

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

*Issued: August 27, 2015
Work Session: September 1, 2015
Legislative Day No. 14 : September 8, 2015*

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



OFFICE OF THE COUNTY AUDITOR

BALTIMORE COUNTY COUNCIL

September 8, 2015

NOTES TO THE AGENDA

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**BALTIMORE COUNTY COUNCIL AGENDA
LEGISLATIVE SESSION 2015, LEGISLATIVE DAY NO. 14
SEPTEMBER 8, 2015 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

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1 Bill 55-15 - Mrs. Bevins(By Req.) - Self Insurance Fund - Local Government Tort Claims Act Amendment

KEITH DORSEY, DIRECTOR, OFFICE OF BUDGET AND FINANCE

2 Bill 56-15 - Mrs. Bevins(By Req.) - 2015-2016 Capital Budget - Library Capital Maintenance & Renovation State Funds

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KEITH DORSEY, DIRECTOR, OFFICE OF BUDGET AND FINANCE

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26 2. Contract - SAMCO Outdoors, LLC - Snow Removal and Salt Application services - PW
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33 3. Contract of Sale - William and Constance Rafferty - 9418 Cross Road - Cross Road widening - RE
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39 3. Res. 62-15 - Mrs. Bevins(By Req.) - Endorsement of application - MD Community Investment Tax Credit - Towson University
39 4. Res. 63-15 - Mrs. Bevins(By Req.) - Endorsement of application - MD Community Investment Tax Credit - Abilities Network, Inc.
39 5. Res. 64-15 - Mrs. Bevins(By Req.) - Endorsement of application - MD Community Investment Tax Credit - CASA of Baltimore County, Inc.
39 6. Res. 65-15 - Mrs. Bevins(By Req.) - Endorsement of application - MD Community Investment Tax Credit - Linwood Center, Inc.

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WITHDRAWN

Bill 55-15

Council District(s) All

Mrs. Bevins (By Req.)

Office of Law

Self-Insurance Fund – Local Government Tort Claims Act Amendment

Bill 55-15 increases the limits of liability under the Local Government Tort Claims Act.

The Local Government Tort Claims Act (Annotated Code of Maryland, Courts Article, Title 5, Subtitle 3) requires a local government to provide a legal defense for its employees in any action that alleges damages resulting from an employee's tortious act or omission within the scope of employment. The County's Self Insurance Fund exists for that purpose.

The Self Insurance Fund pays on behalf of the County and the Board of Library Trustees any sum which the County and the Trustees may become legally obligated to pay for liability claims, including personal injury and property damage, and pays on behalf of an employee of the County or the Board of Library Trustees any sum which the employee may become legally obligated to pay for liability claims, including personal injury or property damage resulting from tortious acts or omissions committed by the employee within the scope of employment with the County.

Bill 55-15 increases the limit from \$200,000 to \$400,000 per an individual claim, and from \$500,000 to \$800,000 for total claims arising from the same occurrence.

This bill is necessary because Chapter 131 of the Acts of the Maryland General Assembly of 2015 increased the limits of liability. The bill applies prospectively to causes of action arising on or after the bill's October 1, 2015 effective date.

With the affirmative vote of five members of the County Council, and signature by the County Executive, Bill 55-15 will take effect on October 1, 2015.

Bill 56-15 (Supplemental Appropriation)

Council District(s) 4

Mrs. Bevins (By Req.)

Office of Budget and Finance

**2015-2016 Capital Budget –
Library Capital Maintenance & Renovation State Funds**

The Administration is requesting a supplemental appropriation of state funds totaling \$170,000 to the Library Capital Maintenance & Renovation State Funds project. The funds will be used for renovations at the Randallstown branch of the Baltimore County Public Library. See Exhibit A.

Fiscal Summary

Funding Source	Supplemental Appropriation	Current Appropriation	Total Appropriation
County	--	\$ 10,758,536	\$ 10,758,536
State ⁽¹⁾	\$ 170,000	366,000	536,000
Federal	--	--	--
Other	--	--	--
Total	<u>\$ 170,000</u>	<u>\$ 11,124,536</u>	<u>\$ 11,294,536</u>

⁽¹⁾ Maryland State Department of Education funds. Renovation costs are estimated to total \$332,000, with the County providing the remaining \$162,000.

Analysis

The proposed grant funds will be used for renovations at the Randallstown branch of the Baltimore County Public Library (BCPL). The renovations will include the replacement of carpeting (in the public areas, meeting room, and staff areas), materials shelving (in the public areas to meet current BCPL standards), and furniture, as well as lighting improvements. The Office advised that the renovations will provide an open floor plan to create better visibility throughout the branch.

The Office also advised that the new shelving will be installed at lower heights (42, 66, and 78 inches) to provide patrons and staff greater accessibility to the materials.

Renovation costs are estimated to total \$332,000, with the state providing \$170,000 and the County providing \$162,000. The Office advised that a renovation schedule has not been developed, and that the Randallstown branch will remain open during the renovations.

With the affirmative vote of five members of the County Council, Bill 56-15 will take effect September 21, 2015.

Executive Summary

This supplemental appropriation of State funds totaling \$170,000 to capital project 210-0601 Library Capital Maintenance and Renovation will contribute to funding the renovation of the Randallstown Branch of the Baltimore County Public Library. The county will provide \$162,000 for a total estimated project cost of \$332,000.

The Randallstown Branch was renovated in 2001 after a major fire, and a new roof was installed in FY2014. This renovation will remove all worn and old carpeting in the public areas, meeting room, and staff areas and replace it with new carpeting. It will also remove all old, tall, and now insufficient, state-use shelving in the public areas and replace it with new shelving that meets current BCPL standards. Lighting improvements and furniture replacement will also be funded through the project.

The renovation of the 29,000 square foot facility will open up the floor plan and create better visibility throughout the public areas. The installation of lower shelving at 42, 66, and 78 inches, will make it easier for customers to access materials, and for staff to shelve, retrieve and merchandise collections. New furniture, table and chairs placed near the recently increased electrical outlets will allow patrons additional work space and to more easily and safely use their portable devices without impacting other users in the branch.

Bill 57-15 (Supplemental Appropriation)

Council District(s) All

Mrs. Bevins (By Req.)

Department of Health and Human Services

Ebola Supplemental Funding

The Administration is requesting a supplemental appropriation of federal funds totaling \$67,000 to the Ebola Supplemental Funding Gifts and Grants Fund program. The funds will be used to enhance the County’s preparedness planning and operational readiness for responding to the Ebola virus and other similar infectious diseases. See Exhibit A.

Fiscal Summary

<u>Funding Source</u>	<u>Supplemental Appropriation</u>	<u>Current Appropriation</u>	<u>Total Appropriation</u>
County	--	--	--
State	--	--	--
Federal ⁽¹⁾	\$ 67,000	--	\$ 67,000
Other	--	--	--
Total	\$ 67,000	--	\$ 67,000

⁽¹⁾ U.S. Department of Health and Human Services, Centers for Disease Control and Prevention funds passed through the Maryland Department of Health and Mental Hygiene, Office of Preparedness and Response. No County matching funds are required.

Analysis

The proposed \$67,000 supplemental appropriation will be used to enhance the County’s ability to respond to and mitigate high consequence pathogens like Ebola and other emerging infectious diseases. Specifically, the funds will be used to enhance four critical federally-defined public

health capabilities: emergency public information and warning; non-pharmaceutical interventions; public health surveillance and epidemiological investigation; and responder health and safety.

Funding will be used for the salary and benefits of a part-time (20 hours-per-week for 40 weeks) Epidemiology and Surveillance Specialist to assist with data analytics and other statistical analysis. The funds will also be used to purchase equipment and software, to upgrade infrastructure, and to provide training. Specifically, the Department will upgrade its existing public health emergency hotline system to improve the call center's incoming call capability; purchase personal protective equipment, tablet computers and wireless service for health responders; and provide training for health responders who may need to visit individuals in quarantine. The Department advised the tablets will allow health officials to directly monitor and communicate with individuals who are quarantined and require daily monitoring.

The grant period is July 1, 2015 through June 30, 2016. No County matching funds are required for this grant. The Department advised that minimal ongoing funding may be required at the conclusion of the grant period for wireless service costs for the tablets, which is estimated to total \$1,920 annually.

With the affirmative vote of five members of the County Council, Bill 57-15 will take effect September 21, 2015.

EXECUTIVE SUMMARY FOR EBOLA SUPPLEMENTAL FUNDING

PURPOSE

The primary purpose of the Ebola Supplemental Funding is to enhance the local health department's ability to respond to and mitigate high consequence pathogens like Ebola and other emerging infectious diseases. The grant award is \$67,000 for FY 2016.

OVERVIEW

This funding will be utilized to enhance four (4) critical federally-defined public health capabilities as outlined in the grant award guidance:

- Capability #4: Emergency Public Information & Warning
- Capability #11: Non-pharmaceutical Interventions
- Capability #13: Public Health Surveillance & Epidemiological Investigations
- Capability #14: Responder Health & Safety

Emergency Public Information and Warning:

Funds will be used to enhance the existing public health emergency hotline system to include converting all phones to Voice-Over Internet Protocol (VOIP) and improving the Health Department's call center's incoming call capability. The public health emergency hotline, staffed by health department and/or health volunteers, is utilized during public health incidents or emergencies to provide information to the public through a call center.

Non-Pharmaceutical Interventions; Public Health Surveillance and Epidemiological Investigations:

Tablets and wireless service will be purchased as means of direct monitoring and communication with homebound persons-under-investigation (PUI) who are subject to daily monitoring while in quarantine but lack their own means of using Skype and/or video-chat. Video monitoring allows health officials to safely ensure temperature checks, symptom monitoring and possibly medication compliance, if applicable.

An Epidemiology and Surveillance Specialist will be hired for a short-term, 40-week position to assist with data analytics and other statistical analysis to support the Baltimore County Communicable Disease Program. In addition, epidemiology software, training and an exercise will be funded to enhance the Communicable Disease Program's knowledge base of epidemiology and investigational techniques.

Responder Health and Safety

Funding will be used to purchase personal protective equipment (PPE) and providing donning/doffing training for health responders who may need to visit persons under investigation (PUI).

HISTORY

Ebola is a contagious, often deadly, viral hemorrhagic fever spread through direct contact with the bodily fluids of an infected person. In 2014, West Africa experienced the largest outbreak in history, resulting in over 16,500 suspected cases and over 6,300 resulting deaths. In the United States, there have been four (4) confirmed cases resulting in one (1) death. Baltimore County has monitored several people in moderate and high-risk groups to determine if they qualified as "Persons Under Investigation" (PUI) but has not, to date, had any confirmed cases of Ebola. People being monitored for signs and symptoms of Ebola may be quarantined depending on risk level, with temperature and health checks performed daily. There is currently no vaccine available to prevent or treat Ebola.

FISCAL IMPACT

The fiscal impact of this program is anticipated to be minor. After the conclusion of the one (1) year grant period, local budget may be required to cover the costs of wireless service for the tablets.

Prepared by:
Department of Health and Human Services

Bill 58-15**Council District(s) All**

Mr. Marks

Social Host – Unruly Social Gatherings

Bill 58-15 revises the section of the Baltimore County Code pertaining to nuisances and adds a section to that area of the law to prohibit unruly social gatherings, and deems such gatherings a nuisance.

Underage possession and consumption of alcohol is an ongoing problem, particularly in areas with colleges and universities that have a concentration of minor children and of-age young adults that consume excessive amounts of alcohol. Minors often obtain, possess, or consume alcoholic beverages at uncontrolled and unsupervised social gatherings held at residences, or rented residential or commercial premises of persons who know or should know of such underage or excessive behavior but fail to stop it. Many of these gatherings occur in quiet, residential neighborhoods not far from college campuses. Uncontrolled or unsupervised social gatherings with large numbers of underage drinkers and inadequate or no adult supervision are particularly high-risk settings for adverse consequences, including alcohol abuse by minors, physical altercations, and potential criminal behavior, all of which may require call for service to public safety officials.

There are also situations where owners of private property have been notified that their tenants and guests are hosting or otherwise permitting underage or uncontrolled social gatherings on their property where alcoholic beverages are served to and consumed by underage persons. Yet, these individuals often fail to take action after such notification even though they are aware these gatherings cause serious disruption to the peaceful and quiet enjoyment of neighboring residents and communities.

In addition, these unruly social gatherings often require the use of extensive police, fire, and emergency medical resources, often on multiple occasions, which limits their ability to respond to other service calls in the community, thereby placing the community at further risk, with very little

legal responsibility on the part of the host and attendees of the gathering, or the landlord to control and deter such gatherings.

Bill 58-15 places the legal obligation on the person or persons responsible for the unruly social gathering, as well as the owner of the residence or other private property where the gathering is held, by permitting a responding police officer to issue a civil citation to the responsible person or persons, as well as the owner of the premises, even if the owner was not physically present at the unruly social gathering.

The bill defines a “responsible person” as a person or persons with a right of possession in the residence or other private property on which an unruly social gathering is conducted, including an owner, the landlord of another person responsible for the gathering including one who sublets a unit to another person, the person who organizes or supervises or conducts the event, or any other person accepting responsibility for such a gathering.

The bill defines an “unruly social gathering” as a party, event, or assemblage of two or more persons at a residence or other private property where (1) alcoholic beverages are being furnished to, consumed by, or in possession of any underage person in violation of state law; or (2) behavior or conduct is occurring that results in a substantial disturbance of the peace and quiet enjoyment of private or public property, which may involve conduct that includes:

- Excessive noise;
- Excessive traffic significantly above what is normal for the day, date, and time of day;
- Use of controlled substances by persons at the gathering;
- Obstruction of public streets or unruly crowds that have spilled onto public streets;
- Public drunkenness or unlawful consumption of alcoholic beverages;
- Assaults and other disturbances of the peace;
- Vandalism;
- Public urination;
- Littering; or
- Other conduct constituting a threat to public safety, quiet enjoyment of residential property, or the general welfare.

Under the general prohibition on nuisances in the County Code, Bill 58-15 states that an owner or any other responsible person may not conduct, cause, aid, allow, permit, or condone an unruly

social gathering at a residence or other private property, a violation of which shall constitute a nuisance. The bill classifies a violation as a civil offense that is a separate offense from any other violations or offenses applicable to consumption of alcohol by a minor, and also exempts “family gatherings” or legally protected religious activities.

In enforcing this prohibition, the bill allows a responding police officer who determines an unruly social gathering exists to issue a civil citation for the violation to all identified responsible persons, including service of the citation on the owner of the residence or other private property, or property manager if applicable.

Bill 58-15 provides enforcement through a tier of penalties, depending on whether a first or subsequent violation. A first violation provides for a civil penalty of \$100 and 20 hours of community service for the responsible person or persons, and a warning notice to the owner of the residence or other private property, and the management company if applicable. Additional violations increase the civil penalty and community service to the responsible persons, and also provides for a civil penalty to the owner/management company; for a fifth or subsequent violation, this includes \$1,000 and 100 hours of community service to the responsible persons and \$1,000 and revocation of the rental license to the owner/management company.

Finally, if the owner/management company fails to pay the civil penalties imposed, the amounts due are added to the current taxes due on the property and constitute a lien on the property.

Bill 58-15 shall take effect 45 days after its enactment.

Bill 59-15**Council District(s) All**

Mr. Crandell

County Parks – Authority of Director

Bill 59-15 authorizes the Director of Recreation and Parks to exclude a person from a County park for criminal violations or violations of park rules and regulations.

There are various statutes that prohibit specific activities in County parks (e.g., hunting) or regulate park activities, and, within the parks, the Department and the Director currently have authority to issue permits, restrict activities, regulate traffic and parking, etc. Both civil and criminal penalties may be applicable for violations.

However, situations sometimes arise in which a person is cited for a civil violation or is asked to leave a park, on multiple occasions, for conduct that is not criminal, and the person repeatedly returns to the park and engages in the same conduct. Bill 59-15 attempts to address this situation by allowing the Director of Recreation and Parks to exclude that person from the park for a specified period of time, and if the person returns to the park in violation of the exclusion notice, then he or she is guilty of a misdemeanor and subject to arrest. In fact, the Director has exercised this authority in the past without benefit of a specific statute.

Many of the County's parks are passive parks. As a practical matter, the police will be called for any problems in such parks and will take appropriate action as warranted by the situation. In cases of habitual conduct that may warrant exclusion, the Police Department will communicate with the Department of Recreation and Parks in order for the Director to determine if exclusion of the person for a period of time is appropriate. Bill 59-15 will codify a clear procedure for both the Director and the Police Department to follow.

The bill authorizes the Director to exclude a person from a park for a violation of any provision of Article 30, Title 1 of the County Code, or for a violation of any criminal statute while the person is in a park. An exclusion shall be for a period of 30 days. However, if a person has been excluded

from a park within the two preceding years, the exclusion shall be for 90 days, and if a person has been excluded from a park on two or more occasions within the two preceding years, the exclusion shall be for 180 days.

The notice of exclusion shall be in writing and shall include:

- The date, length, and place of the exclusion;
- The provision of law the person has violated;
- A brief description of the offending conduct; and
- A notice of the right to appeal.

A person who has been excluded from a park may not enter or remain in the park at any time during the period of exclusion. If the person does so, then he or she is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$1,000 or imprisonment not exceeding 90 days or both.

With the affirmative vote of five members of the County Council, and signature by the County Executive, Bill 59-15 will take effect on September 21, 2015.

Bill 60-15**Council District(s) All**

Councilmembers Almond, Quirk & Marks

Energy Conservation Devices

Bill 60-15 proposes to increase the annual limit on the amount of tax credits that may be granted for energy conservation devices. Current law limits the annual amount of credits to \$250,000. Bill 60-15 proposes to increase the limit to \$1,000,000.

State law authorizes counties to grant tax credits against the local property taxes imposed on structures which utilize solar energy, geothermal, or other energy conservation devices for heating and cooling, generating electricity, or providing hot water. Each jurisdiction is able to determine the amount of the tax credit; the duration of the tax credit (not exceeding 3 years); the specific definitions of qualifying devices; and any other provisions necessary to carry out the tax credit program.

In 2010, the Council approved Bill 82-10 which authorizes a credit against the County property tax imposed on a residential structure that utilizes a solar energy or geothermal device for heating, cooling, generating electricity, or providing hot water. The amount of the credit is the lesser of 50% of the eligible material and installation costs, or \$5,000 for a heating system or \$1,500 for a hot water supply system. The total tax credits granted per fiscal year may not exceed \$250,000, and credits are granted in the order in which applications are received. If the County receives applications which, if granted, would cause the \$250,000 limit to be exceeded, the tax credits are granted in the next fiscal year or years. In addition, the amount of the tax credit applied in a tax year may not exceed the amount of the County property tax imposed on the property in that tax year; any amount of the credit not taken in the tax year in which the application is granted may be carried over for an additional two tax years. If the tax credit is carried over, the full amount of the tax credit is deducted from the total annual limit in the year in which the application is granted. A homeowner may receive the Baltimore County tax credit in addition to existing federal, state, and utility incentives.

According to the Administration, since the 2010 inception of the Energy Conservation Device Program, through May 4, 2015, the County has received 791 applications, qualifying for \$3,490,328 in credits. As of May 4, 2015, the County had awarded 223 credits totaling \$910,727, leaving 568 properties “in the pipeline” to receive credits totaling \$2,579,601. Under the present program cap of \$250,000 per year, the waitlist as of May 4, 2015 extended to FY 2025.

If Bill 60-15 is enacted, and the annual program cap is increased to \$1 million, it is estimated that applicants on the waiting list as of May 2015 would begin receiving credits by or before FY 2018 (i.e., within 2 years).

With the affirmative vote of five members of the County Council, and signature by the County Executive, Bill 60-15 will take effect on September 21, 2015.

Bill 61-15**Council District(s) All**

Councilmembers Almond & Marks

Zoning Regulations – Medical Cannabis

Bill 61-15 will permit state-licensed medical cannabis facilities in certain zones of the County. The need for the bill is driven by state legislative action that decriminalized the use or possession of marijuana and authorized the use of marijuana for medical purposes.

Chapter 158 of the Acts of the Maryland General Assembly of 2013 reclassified the use or possession of less than 10 grams of marijuana from a criminal offense to a civil offense, subject to a fine ranging from a maximum of \$100 to \$500, depending on the number of violations. The bill established requirements for (1) the issuance of citations; (2) the appearance in court if the offender is younger than age 21, or after three or more violations; and (3) the adjudication of the offense in District Court.

Chapter 403 of the Acts of the Maryland General Assembly of 2013 authorized the investigational use of marijuana for medical purposes through research programs operated by academic medical centers in the state. The Act also established the Natalie M. LaPrade Medical Marijuana Commission, as an independent commission within the Maryland Department of Health and Mental Hygiene. The Commission initially was established to (1) develop requests for applications for academic medical centers to operate programs in the state; (2) approve or deny initial and renewal program applications; and (3) monitor and oversee programs approved for operation.

Due to lack of interest among academic medical centers to participate in the program and pressure from patient advocates to make medical marijuana available beyond only those patients participating in a research study, legislation was introduced in 2014 to expand the medical marijuana program. Chapters 240 and 256 of the Acts of the Maryland General Assembly of 2014 expanded the state's medical marijuana program to allow qualifying patients to obtain medical marijuana from persons other than academic medical centers.

Enactment of Chapters 240 and 256 not only expanded the commission's duties but also increased public interest in the commission, particularly among patient advocates and individuals interested in becoming growers or establishing dispensaries.

HB 490 of the Acts of the Maryland General Assembly of 2015 renamed the Natalie M. LaPrade Medical Marijuana Commission and Fund to be the Natalie M. LaPrade Medical Cannabis Commission and Fund; altered the purpose and membership of the commission; and replaced references to "medical marijuana" with "medical cannabis." The bill replaced the Commission's authority to approve academic medical centers to operate programs, and established requirements for licensure or registration of persons who will grow, process, or dispense medical cannabis. A person may concurrently be licensed as a grower, a dispensary, or a processor.

The state program now allows for the approval, licensing, and registration of growers, dispensaries, and grower and dispenser agents. The program establishes a framework to certify physicians and qualifying patients (and their caregivers) to provide qualifying patients with medical cannabis legally under state law. The Commission has issued proposed regulations. The Commission may be prepared to begin accepting license applications as early as next month.

Against this background, Bill 61-15 was introduced on August 3 to regulate the location of state-licensed medical cannabis growing, processing, and dispensing facilities. None of these uses is currently defined or regulated by the Baltimore County Zoning Regulations.

The bill defines a medical cannabis dispensary, a medical cannabis grower facility, and a medical cannabis processor facility. Each of these is defined in relation to the state licensing process. As the state regulations are finalized, it may be necessary to amend the definitions to more closely conform to the state concept.

A medical cannabis dispensary is permitted by right in certain zones where medical facilities are permitted, specifically a health care and surgery center, or a state-licensed medical clinic, or a "medical clinic" (a term that is undefined in the Zoning Regulations). The dispensary must have a legal affiliation with the medical facility. The sponsors will likely propose an amendment to remove from the bill the legal affiliation requirement. Although there is a logical reason to require such a link, it is unlikely to be successful as a practical matter.

Since 1996, 23 states and Washington, D.C. have passed laws allowing marijuana to be used for a variety of medical conditions. But these state marijuana laws do not change the fact that using marijuana continues to be an offense under federal law. Although it would seem that hospitals and other medical facilities may be the logical choice for dispensing medical cannabis, it is doubtful that any will do so at the risk of losing federal funding or violating Medicare/Medicaid rules. Until the federal government is willing to get out of the way of the implementation of state cannabis laws, the logical choice may not be the practical one.

Bill 61-15 also proposes to restrict the location of a dispensary within 1,000 feet of a:

- House of worship;
- Public or private school;
- Public park or public recreational facility;
- Public library;
- Child care home, child care institution or family day care home licensed or registered under Maryland law;
- Lot zoned residentially or devoted primarily to residential use; or
- Within 2,500 feet of another medical cannabis dispensary.

Again, the sponsors will propose amendments to eliminate most if not all of these proximity restrictions. It is felt that the security requirements imposed on a licensee by the state regulations will adequately address the safety and security concerns at a dispensary location.

With these amendments, Bill 61-15 will permit a dispensary, by right, in the business zones of the County, subject to appropriate parking and signage requirements.

Bill 61-15 also permits a medical cannabis grower or processor facility in the County's S.E. or M.L.- I.M. Zones by right.

Additional amendments may be proposed to the bill.

With the affirmative vote of five members of the County Council and signature by the County Executive, Bill 61-15 will take effect on September 21, 2015.

FM-1 (Contract Addendum)

Council District(s) All

Office of Budget and Finance

On-Call Architectural Services

The Administration is requesting an addendum to a contract with Rubeling & Associates, Inc., A JHT Division, to provide additional on-call architectural services for various County-owned building projects. The current 4-year contract expires on September 14, 2018. The addendum increases the maximum compensation by \$7 million, from \$2 million to \$9 million, for the entire 4-year term of the contract, including two 1-year renewal periods. See Exhibit A.

Fiscal Summary

Funding Source	Contract Addendum	Current Maximum Compensation	Amended Maximum Compensation
County ⁽¹⁾	\$ 7,000,000	\$ 2,000,000	\$ 9,000,000
State	--	--	--
Federal	--	--	--
Other	--	--	--
Total	<u>\$ 7,000,000</u>	<u>\$ 2,000,000</u>	<u>\$ 9,000,000</u> ⁽²⁾

⁽¹⁾ Capital Projects Fund.

⁽²⁾ Maximum compensation for the entire 4-year term, including two 1-year renewal periods.

Analysis

The Office advised that the contractor will provide additional on-call architectural services for future tasks to be assigned. Services will include providing consultation reports, feasibility studies, sketches, renderings, schematic design, design development, construction documents, cost estimates, construction administration, and other assistance for various County building projects.

On September 15, 2014, the Council approved the original 4-year agreement not to exceed \$2 million, as well as similar contracts with Manns Woodward Studios, Inc. and Wheeler Goodman Masek & Associates, Inc. The proposed addendum increases the maximum compensation of the Rubeling & Associates, Inc. contract by \$7 million to \$9 million. The addendum also incorporates the contractor's supplemental proposal for the additional work and revised MBE/WBE forms and insurance certificates into the contract. All other terms and conditions remain the same. The County may terminate the agreement by providing 30 days prior written notice.

The Office advised that as of August 14, 2015, expenditures and encumbrances totaled \$501,825 under this contract, \$35,648 under the Manns Woodward Studios, Inc. contract, and \$0 under the Wheeler Goodman Masek & Associates, Inc. contract.

Services will be performed at the architect'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 project tasks as they are assigned.

The contractor, along with Manns Woodward Studios, Inc. and Wheeler Goodman Masek & Associates, Inc., was selected by the Professional Services Selection Committee (PSSC) on March 10, 2014 from 30 responsive submittals based on experience and qualifications.

The Office advised that it currently has two other contracts for similar on-call architectural services. A summary of the Office's four other contracts are as follows:

<u>Contractor</u>	<u>Council Approval Date</u>	<u>Contract Total</u>	<u>Expenditures/ Encumbrances as of 8/14/15</u>	<u>Balance</u>	<u>Contract Expiration Date</u>
Rubeling and Associates, Inc.	10/3/2006 3/16/2009 9/7/2010 2/3/2014	\$ 2,000,000 3,000,000 2,000,000 1,000,000 <u>8,000,000</u>			Open-ended for 9 projects
Hord Coplan Macht, Inc.	1/22/2008 11/16/2009 2/18/2014 10/20/2014	1,999,931 2,000,000 2,000,000 2,200,000 <u>8,199,931</u>	3,370,644	4,829,287	Open-ended for 3 projects
Manns Woodward Studios, Inc.	9/15/2014	2,000,000	35,648	1,964,352	9/14/2018
Wheeler Goodman Masek & Assoc., Inc.	9/15/2014	<u>2,000,000</u>	<u>0</u>	<u>2,000,000</u>	9/14/2018
Total		<u>\$20,199,931</u>	<u>\$ 10,099,816</u>	<u>\$10,100,115</u>	

On December 16, 2013, the Council approved a 5-year and 3 month contract not to exceed \$560,852 with Rubeling & Associates, Inc. and Murphy & Dittenhafer, Inc. to provide on-call space planning and design services. The Office advised that as of August 13, 2015, expenditures and encumbrances under the Rubeling & Associates, Inc. contract totaled \$85,480.

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 Sheet
On-Call Architectural Services Agreement
Job Order – Established for Each Job**

THE PROJECT SCOPE

Rubeling & Associates, Inc., A JMT Division, was selected by the Professional Services Selection Committee on March 10, 2014 to furnish professional architectural and engineering services to provide consultation reports, feasibility studies, sketches, renderings, schematic design, design development, contract documents, cost estimates, construction administration, and other assistance on various projects on County Buildings. Funding for this on-call agreement needs to be increased for future tasks to be assigned. The total original funding of \$2,000,000.00 was not initially encumbered under a single job but will be established for each assigned task.

THE CONSULTANT

The Consultant, Rubeling & Associates, Inc., A JMT Division was selected by the Professional Services Selection Committee on March 10, 2014.

THE AGREEMENT

SCOPE: Provide on-call architectural services for consultant reports, feasibility studies, sketches, renderings, schematic design, design development, construction documents, cost estimates, construction administration, and other assistance on various projects in County Buildings on an as-required basis.

ORIGINAL AGREEMENT

TOTAL: \$2,000,000.00 upset limit

THIS ADDENDUM

SCOPE: Provide on-call architectural services on an as-required basis.

	<u>This Addendum</u>	<u>Total Agreement</u>
TOTAL	\$7,000,000.00	\$9,000,000.00

Prepared by: Office of Budget and Finance

FM-6 (2 Contracts)

Council District(s) All

Office of Budget and Finance

HVAC Services – County-Owned and Operated Buildings

The Administration is requesting approval of two contracts to provide on-call HVAC services at various County-owned and/or operated buildings. The two contractors are BMC Services, LLC and Denver-Elek, Inc. The contracts commence upon Council approval, continue for 1 year, and will automatically renew for four additional 1-year periods with an option to further extend the initial term or any renewal term an additional 120 days. The contracts do not specify a maximum compensation for the initial 1-year term. Compensation for both contractors combined may not exceed \$6,789,896 for the entire 5-year and 4-month term, including the renewal and extension periods. Compensation may not exceed \$6,789,896 for BMC Services, LLC and \$6,243,687 for Denver-Elek, Inc.

Fiscal Summary

Funding Source	Combined Maximum Compensation	Notes
County ⁽¹⁾	\$ 6,789,896	⁽¹⁾ General Fund Operating Budget or Capital Projects Fund, depending on the nature of the work. ⁽²⁾ Maximum compensation for both contractors combined for the entire 5-year and 4-month term, including the renewal and extension periods. The contracts do not specify a maximum compensation for the initial 1-year term.
State	--	
Federal	--	
Other	--	
Total	\$ 6,789,896 ⁽²⁾	

Analysis

The contractors will provide all labor, materials, tools, equipment, and supervision necessary to provide HVAC services on an on-call basis at County-owned and/or operated buildings. Hourly rates range from \$20 to \$80 for BMC Services, LLC and from \$25 to \$78 for Denver-Elek, Inc.,

depending on the staffing/skill level and regular/overtime status. Sub-contractor services are billed at 20% and 10% above the contractors' costs, respectively. Materials are billed at 12% above the contractors' costs. Both contractors will serve as primary contractors with the intention of the County to issue work equally; however, the assignment of work will be at the sole discretion of the County.

The contracts commence upon Council approval, continue 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, 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 \$6,789,896 for the entire 5-year and 4-month term, including the renewal and extension periods. Specifically, compensation may not exceed \$6,789,896 for BMC Services, LLC and \$6,243,687 for Denver-Elek, Inc.

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 based on the two lowest responsive and responsible bids from six bids received.

On July 6, 2010, the Council approved two contracts for similar services, one with Denver-Elek Inc. and one with Temp Air Co. Estimated compensation for both contractors combined for the entire 5-year and 3-month term totaled \$7,094,966. On February 4, 2013, the Council approved an amendment to the Denver-Elek, Inc. contract, increasing the maximum annual compensation by \$1.0 million during the contract's second and third 1-year renewal periods, from \$1,168,600 to \$2,168,600 per year, to accommodate the cost of leasing two temporary chillers for the County Courts Building and to provide for additional HVAC service needs. The amended estimated compensation for the entire term for both contractors combined totaled \$8,420,050. As of August 12, 2015, the County has expended \$3,375,378 under the Denver-Elek contract and has not expended any funds under the Temp Air Co. contract.

On August 5, 2013, the Council approved a 5-year and 4-month, \$4,008,293 contract with Denver-Elek, Inc. and Meckley Services, Inc. to provide on-call plumbing services. On August 6, 2012, the Council approved a 5-year and 3-month, \$2 million contract with Denver-Elek, Inc., Lighting Maintenance, Inc., and Benfield Electric Co., Inc. to provide on-call electrical services. The Office advised that as of June 29, 2015, the services provided under the Denver-Elek, Inc. plumbing and electrical contracts totaled \$269,033 and \$302,376, respectively.

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-2 (Contract)

Council District(s) All

Department of Public Works

Snow Removal and Salt Application Services

The Administration is requesting approval of a contract with Samco Outdoors, LLC to provide on-call snow removal and salt application services. The contract commences September 1, 2015, continues through April 30, 2016, and may be automatically renewed for nine additional years (November 1 through April 30 constitutes a snow season). Compensation for this contract, together with all other contracts for these services, may not exceed the amount appropriated for snow removal and salt application services during the entire term of the agreement.

Fiscal Summary

Funding Source	Initial Term	Maximum Compensation
County	*	*
State	--	--
Federal	--	--
Other	--	--
Total	* (1)	* (2)

(1) The hourly rates for the contractor are \$110 and \$160, depending on the type of equipment provided, with no specified maximum compensation. The contract, together with all other contracts for these services, is limited in the aggregate to the amount appropriated for snow removal and salt application services. The contract amount is not reasonably estimable at this time.

(2) Maximum compensation together with all other contracts for these services for the entire approximate 9-year and 8-month term, including renewals, may not exceed the amount appropriated for snow removal and salt application services each year. The amounts are not reasonably estimable at this time.

Analysis

In accordance with the Department's snow removal plan, responsibility for most Priority 1 routes (i.e., roads with traffic volumes of at least 10,000 vehicles per day) will be assigned to contractors, allowing the County to focus its efforts on subdivision streets more quickly.

The contract commences September 1, 2015, continues through April 30, 2016, and may be automatically renewed for nine additional years on the same terms and conditions, unless the County provides notice of non-renewal. A snow season begins November 1st and ends April 30th. The contract does not establish a fixed dollar amount; rather, it states that "In no event shall the total compensation paid to the contractor together with all other contractors for snow removal and salt application exceed the...approved appropriation during the term of this agreement including renewals thereof." The Department advised that an estimated amount for this contract is undeterminable due to the unpredictable nature and timing of snow falls (i.e., density and depth of snow falls, number of snow falls occurring during the season). The County may terminate the agreement by providing 30 days prior written notice.

The FY 2016 budget for the Storm Emergencies Program totals \$5,987,025, including \$1,100,000 for contractual snow removal services.

The contractor will provide five single axle dump/1-ton pick-up trucks with plows and spreaders at an hourly rate of \$110, two medium front-end loaders at an hourly rate of \$160, and one backhoe at an hourly rate of \$160. The contractor will be paid based on the actual hours the equipment is in service, including up to 2 hours for travel time (1 hour each to and from the County highway shop). Additionally, the minimum work shift for any dispatched truck is 4 hours. The County will provide all rock salt for spreading on road surfaces.

The Office of Budget and Finance, Purchasing Division advised that the pricing and contract terms are based on similar contracts established by the state of Maryland. However, hourly rates may be changed at the time of each annual renewal based on the rates in effect with the state at that time. The state contract includes an additional incentive payment to the contractor after the snow season ends in the amount of \$500 per truck if the contractor was available and present for all snow events. The County's contract also includes this incentive payment.

In procuring these services, the Department requested and received a waiver of a sealed bid process from the Administrative Officer due to the competition with surrounding jurisdictions. Accordingly, the contractor was selected on a non-competitive basis.

For the 2015/2016 snow season, the Department advised that it has approximately 300 pieces of snow removal equipment (e.g., trucks, loaders, backhoes, and graders) available from its Bureau of Highways and Equipment Maintenance and Bureau of Utilities, the Department of Recreation and Parks, and the Department of Education. The County currently has contracts with 48 contractors, excluding this contractor, which provide a total of 175 trucks and 44 loaders to supplement the County's snow removal and salt application efforts this winter.

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 (2 Contracts)

Council District(s) All

Department of Public Works

Traffic Engineering Services

The Administration is requesting approval of two contracts to provide on-call traffic engineering services for various projects throughout Baltimore County. The two contractors are Wallace, Montgomery & Associates, LLP and A. Morton Thomas and Associates, Inc. The contracts commence upon Council approval, continue for 3 years, and will automatically renew for two additional 1-year periods. The contracts do not specify a maximum compensation for the initial 3-year term. Compensation for each contractor may not exceed \$500,000 for the entire 5-year term, including the renewal periods. See Exhibits A and B.

Fiscal Summary

Funding Source	Combined Maximum Compensation	Notes
County ⁽¹⁾	\$ 1,000,000	(1) Capital Projects Fund.
State	--	(2) Maximum compensation for both contractors combined (\$500,000 each) for the entire 5-year term, including the renewal periods. The contracts do not specify a maximum compensation for the initial 3-year term.
Federal	--	
Other	--	
Total	<u>\$ 1,000,000</u> ⁽²⁾	

Analysis

The contractors will provide on-call traffic engineering services, including traffic signal design, minor geometric design, roundabout design, traffic impact studies, data collection, maintenance of traffic plans, and various other traffic-related studies. The tasks may involve preliminary studies/concept plans and/or final construction plans to be inserted into design plans for highway or bridge projects. The Department advised that the majority of the tasks assigned to the contractors will be traffic signal design projects, but the number and type of project assignments will depend on the County's needs.

The contracts commence upon Council approval, continue for 3 years, and will automatically renew for two additional 1-year periods, unless the County provides notice of non-renewal. The contracts do not specify a maximum compensation for the initial 3-year term. Compensation for each contractor may not exceed \$500,000 for the entire 5-year term, including the renewal periods.

Services will be performed at the engineers' 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 must be within established County limits. Funding for the two contracts will not be encumbered at this time. Rather, contract costs will be charged to specific projects as they are assigned. The County may terminate the agreements by providing 30 days prior written notice.

On May 19, 2015, the Professional Services Selection Committee (PSSC) selected the two contractors from 14 responsive submittals based on qualifications and experience.

On September 7, 2010, the Council approved similar 5-year contracts with Wallace, Montgomery & Associates, LLP and Whitney, Bailey, Cox & Magnani, LLC with maximum compensation for each contractor not to exceed \$250,000 for on-call traffic engineering services. As of August 18, 2015, expenditures under the two contracts totaled \$223,437 and \$214,375, respectively.

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
Wallace, Montgomery & Associates, LLP
On-Call Traffic Engineering Services
Project No. 2015-01

Project:

To provide professional on-call traffic engineering services which will include traffic signal design, minor geometric design, roundabout design, traffic impact studies, data collection, M.O.T. plans and various other traffic related studies county-wide. While the majority of the tasks are expected to be signal design projects, the number and type of project assignments to be performed will depend solely on the County's needs. These tasks may involve preliminary studies/concept plans and/or final construction plans to be inserted into design plans for a highway or bridge project by others or to be done by one of the County's on-call contractors.

Consulting Agreement:

The consultant: Wallace, Montgomery & Associates, LLP was selected by the Professional Services Selection Committee (PSSC) on May 19, 2015.

Scope:

The scope of services under this contract will include providing contract plans and specifications in accordance with SHA Specifications for Consulting Engineering Services (Latest Edition), AASHTO (Latest Edition) and SHA Traffic Signal Design Guidelines, adjusting for any County Amendments. All computer drafting/design work shall be done in Microstation (signal designs) or Auto-CADD (geometric designs). Give presentations at public meetings and take meeting minutes. Plan and field review, reports, preliminary field investigations, utility review and final review. Provide special provisions and estimates for final documents. Work in coordination with other projects/contractors. Provide the final product on electronic and hard copy format, as applicable.

Term:

Three (3) years, two (2), one (1) year renewals.

Cost:

Professional Fee: \$ 395,928.00

Other Direct Costs: \$ 104,072.00

Total: \$ 500,000.00

Prepared by: Department of Public Works

EXECUTIVE SUMMARY
A. Morton Thomas and Associates, Inc.
On-Call Traffic Engineering Services
Project No. 2015-01

Project:

To provide professional on-call traffic engineering services which will include traffic signal design, minor geometric design, roundabout design, traffic impact studies, data collection, M.O.T. plans and various other traffic related studies county-wide. While the majority of the tasks are expected to be signal design projects, the number and type of project assignments to be performed will depend solely on the County's needs. These tasks may involve preliminary studies/concept plans and/or final construction plans to be inserted into design plans for a highway or bridge project by others or to be done by one of the County's on-call contractors.

Consulting Agreement:

The consultant: A. Morton Thomas and Associates, Inc. was selected by the Professional Services Selection Committee (PSSC) on May 19, 2015.

Scope:

The scope of services under this contract will include providing contract plans and specifications in accordance with SHA Specifications for Consulting Engineering Services (Latest Edition), AASHTO (Latest Edition) and SHA Traffic Signal Design Guidelines, adjusting for any County Amendments. All computer drafting/design work shall be done in Microstation (signal designs) or Auto-CADD (geometric designs). Give presentations at public meetings and take meeting minutes. Plan and field review, reports, preliminary field investigations, utility review and final review. Provide special provisions and estimates for final documents. Work in coordination with other projects/contractors. Provide the final product on electronic and hard copy format, as applicable.

Term:

Three (3) years, two (2), one (1) year renewals.

Cost:

Professional Fee: \$ 397,090.56

Other Direct Costs: \$ 102,909.44

Total: \$ 500,000.00

Prepared by: Department of Public Works

FM-3, 4, & 5 (3 Contracts)

Council District(s) 5

Department of Permits, Approvals and Inspections

Cross Road Widening

The Administration is requesting approval of three contracts to acquire three properties totaling 0.305 acre for \$37,000 to be used for the widening of Cross Road in Perry Hall. FM-3 is a contract with William J. and Constance M. Rafferty, for \$9,076, for property located at 9418 Cross Road (0.096 acre). FM-4 is a contract with Norman Metzger and Anna Marie Ferenc Metzger, for \$15,000, for property located at 9414 Cross Road (0.13 acre). FM-5 is also a contract with William J. and Constance M. Rafferty, for \$12,924, for property identified as “16,200 SF NWS Cross Road” (0.079 acre) and located adjacent to 9418 Cross Road. The properties are zoned DR-3.5H (Density Residential, Honeygo Overlay District – 3.5 dwelling units/acre with specific setback requirements) and will be used for highway widening and temporary construction and adjustment areas. See Exhibits A, B, & C.

Fiscal Summary

Funding Source	Purchase Price	Notes
County ⁽¹⁾	\$ 37,000	⁽¹⁾ Capital Projects Fund.
State	--	
Federal	--	
Other	--	
Total	<u>\$ 37,000</u>	

Analysis

The three properties to be acquired are located on Cross Road in Perry Hall. Descriptions of the three acquisitions are as follows:

9418 Cross Road (FM-3)

The 0.096-acre property to be acquired from William and Constance Rafferty is part of a 0.49-acre parcel that is residentially improved with a detached, 1½-story Cape Cod style dwelling. The purchase price of \$9,076 includes \$1,196 for the loss of a portion of the driveway and \$100 for the adverse impact to landscaping.

9414 Cross Road (FM-4)

The 0.13-acre property to be acquired from Norman Metzger and Anna Marie Ferenc Metzger is part of a 1.01-acre parcel that is improved with a detached residential dwelling. The purchase price of \$15,000 includes \$1,652 for the loss of a portion of the driveway and \$100 for the adverse impact to landscaping.

North West Side of Cross Road (FM-5)

The 0.079-acre property to be acquired from William and Constance Rafferty is part of an unimproved 0.37-acre (16,200 sq. ft.) parcel. The purchase price is \$12,924.

David B. Johns, staff appraiser, completed appraisals of the properties in August 2013. After review and analysis, S. David Nantz, review appraiser, concurred with each appraisal, recommending the respective amounts as just compensation for the acquisitions. The Department of Permits, Approvals and Inspections – Real Estate Compliance Division advised that the property owners of all three properties rejected the County’s offers, and upon further negotiations, the following amounts were deemed acceptable to the County:

<u>Property Acquisition</u>	<u>Appraisal</u>	<u>Negotiated Amount</u>
9418 Cross Road	\$ 7,253	\$ 9,076
9414 Cross Road	11,258	15,000
NWS of Cross Road	11,096	12,924
	<u>\$ 29,607</u>	<u>\$ 37,000</u>

The Department advised that seven acquisitions are needed for this project, six of which require Council approval. As of August 3, 2015, the Council has approved three 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 (from Chapel Road to Stoss Road) total \$750,000, including \$150,000 for construction. As of August 13, 2015, \$509,205 has been expended/encumbered for this project, excluding the cost of these three acquisitions. 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 OWNERS:	William J Rafferty & Constance M. Rafferty
PROPERTY INTEREST TO BE ACQUIRED:	4B - 1 st Parcel Highway Widening Area containing 0.052 acre (2,269 sq. ft.) +/-, of which 0.030Acre (1,313 sq. ft.) +/- lies in existing paving; Total Temporary Construction Area 0.035 acre (1,507 sq. ft.) +/-; and, Temporary Construction and Adjustment Area 0.009 acre (386 sq. ft.) +/-
LOCATION:	9418 Cross Road Perry Hall, Maryland 21128
CONSIDERATION	\$9,076.00
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

Executive Summary

PROGRAM TITLE: Cross Road

PROJECT NO.: 205-0009-B001

FISCAL MATTER: Contract of Sale

PROPERTY OWNERS: Norman Metzger & Anna Marie Ferenc
Metzger

PROPERTY INTEREST TO
BE ACQUIRED: Highway Widening Area containing 0.085
acre (3,699 sq. ft.) +/-, of which 0.026 acre
(1,111 sq. ft.) +/- lies in existing paving; Total
Temporary Construction Area containing
0.039 acre (1,718 sq. ft.) +/-; and, Temporary
Construction and Adjustment Area
containing 0.006 acre (277 sq. ft.) +/-

LOCATION: 9414 Cross Road
Perry Hall, Maryland 21128

CONSIDERATION \$15,000.00

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

Executive Summary

PROGRAM TITLE: Cross Road

PROJECT NO.: 205-0009-B001

FISCAL MATTER: Contract of Sale

PROPERTY OWNERS: William J Rafferty & Constance M. Rafferty

PROPERTY INTEREST TO 4A - 2nd Parcel
Highway Widening Area containing
0.051 acre (2,222 sq. ft.) +/-, of which
0.014 acre (631 sq. ft.) +/- lies in existing
paving; and, Temporary Construction Area
0.028 acre (1,212 sq. ft.) +/-

LOCATION: 16,200 SF NWS Cross Road
Perry Hall, Maryland 21128

CONSIDERATION \$12,924.00

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

**MB-2, 3, 4, 5 & 6
(Res. 61, 62, 63, 64 & 65-15)**

Council District(s) See Below

Mrs. Bevins (By Req.)

Department of Planning

Endorsement of Applications – MD Community Investment Tax Credit Program

The Administration is requesting the endorsement of five organizations' applications to the Maryland Department of Housing and Community Development (DHCD) for the Community Investment Tax Credit Program. The organizations are: Diversified Housing Development, Inc. (Res. 61-15), Towson University (Res. 62-15), Abilities Network, Inc. (Res. 63-15), CASA of Baltimore County, Inc. (Res. 64-15), and Linwood Center, Inc. (Res. 65-15). The organizations will use the Program's tax credits as incentives for businesses to donate money, goods, or real property to support the operations and programmatic costs associated with their respective community purposes.

Fiscal Summary

These resolutions have no fiscal impact to the County since the Community Investment Tax Credit Program is a state program.

Analysis

MB-2 (Res. 61-15)

Council District(s) All

Diversified Housing Development, Inc. is a nonprofit organization whose mission is to promote affordable housing options for low- and moderate-income families resulting in economic empowerment and strengthened communities. The organization will request an allocation of \$25,000 in tax credits over 2 years (January 2016 through December 2017) and will use the tax credits to raise funds to support its administrative costs as well as its housing counseling program, homebuyers' education workshops, and post-purchase counseling program for new homeowners to mitigate mortgage default and foreclosure.

On July 2, 2012, the Council approved 5-year and 9-month contracts with Diversified Housing Development, Inc. and three other contractors to assist low- and moderate-income households with becoming first-time homebuyers through the Department's Settlement Expense Loan Program (SELP).

On October 4, 2010, the Council approved a similar resolution (Res. 81-10) for an allocation of tax credits to be used to support the organization's housing counseling program, homebuyers' education workshops, and post-purchase counseling program.

MB-3 (Res. 62-15)

Council District(s) All

Towson University was founded in 1866 and offers more than 100 bachelor's, master's, and doctoral degree programs in the liberal arts and sciences and applied professional fields. Through its UTeach program, the University prepares undergraduates for certification in grades 7 through 12 as secondary education teachers in science, technology, and mathematics. Towson University's Center for STEM Excellence (TUCSE) offers a bioscience education outreach program through the SciTech Student Learning Laboratory and the Maryland Loaner Lab. The University will request an allocation of \$50,000 in tax credits over 2 years (January 2016 through December 2017) and will use the tax credits to raise funds to place UTeach undergraduates at the TUCSE to oversee the distribution of science kits to schools in priority funding areas identified by the DHCD, Division of Neighborhood Revitalization. The science kits include lesson guides for the teachers and hands-on materials for the students' use. The undergraduates will also co-facilitate on-site experiential learning for students visiting the SciTech Student Learning Laboratory.

MB-4 (Res. 63-15)

Council District(s) All

Abilities Network, Inc. is a nonprofit organization whose mission is to challenge the community to acknowledge the value and equality of people of all abilities. The organization assists individuals with disabilities with achieving personal goals. The organization will request an allocation of \$30,000 in tax credits over 2 years (January 2016 through December 2017) and will use the tax credits to raise funds to support its Community and Employment Partners program. Through this program, the organization's staff works with clients and their families to develop customized plans for personal success based on each client's interest and abilities. The organization provides support with identifying and securing employment within the client's community.

On August 6, 2012 and on September 2, 2014, the Council approved similar resolutions (Res. 59-12 and 68-14) for an allocation of \$50,000 and \$30,000, respectively, in tax credits to be used for the organization's Healthy Families Baltimore County project. This project is accredited by Healthy Families America, a federally validated model for providing home visiting services to assist parents whose children are at risk for poor childhood outcomes. Healthy Families Baltimore County provides home visits to at-risk families in priority funding areas of the County. Home visitation workers educate parents in areas such as choosing a pediatrician, establishing childcare, finding housing options, improving relationships, managing stress, locating employment, and continuing education. The goal of the project is to ensure that babies are born healthy, children continue to grow up healthy, children enter school ready to learn, and families live in safe and stable homes.

MB-5 (Res. 64-15)

Council District(s) All

CASA (Court Appointed Special Advocates) of Baltimore County, Inc. is a nonprofit organization that provides trained volunteers to serve as court-appointed advocates for children who have been removed from their homes and placed in the foster care system due to abuse or neglect. The organization will request an allocation of \$15,000 in tax credits over 2 years (January 2016 through December 2017) and will use the tax credits to raise funds to recruit, screen, train, and supervise volunteer court-appointed advocates for abused and neglected children from priority funding areas in Baltimore County. The Department advised that there are over 600 children in the County's foster care system, and CASA currently serves approximately one-third of those children.

On September 3, 2013, the Council approved a similar resolution (Res. 74-13) for an allocation of \$50,000 in tax credits to raise funds to implement the organization's fundraising auxiliary known as "Friends of CASA."

MB-6 (Res. 65-15)

Council District(s) 1

Linwood Center, Inc. is a nonprofit organization whose mission is to improve the lives of children and adults living with autism and related developmental disabilities by providing education, vocational training, employment opportunities, and residential support. The organization owns five homes in the Catonsville community, which are occupied by children and adults with autism and related disabilities as well as the organization's employees who provide care and support services for these individuals. The organization will request an allocation of \$30,000 in tax credits over 2 years (January 2016 through December 2017) and will use the tax credits to raise funds to

renovate three of these homes. Improvements include installing a new heating and air conditioning system, replacing a deck, renovating a bathroom, and replacing a water-damaged hardwood floor.

The DHCD established the Community Investment Tax Credit Program (CITC) to promote partnerships between businesses and nonprofit organizations by allocating state tax credits for businesses that support projects in priority funding areas; the FY 2016 allocation for the CITC program is \$1.75 million. Eligible nonprofit organizations can be granted allocations of up to \$50,000 in tax credits to be awarded to businesses that make donations of \$500 or more toward approved projects. Under the tax credit program, businesses that make contributions to nonprofits for approved projects receive state tax credits equal to 50% of the value of the contributions of cash, real property, or goods. These tax credits may be claimed in addition to the usual state and federal deductions for charitable contributions.

The state requires, as part of the application process, that local governing bodies endorse the applications submitted to the CITC Program.

These resolutions shall take effect from the date of their passage by the County Council.

MB-7 (Res. 66-15)

Council District(s) 5

Mr. Marks

Designation of Design Review Area – Towson Estates

Resolution 66-15 designates the Towson Estates community as a Baltimore County design review area.

Proposed development plans in a design review area are subject to review by the Baltimore County Design Review Panel. Bill 56-04 authorizes the County Council to designate such areas so long as they are within the boundaries of a community plan that has been adopted as part of the Baltimore County Master Plan.

The Towson Community Plan was adopted as part of the Master Plan on February 3, 1992 by means of Resolution 12-92. The Towson Estates community lies within the boundaries of the Towson Community Plan. The Towson Estates community is bounded by Old Joppa Road, Edgewood Road, Edgerton Road, Edgemont Road, Center Road, Edgecliff Road, and Joppa Road.

Resolution 66-15 will be forwarded to the Departments of Planning and Permits, Approvals and Inspections.

The resolution will take effect from the date of its passage by the County Council and will apply to any development plan for which a permit has not been issued as of the effective date of the resolution.

MB-8 (Res. 67-15)

Council District(s) 5

Mr. Marks

Amendments to the Perry Hall Community Plan

Resolution 67-15 amends the Perry Hall Community Plan.

The County Council adopted a community plan for Perry Hall in 2011 (Resolution 13-11), and on August 6, 2012, the Council adopted Bill 50-12, which amended Section 32-4-204 of the County Code to require the Baltimore County Design Review Panel to review nonresidential development plans proposed for the Perry Hall Revitalization Area.

The County's Comprehensive Manual of Development Policies provides general guidelines for the review of nonresidential developments in the areas designated by Section 32-4-204, and also provides for the use of guidelines set forth in a specific community plan adopted by the County Council. In 2012, the Council amended the Perry Hall Community Plan (Resolution 61-12) to adopt specific guidelines for use by the Design Review Panel in reviewing nonresidential development plans in the Perry Hall area.

Resolution 67-15 proposes to further amend the guidelines adopted by Resolution 61-12 by providing additional criteria for use by the Design Review Panel to review nonresidential development plans proposed for the Perry Hall Revitalization Area. The proposed changes are underlined below:

- New buildings should be predominately designed with brick and oriented parallel to the road.
- Pedestrian amenities and landscaping are strongly encouraged. For new construction, a landscaped strip of no less than 8 ft. with street trees shall be provided next to the road.
- Building entries should face the road. Storefront display windows should be included, if feasible.

- If an existing building is being repurposed, parking bays should ideally be located along the sides and rear of the lot, and parking should be minimized in the front. For new construction, any buildings shall be placed as close to the road as possible, with parking concentrated in the back and no more than one row of parking allowed in the front.
- Commercial buildings that are located near a residential neighborhood should respect the scale and character of the surrounding neighborhood.
- Signage should be integrated with the building design. Freestanding signs are discouraged; ground-mounted signs are encouraged. For gasoline/service stations, signage should be of a ground-mounted, monument style with a brick facade. For convenience stores, signage should be of a monumental style only.
- Loading docks and delivery areas should be screened with walls that match the style of the buildings and landscaping.
- Dumpsters and drive-thru windows should be located and positioned in a way that is the least obtrusive to the surrounding neighborhood.

Resolution 67-15 will take effect from the date of its passage by the County Council. It will not apply to any development plan reviewed by the Design Review Panel prior to July 31, 2015.

MB-9 (Res. 68-15)

Council District(s) All

Mr. Marks

Green Stormwater Infrastructure Plan

Resolution 68-15 asks the Baltimore County Advisory Commission on Environmental Quality to study the feasibility of developing a green stormwater infrastructure plan for the County.

The resolution recites the fact that, beginning in 1995, Baltimore County developed a green infrastructure methodology in cooperation with the State of Maryland, and implemented a community tree planting program and an annual compost bin and rain barrel sale, among many other programs, and that the Council believes that the Commission should study the feasibility of applying this same methodology to the establishment of additional practices that will further a green, sustainable water and sewer drainage system.

The resolution asks the Commission to study the feasibility of developing a green stormwater infrastructure plan for Baltimore County that will:

- Identify best management practices for the planning, siting, design, construction, maintenance, and tracking of green stormwater infrastructure facilities;
- Resolve administrative and code-related barriers to green stormwater infrastructure implementation; and
- Advance green stormwater infrastructure implementation through updates to development-related codes, rules, and standards.

BALTIMORE COUNTY COUNCIL
NOTES TO THE AGENDA
APPENDIX A

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

TO: Fred Homan
Administrative Officer

DATE: 7/13/15

FROM: Keith Dorsey, Director
Office of Budget & Finance 

**COUNCIL MEETING
DATE:** 9/8/15

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 8218 NEC Corporation of America – NEC State DHR Phone System

This Purchase Order is for the purchase and installation of a NEC phone system for the Richards Building located at the Baltimore County Rosewood Facility.

As indicated in OIT Deputy Director Pam Platt's memo dated May 29, 2015, the County is creating a co-located work space for nearly 150 Health & Human Services employees, of which 70 are State employees. The County has worked with the State to provide connectivity to this site. The State currently uses an NEC phone system. In order to guarantee compatibility with the current system, the new work space will need to utilize the same phone system.

Amount Total: \$67,075.00

Award Date: 07/14/15

c: M. Field
T. Peddicord
L. Smelkinson

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

TO: Fred Homan
Administrative Officer **DATE:** 7/13/15

FROM: Keith Dorsey, Director *KAD* **COUNCIL MEETING**
Office of Budget & Finance **DATE:** 9/8/15

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

MA 2985 NicheVision Forensics LLC – Software, ArmedXpert, complete DNA Case Mgmt. - Forensics

This Master Agreement is for the purchase of ArmedXpert, a complete DNA case management software tool for the Forensics Unit of the Police Department. ArmedXpert includes LR Module incorporating PR(d) and DNAXpress LIMS. The ArmedXpert tool software automates DNA analysis and interpretation, provides documentation of each interpretation step performed and instantly performs DNA matches, qualify control checks and other functions reducing opportunities for transcription and math errors. It is specifically designed to streamline the DNA interpretation and reporting process allowing examiners to clearly convey results in both written form and oral testimony during court proceedings.

As specified in Chief James W. Johnson's memo dated June 5, 2015, NicheVision Forensics, LLC is the only vendor that provides a complete DNA case management software tool that meets the needs of the Police Department's Forensics Unit in one package.

Amount Total 5 Years Not to Exceed: \$118,450.00
Award Date: 07/10/15

c: M. Field
T. Peddicord
L. Smelkinson

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

TO: Fred Homan
Administrative Officer **DATE:** 7/23/15

FROM: Keith Dorsey, Director
Office of Budget & Finance  **COUNCIL MEETING**
DATE: 9/8/15

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

MA 2995 Bound Tree Medical LLC – Laryngoscopes

This Master Agreement with Bound Tree Medical, LLC is for laryngoscope blades used by Fire Department EMS for emergency care of patients.

As indicated in the January 29, 2015 memo from Fire Chief John Hohman, and the manufacturer's letter dated May 1, 2012, the King Systems laryngoscope blades are exclusively distributed by Bound Tree Medical (their Master Distributor).

Amount Total Estimated 5 year: \$73,225.00
Award Date: 07/23/15

c: M. Field
T. Peddicord
L. Smelkinson

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

TO: Fred Homan
Administrative Officer **DATE:** 7/27/15

FROM: Keith Dorsey, Director  **COUNCIL MEETING**
Office of Budget & Finance **DATE:** 9/8/15

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

MA 3009 Stewart Directories Inc. – Stewart Directories, Criss Cross

This Master Agreement is for the purchase of Stewart Directories data.

As indicated by OIT Director Robert Stradling in the memo dated July 6, 2015, the purchase of this service will continue to make available a Criss Cross directory of names, addresses and telephone numbers for residents of all jurisdictions in the State of Maryland. This information is used primarily by the Police Department for investigative purposes. Stewart Directories, Inc. is the only company that provides this data.

Amount Total 5 years: \$16,350.00 = \$81,750.00
Award Date: 07/27/15

c: M. Field
T. Peddicord
L. Smelkinson