting soliciting in unposted communities at differing times, depending upon the season of the year. The 5 p.m. reference is deleted in favor of a blanket prohibition on soliciting after sunset.

This bill will take effect 45 days after its enactment.

**FM-1 (Contract Addendum)**

**Council District(s) 2 & 3**

**Department of Public Works**

**On-Call Civil Engineering Services**

The Administration is requesting a second addendum to an on-call contract with Wallace, Montgomery & Associates, LLP (WM&A) to allow for additional civil engineering studies for the Jones Falls watershed, including Roland Run and all other tributaries, for the purpose of providing hydraulic and hydrologic studies suitable for Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) revisions and to address FEMA’s review comments for such revisions. The addendum increases the maximum compensation of the contract by \$200,000, from \$500,000 to \$700,000, for the entire term of the contract, which continues until specific services are completed. See Exhibit A.

**Fiscal Summary**

<b>Funding Source</b>	<b>Contract Addendum</b>	<b>Current Maximum Compensation</b>	<b>Amended Maximum Compensation</b>
<b>County</b> <sup>(1)</sup>	\$ 200,000	\$ 500,000	\$ 700,000
<b>State</b>	--	--	--
<b>Federal</b>	--	--	--
<b>Other</b>	--	--	--
<b>Total</b>	<u>\$ 200,000</u>	<u>\$ 500,000</u>	<u>\$ 700,000</u> <sup>(2)</sup>

<sup>(1)</sup> Capital Projects Fund.

<sup>(2)</sup> Maximum compensation for the entire term of the contract, which continues until specific services are completed.

**Analysis**

The contractor provides on-call civil engineering services, including developing hydrologic (watershed) and hydraulic (floodplain) models, and evaluating/modifying existing studies to meet

current Department of Public Works' Design Manual standards. The contractor also maps floodplain limits using existing County Geographic Information System (GIS) information and field surveys. The maps are used by County homeowners for determination of floodplain limits on their properties. All maps and studies are also submitted to FEMA for approval and for the updating of FEMA's maps.

The Department advised that the contractor completed a hydraulic study of the Roland Run main stream from Timonium to Lake Roland in accordance with the Department's Design Manual standards. The results of the study were submitted to FEMA on August 21, 2014 to correct an existing Federal Flood Insurance Rate Map (FIRM) affecting owners of many properties along Roland Run where several properties are incorrectly mapped in the special flood hazard area, resulting in property owners incurring much higher annual premiums for flood insurance coverage. The Department advised that review comments received from FEMA's map contractor on October 22, 2014 require extensive additional work to satisfy FEMA's checklist of detailed criteria necessary to satisfy FIRM mapping standards. The Department also advised that FEMA's review comments are generally not errors in the contractor's deliverable to the County, but additional information necessary to satisfy FEMA's mapping contractor checklist that are beyond the usual requirements of good engineering practice for floodplain delineation studies.

The proposed addendum will allow funding for additional civil engineering studies for the Jones Falls watershed, including Roland Run and all other tributaries, for the purpose of providing the hydraulic and hydrologic studies suitable for FIRM revisions and to address FEMA's review comments for such revisions. The Department anticipates a period of approximately 3 years for completion.

The Department advised that since WM&A completed the Roland Run study, and in light of the inherent difficulty associated with assigning another consulting firm the task of addressing FEMA's review comments on that completed study, the County elected to extend its contract with WM&A rather than soliciting other bids for the additional work. In addition, the Department does not want to divide the legal responsibility for the correctness of the completed study due to potential liability claims over flooding events, disclaimers notwithstanding.

The proposed addendum represents the second addendum to this contract. On March 16, 2009, the Council approved the original contract with compensation not to exceed \$500,000 for the entire 5-year term. On March 17, 2014, the contract was amended to extend the contract term through the later of March 15, 2015 or the date when all review comments by the Maryland Department of the Environment and FEMA relating to watershed/floodplain study work done by the contractor for the Roland Run and Maiden Choice Run Floodplain projects are fully addressed.

The Department advised that the Maiden Choice Run Floodplain study is currently in process. This proposed second addendum increases the maximum compensation by \$200,000, from \$500,000 to \$700,000. The addendum also incorporates the contractor’s supplemental proposal for the additional work, revised insurance certificate, and MBE/WBE forms. All other terms and conditions remain the same. The Department advised that as of January 28, 2015, expenditures/encumbrances under this contract totaled \$485,000.

Services are being performed at the engineer’s cost plus profit. Profit is limited to 10% of the combined total of direct labor costs plus overhead and payroll burden. Hourly rates and percentages for overhead, payroll burden and profit are within established County limits. The additional funding for this contract will not be encumbered at this time. Rather, contract costs will be charged to specific tasks as they are assigned. The County may terminate the agreement by providing 30 days prior written notice.

The contractor was selected by the Professional Services Selection Committee (PSSC) on July 16, 2008 from nine contractors based on qualifications and experience.

The Department advised that two other contractors are currently providing similar on-call civil engineering floodplain services as follows:

Contractor	Council Approval Date(s)	Contract Total	Expenditures/ Encumbrances as of January 28, 2015	Balance	Contract Expiration Date
Brudis & Associates, Inc.	9/4/12	\$1,000,000	\$161,107	\$838,893	9/3/16
McCormick Taylor, Inc.	11/5/12	\$1,000,000	\$218,013	\$781,987	11/4/16

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

This request is to increase the Master Agreement compensation cap for Wallace Montgomery & Associates from the \$500,000 approved in MA#1264 by Council on March 16, 2009 by another \$200,000 for a total of \$700,000.

The work funded by this increase will affect owners of many properties along Roland Run. It will not by itself fix the levee issue at Essex Farm Road, but it will make corrections to the Federal Flood Insurance Rate Map so that only those properties really at risk from the one-percent annual chance flood will have to deal with the high flood insurance premiums that apply to the special flood hazard area. Members of the community from Lake Roland to Lutherville/Timonium are greatly concerned about the FIRM map's impact on their area.

Task 3 under the existing Master Agreement was the hydraulic study of the Roland Run main stream from Timonium to Lake Roland. The study has been completed in accordance with DPW Design Manual standards and was submitted to FEMA on August 21, 2014 to correct the existing Flood Insurance Rate Map 240010-0245 F, Effective August 2, 2011.

Review comments from FEMA's map contractor were received October 22, 2014, with a 90-day deadline for response. The comments require extensive additional work to satisfy FEMA's checklist of detailed criteria which are necessary to satisfy FIRM mapping standards but are well beyond the usual requirements of good engineering practice for floodplain delineation studies.

Since the Roland Run study was done in its entirety by WM&A and sealed by WM&A's licensed engineers and surveyors, it would be difficult to assign the task of addressing FEMA's review comments to another consulting firm. In particular, we do not want to divide the legal responsibility for the correctness of the completed study, since it may be necessary for the engineering firm to defend the County against liability claims over flooding events, disclaimers notwithstanding.

FEMA's review comments require considerable additional work. These are generally not errors in WM&A's deliverable to us, but additional information necessary to satisfy FEMA's mapping contractor checklist. DPW does not necessarily agree with all of the FEMA comments but we anticipate the worst case and do not want to delay the publication of the map revision since we know of several properties incorrectly mapped in the special flood hazard area on the existing FIRM map where property owners incur much higher annual premiums for flood insurance coverage.

The scope of services is to furnish civil engineering studies for the Jones falls watershed including Roland Run and all other tributaries covered in the Jones Falls Hydrologic Report of March 2011 performed and sealed by WM&A for the purpose of providing Hydraulic and Hydrologic Studies suitable for FIRM map revisions and to address FEMA review comments for such revisions. The total funding of \$700,000 (\$500,000 originally) was not initially encumbered under a single job but will be established for each assigned task.

Prepared by: Department of Public Works

MB-2 (Res. 6-15)

Council District   All  

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**Mrs. Bevins (By Req.)**

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**Department of Recreation and Parks**

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**2005-2006 Land Preservation, Parks and Recreation Plan Update**

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In 2006, the County Council adopted the 2005-2006 Land Preservation, Parks and Recreation Plan Update as a part of the Baltimore County Master Plan (Resolution 52-06).

Title 5, Subtitle 9 of the Natural Resources Article of the Annotated Code of Maryland requires a local governing body to revise its land preservation and recreation plan at least every 5 years and submit the revised plan to the State. The Land Preservation, Parks and Recreation Plan (Plan) serves as a guide for meeting the recreation, park, and open space needs of the citizens of Baltimore County.

Resolution 6-15 adopts the latest update to the Plan as part of the Baltimore County Master Plan 2020. The update is needed in order for the County to remain eligible for Program Open Space (POS) local funding.

The Baltimore County Department of Recreation and Parks drafted the Plan Update based on the State's guidelines, with the assistance of the Department of Environmental Protection and Sustainability and the Department of Planning. Adoption by the Planning Board and the County Council is required to approve the Plan Update as an amendment to the Master Plan. The Planning Board voted to approve the Plan Update on November 20, 2014.

The Council held a public hearing on the Plan Update at the January 27, 2015 work session.

According to the Administration, the State's approval of the Plan Update will allow Baltimore County to comply with Maryland POS requirements for maintaining funding eligibility. The County must formally adopt its plan to meet the State's POS requirements. POS is an integral capital funding source for the Baltimore County Department of Recreation and Parks Capital Improvement Program, with approximately \$18.9 million allocated to the County from fiscal years

2010 through 2015. The funding is used for parkland acquisition, as well as park and recreation site development, enhancement, and capital rehabilitation.

The Plan Update is lengthy; it is available on-line. See Exhibit A for an executive summary of the Plan Update.

## EXECUTIVE SUMMARY

The Baltimore County Land Preservation, Parks and Recreation Plan (LPPRP) is a planning document required by the State of Maryland for the County to remain eligible for Program Open Space (POS) funding. POS is the primary State of Maryland funding program for the acquisition, development and rehabilitation of parkland and recreation sites, and thus the main emphasis of the LPPRP is parks and recreation. The LPPRP serves as an advisory master plan for the Baltimore County Department of Recreation and Parks, and is formally adopted as an addendum to the County's comprehensive (master) plan.

This LPPRP serves as an update to the 2005-2006 Baltimore County LPPRP, which was required to include expanded content on natural resource conservation and agricultural land preservation, in addition to traditional information on parks and recreation. The State utilized the '05-'06 LPPRP and other local LPPRP's from across the state to help analyze the effectiveness of federal, state and local land preservation and growth management programs and practices within its 2009 Maryland Land Preservation, Parks and Recreation Plan.

This iteration of the County LPPRP updates the progress that has been made towards achieving the goals, objectives and priorities identified in the '05-'06 LPPRP. Progress has been stalled somewhat as a result of challenging economic conditions, which have significantly impacted the amount of capital funding available to the State, counties and municipalities. Further, this plan revises that plan's goals, objectives and priorities, which were themselves modified as part of the effort to formulate the Baltimore County Master Plan 2020, adopted in November of 2010 as the County's latest comprehensive plan. Finally, this plan recommends the adoption of a revised overall parkland acreage goal that the County should strive to achieve through a more strategic approach to the selection and siting of parks.

The agriculture land preservation and natural resource conservation portions of the plan are largely presented in "reference and summary" format, outlining the existing policies, practices, accomplishments and goals for these components of the plan. Applicable content from *Baltimore County Master Plan 2020* and other existing documents is identified and presented. This reflects the fact that comprehensive efforts in the areas of natural resource conservation and agricultural land preservation, which are spearheaded by the County's Department of Environmental Protection and Sustainability (EPS) and Department of Planning, are more thoroughly documented in other plans, reports, etc. Conversely, this plan's content dedicated to parks and recreation is more extensive since the LPPRP is, at its core, the parks and recreation master plan.

This plan describes the broad range of tools Baltimore County utilizes to effectively preserve land for a variety of purposes—to provide parks, to "green" urbanized areas through the dedication of open space and greenways, to preserve farmlands and rural landscapes, and to protect natural resources and important habitats. These tools range from capital funding programs to environmental and development regulations. The County faces many challenges within its land preservation efforts. Continued population growth and a greater awareness of the importance of a healthy lifestyle amplify recreational demands that tax the ability of the County's existing recreational infrastructure to accommodate those demands. In certain

communities, where additional park sites may be required for the construction of needed facilities, there may be a lack of suitable undeveloped or under-developed lands. Funding diversions and reduced fiscal resources likewise challenge the County's ability to preserve sufficient parklands and agricultural and natural resources, to construct new recreational facilities, and to adequately maintain and rehabilitate the existing extensive inventory of parks and facilities. These factors have made it all the more essential that the County prioritize the use of its capital resources and make the most of alternative means of land acquisition/preservation, park development, resource conservation, and site and facility management and maintenance. A number of these alternative methods are outlined within this document.

The agricultural land preservation and natural resource conservation chapters of this document summarize Baltimore County's vision and efforts within these two essential areas of land preservation. The County's agricultural preservation program and growth management mechanisms have combined to protect the rural landscapes that are a defining characteristic of the County's heritage. Agricultural land preservation programs alone have preserved nearly 60,000 acres of farmlands. Zoning tools, development regulations, and capital programs protect natural resources such as the Chesapeake Bay, streams, wetlands, forests, and wildlife habitats. All of these efforts have collectively led to Baltimore County being recognized as a national leader in the realm of land preservation.

Baltimore County also enjoys a rich history as an innovator within the field of parks and recreation. Programs and practices such as the volunteer recreation councils, the joint-use agreement for school recreation centers, and the mandatory dedication of local open spaces and greenways within the development process have served as models for other jurisdictions for decades. The Recreation, Parks and Open Space chapter of this document presents the County's existing parks and recreation policies, programs, goals and objectives. A number of key elements of the LPPRP are provided within the chapter, including an analysis of recreational supply and demand, an estimation of parkland and recreational facility needs, a list of current parks and recreation objectives, and a summary of the project priorities and recommendations that are listed in greater details within Appendix C of this plan.

The County must continue to emphasize and invest in land preservation, parks and recreation if it wishes to remain an attractive place in which to live, do business and visit, and to remain a national leader.

BALTIMORE COUNTY COUNCIL  
NOTES TO THE AGENDA  
APPENDIX A

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

**TO:** Fred Homan  
Administrative Officer

**DATE:** 01/13/15

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

**COUNCIL MEETING  
DATE:** 2/17/15

**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 7663 Verizon Maryland LLC – Verizon Fiber Optic Network for Towson 911 Center

This Purchase Order is for hardware and construction of Verizon fiber network facilities to replace copper-wire telephone circuits at the Towson 911 Center.

According to the memo dated December 10, 2014, prepared by Rich Sterba and approved by Budget and Finance Director Keith Dorsey, in the State of Maryland, as authorized by the Department of Public Safety and Correction Services, Emergency Number System Board (ENSB), Verizon is the sole provider of 911 telecommunication circuits. Verizon will be providing all hardware and construction services to complete the 911 fiber network facilities for the dual-path fiber circuits to the County's Towson 911 Center.

Amount: \$105,843.00  
Not to Exceed \$110,000.00  
Award Date: 01/09/15

PO 7652 Taser International Inc. – Taser CAM, AS, TCHD & Extended Warranty, Police

Baltimore County Police Department is purchasing TASER CAM, AS, TCHD, battery replacement kits and a 4 year extended warranty from Taser International, Inc.

As stated in Chief James Johnson's memo dated 12/09/14, the TASER CAM, AS, TCHD is the only evidence recording device/camera that is compatible with the X2 CEW Taser, the model currently in use by the Police Department. Taser International has proprietary rights on the camera, is the only distributor of TASER products and is the sole agent for these items.

Amount: \$56,183.98  
Award Date: 01/09/15

c: M. Field  
T. Peddicord  
L. Smelkinson