

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

*Issued: September 24, 2015
Work Session: September 29, 2015
Legislative Day No. 16: October 5, 2015*

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



OFFICE OF THE COUNTY AUDITOR

BALTIMORE COUNTY COUNCIL

October 5, 2015

NOTES TO THE AGENDA

TABLE OF CONTENTS

	PAGE
LEGISLATIVE SESSION	
Witnesses	ii
 <u>BILLS – FINAL READING</u>	
Bill 62-15	1
Bill 63-15	2
Bill 64-15	3
Bill 65-15	4
Bill 66-15	5
Bill 67-15	6
Bill 68-15	7
 <u>FISCAL MATTERS</u>	
FM-1	8
FM-2	11
FM-3	13
FM-4	19
 <u>MISCELLANEOUS BUSINESS</u>	
MB-2 (Res. 81-15)	23
MB-3 (Res. 82-15)	24
 APPENDIX	
Correspondence (1) (a)	28

**BALTIMORE COUNTY COUNCIL AGENDA
LEGISLATIVE SESSION 2015, LEGISLATIVE DAY NO. 16
OCTOBER 5, 2015 6:00 P.M.**

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

CALL OF BILLS FOR FINAL READING AND VOTE

COUNCIL

- 1 Bill 62-15 - All Councilmembers - Arts & Sciences Grants
- 2 Bill 63-15 - All Councilmembers (By Req.) - Modification of Residential Solar Energy System Requirements
- 3 Bill 64-15 - Mr. Kach - Zoning Regulations - Microbrewery and Farm Brewery
- 4 Bill 65-15 - Councilmembers Kach & Marks - County Charter - Legislative Procedure
- 5 Bill 66-15 - Mr. Kach - Neighborhood Commons Overlay District
- 6 Bill 67-15 - Mr. Marks - Zoning Regulations - Parking
- 7 Bill 68-15 - Mr. Kach - Zoning Regulations - Manufacturing, Light (M.L.) Zone Use Regulations

APPROVAL OF FISCAL MATTERS/CONTRACTS

ED ADAMS, DIRECTOR, DEPARTMENT OF PUBLIC WORKS

- 8 1. Contract - J. Logan Enterprises - Snow removal and salt application - PW
- 11 2. Contract - Guardrails, Etc. - Furnishing, installation, repair and maintenance of guardrails - PW

THOMAS JOSEPH, DEPARTMENT OF AGING

- 13 3. Contracts - (2) - Assisted living care services and monetary support - AGING

VINCE GARDINA, DIRECTOR, DEPARTMENT OF ENVIRONMENTAL PROTECTION & SUSTAINABILITY

- 19 4. Joint Funding Agreement - U.S. Geological Survey - U.S. Dept. of the Interior - Maintenance/operation surface water stream gages - DEPS

MISCELLANEOUS BUSINESS

COUNCIL

- 28 1. Correspondence - (a)(2) - Non-Competitive Awards (August 21, 2015)
- 23 2. Res. 81-15 - Councilmembers Marks & Kach - Pilot Program - Towson Circulator

LIZ GLENN/ANDREA VAN ARSDALE, DEPARTMENT OF PLANNING

- 24 3. Res. 82-15 - Mrs. Bevins(By Req.) - Endorsement of Application - Vehicles for Change, Inc. (VFC)
-MD. DHCD Comm. Investment Tax Credit Program

COUNCIL

- 4. Res. 83-15 - Mr. Quirk - Property Tax Exemption - DAV - Eric E. Perry
- 5. Res. 84-15 - Mr. Quirk - Property Tax Exemption - BLIND - George J. Kendrick
- 6. Res. 85-15 - Mrs. Almond - Property Tax Exemption - BLIND - Michele J. Silver
- 7. Res. 86-15 - Mr. Jones - Property Tax Exemption - DAV - Carrel Reavis, Jr.
- 8. Res. 87-15 - Mr. Quirk - Property Tax Exemption - DAV - Richard J. Koel

Bill 62-15

Council District(s) All

All Councilmembers

Arts and Sciences Grants

Bill 62-15 requires certain recipients of arts and sciences grants to submit certain documentation that reflects the accountability of the grant funds received.

In order to provide financial support to artistic, musical, scientific, and cultural activities that culturally enrich the citizens of the County, the County Executive may make monetary grants to public or private nonprofit organizations within the County or within an area contiguous to the County, taking into consideration the nature and extent of the benefit to the citizens of the County.

Current law requires organizations receiving grants in excess of \$10,000 per fiscal year to submit an annual audit prepared by a certified public accountant, or an acceptable equivalent, that will reflect the accountability of the grant (or grants) received from the County.

The County Auditor has found that sufficient detail is lacking in the annual reports to determine accountability of the County grant funds. The Administration suggested that an effective solution could involve imposing the additional requirement that each grantee's authorized representative also submit a post-grant affidavit stating that the organization has complied with all grant requirements and affirming that it expended County grant funds on prescribed activities and did not expend grant funds on prohibited activities (e.g., lobbying). Bill 62-15 codifies that suggested solution.

With the affirmative vote of five members of the County Council and signature by the County Executive, Bill 62-15 will take effect on October 19, 2015.

Bill 63-15

Council District(s) All

All Councilmembers (By Req.)

Modification of Residential Solar Energy System Requirements

Bill 63-15 amends the County's Building Code and the County's Fire Prevention Code in order to modify the requirements for the construction and placement of solar energy systems on the roof of a building.

The County's Building Code incorporates the ICC International Residential Code with certain exceptions. Bill 63-15 adds the exception to permit a single pathway if a single 4-foot-wide clear pathway is installed in the center third of the roof length and is not located over a window or door opening and with no overhead obstructions such as tree limbs, wires or signs. Bill 63-15 also requires a minimum of 3 feet clear space to be provided around all solid fuel-burning chimneys for emergency access.

Bill 63-15 also amends the Fire Prevention Code in order to provide the same requirements.

With the affirmative vote of five members of the County Council and signature by the County Executive, Bill 63-15 will take effect on October 19, 2015.

Bill 64-15**Council District(s) All**

Mr. Kach

Microbrewery and Farm Brewery

Bill 64-15 authorizes a microbrewery or a farm brewery in certain Resource Conservation (R.C.) Zones, including in the R.C. 2 (Agricultural Protection), R.C. 4 (Watershed Protection), R.C. 6 (Rural Conservation and Residential), R.C. 7 (Resource Conservation), and R.C. 8 (Environmental Enhancement) Zones, by special exception.

The Comptroller's Office issues licenses for microbreweries and farm breweries. Bill 64-15 permits either of these uses in the R.C. 2, R.C. 4, R.C. 6, R.C. 7, and R.C. 8 Zones by special exception, in the same manner as is currently provided for wineries. These uses include accessory retail and wholesale distribution of beer produced on the premises. Temporary promotional events, such as beer tasting or public gatherings associated with the microbrewery or farm brewery, are permitted subject to approval by the Administrative Law Judge or Board of Appeals on appeal.

Bill 64-15 shall take effect 45 days after its enactment.

Bill 65-15**Council District(s) All**

Councilmembers Kach and Marks

County Charter – Legislative Procedure

Bill 65-15 proposes an amendment to the Baltimore County Charter in order to increase the number of days within which a bill must be passed by the County Council or fail.

The County Charter sets forth the procedures of the Legislative Branch of County Government, and particularly the procedures for introducing and passing legislation. Currently, the Charter states that “any bill not passed within 40 days after its introduction shall fail.” As a result of the 40-day time limitation, during the summer months when the Council meets only one time per month, a bill introduced at the first Monday session of a month must be voted on and passed at the first Monday session of the following month. During the rest of the year, when the Council meets in Legislative Session on the first and third Mondays of each month, the “one month” cycle works the same way. A bill introduced at the first Monday session is voted on and passed at the first Monday session the following month. Similarly, a bill introduced at the third Monday session is voted on and passed by the third Monday session of the following month. The 40-day limit does not afford sufficient time for a bill to be held over to any subsequent Legislative Session.

Bill 65-15 increases this time period from 40 days to 70 days. This additional time will permit a bill that is introduced and then published as required in a newspaper of general circulation to proceed through the normal 1-month cycle to a vote, or be held over to a subsequent Legislative Session if further discussion, investigation, or consultation is warranted.

As a potential amendment to the County Charter, Bill 65-15 requires the affirmative vote of five members of the County Council, which shall be exempt from Executive veto. The question so proposed by this Act shall then be submitted to the voters of the County at the next general or congressional election occurring after the passage of the Act (November 8, 2016); and if passed by the voters, such amendment shall stand adopted and become a part of this Charter from and after the thirtieth day following said election.

Bill 66-15**Council District(s) All**

Mr. Kach

Neighborhood Commons Overlay District

In March 2012, the Council passed Bill 7-12, which created the Neighborhood Commons (N.C.) Overlay District. Overlay Districts are set forth in Section 259 of the Baltimore County Zoning Regulations. The purpose of Overlay Districts is to establish special land use regulations, standards, or procedures in areas with unique land use, site planning, building design, or environmental resource issues. An Overlay District zoning designation is superimposed over an underlying zoning classification and creates a specific mapped zone.

The N.C. Overlay District was established to provide a means to regulate the development potential of land near or within neighborhoods inside the urban rural demarcation line (URDL) that are typically under-served by available community open space areas. The N.C. Overlay may be applied only to a property inside the URDL that is (a) owned by a nongovernmental, nonprofit entity and held for the purpose of community parks, gardens, or natural open space areas; (b) owned as common areas by a community homeowners' association or condominium association organized and operated in accordance with the laws of this state; (c) owned by a state or local government, other than Baltimore County, that is undeveloped, environmentally sensitive, or constitutes a passive recreational area; or (d) is specifically designated as community open space on an approved development plan.

Bill 66-15 removes the language in subsection (c) that exempts the County from the N.C. Overlay District's provisions and requirements, so that land inside the URDL owned by the County that is undeveloped, environmentally sensitive, or constitutes a passive recreational area may be assigned the N.C. Overlay District designation.

Bill 66-15 shall take effect 45 days after its enactment.

Bill 67-15**Council District(s) 5**

Mr. Marks

Zoning Regulations – Parking

Bill 67-15 modifies the vehicle parking requirements for certain apartment buildings in the C.T. (Commercial, Town Center Core) District of Towson.

The Baltimore County Zoning Regulations contain minimum requirements for the required number of off-street parking spaces in a C.T. District or an R.A.E.-2 (Residential, Apartment, Elevator, 80 units per acre) Zone. The minimum requirement is 1 space per apartment with no separate bedroom, 1.25 per apartment with 1 or 2 separate bedrooms, and 1.5 per apartment with 3 or more separate bedrooms.

Bill 67-15 provides that the minimum requirement in the C.T. District of Towson is 1 space per apartment with no separate bedroom, or with 1 bedroom or 2 bedrooms. This applies only to an apartment building with a pedestrian entrance located within 300 feet of an entrance to a structured parking facility open to the public.

With the affirmative vote of five members of the County Council and signature by the County Executive, Bill 67-15 will take effect on October 19, 2015.

Bill 68-15**Council District(s) All**

Mr. Kach

Zoning Regulations – Manufacturing, Light (M.L.) Zone Use Regulations

Currently, the Baltimore County Zoning Regulations permit a winery by right in certain Resource Conservation (R.C.) Zones, including in the R.C. 2 (Agricultural Protection), R.C. 4 (Watershed Protection), R.C. 5 (Rural Residential), R.C. 6 (Rural Conservation and Residential), R.C. 7 (Resource Preservation), and R.C. 8 (Environmental Enhancement) Zones, as an agricultural support use.

Bill 68-15 amends the Zoning Regulations to permit a winery, as that term is defined and licensed by the Comptroller, in the Manufacturing, Light (M.L.) Zone as a miscellaneous use by special exception. This includes accessory retail and wholesale distribution of wine produced on the premises. Temporary promotional events, such as wine tasting or public gatherings associated with the winery, are permitted subject to approval by the Administrative Law Judge or Board of Appeals on appeal.

Bill 68-15 shall take effect 45 days after its enactment.

FM-1 (Contract)

Council District(s) All

Department of Public Works

Snow Removal and Salt Application

The Administration is requesting approval of a contract with J. Logan Enterprises, Inc. to provide on-call snow removal and salt application services. The contract commences November 1, 2015, continues through April 30, 2016, and may be renewed for 9 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 \$145 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 6-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 November 1, 2015, continues through April 30, 2016, and may be renewed for 9 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 compensation paid to the contractor together with all other contractors for snow removal and salt application services exceed the...approved appropriation during the initial term of this agreement...or during any renewal period...." 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 Department advised that snow removal expenditures for FY 2015 totaled approximately \$14.9 million, including approximately \$4.25 million for contractual services.

The contractor will provide one single-axle dump truck and one tri-axle truck with plows and spreaders at an hourly rate of \$145 and \$160, respectively. 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 State of Maryland rates in effect at that time. The State of Maryland 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 49 contractors, excluding this contractor, which provide a total of 180 trucks and 47 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-2 (Contract)

Council District(s) All

Department of Public Works

Furnishing, Installation, Repair and Maintenance of Guardrails

The Administration is requesting approval of a contract with Guardrails, Etc., Inc. to maintain, replace, and repair existing guardrail, and to furnish and install new guardrail throughout the County as needed. The contract commences upon Council approval, continues for 1 year, and will automatically renew for four additional 1-year periods with the option to further extend the initial term or any renewal term an additional 90 days. The contract does not specify a maximum compensation for the initial 1-year term. Compensation may not exceed \$1,264,076 for the entire 5-year and 3-month term, including the renewal and extension periods.

Fiscal Summary

Funding Source	Maximum Compensation	Notes
County ⁽¹⁾	\$ 1,264,076	(1) Capital Projects Fund.
State	--	(2) Maximum compensation for the entire 5-year and 3-month term, including the renewal and extension periods. The contract does not specify a maximum compensation for the initial 1-year term.
Federal	--	
Other	--	
Total	<u>\$ 1,264,076</u> ⁽²⁾	

Analysis

The contractor will provide all labor, materials, tools, equipment, and supervision to maintain, replace, and repair existing guardrails, and to install new guardrails as needed throughout the County. The contractor will also be responsible for the safe and continuous maintenance of traffic in areas of guardrail installation or repair. The contract stipulates that the contractor must report to the site within 3 hours of notification for emergency repairs, and within 24 hours for non-emergency repairs. The County may also solicit bids on the open market if the contractor's proposal for any single project is \$25,000 or greater.

The County will be billed at unit prices based upon the type/size of the guardrail and the nature of the services provided (i.e., installation, repair, removal, or replacement).

The contract commences upon Council approval, continues for 1 year, and will automatically renew for four additional 1-year periods unless the County provides notice of non-renewal. The County may further extend the contract at the end of the initial term or any renewal term an additional 90 days, on the same terms and conditions. The contract does not specify a maximum compensation for the initial 1-year term. Compensation may not exceed \$1,264,076 for the entire 5-year and 3-month term, including the renewal and extension periods.

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

The contract was awarded through a competitive procurement process; no other bids were received. This solicitation was a Baltimore Regional Cooperative Purchasing Committee (BRCPC) cooperative effort with other participating entities in the Baltimore region, with the Office of Budget and Finance, Purchasing Division, serving as the lead agency. Each entity may enter into a cooperative agreement with the contractor for guardrail services.

On October 4, 2010, the Council approved a similar 5-year and 3-month contract not to exceed \$1,281,797 with Guardrails, Etc., Inc. As of September 15, 2015, expenditures/encumbrances under this contract totaled \$1,023,169.

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

FM-3 (2 Contracts)

Council District(s) All

Department of Aging

Assisted Living Care Services and Monetary Support

The Administration is requesting approval of two contracts to provide assisted living care for eligible County senior citizens 62 years of age and older. The two contractors are Splendid Home Care II, LLC and The Comforts at Catonsville, LLC. The contracts commence October 5, 2015, continue through June 30, 2016, and may be renewed for five additional 1-year periods. Estimated compensation for all contractors providing these services totals \$309,653 for FY 2016 and \$1,780,505 for the entire approximate 5-year and 9-month term, including the renewal periods. See Exhibits A and B.

Fiscal Summary

Funding Source	Fiscal Year 2016	Combined Total Compensation
County	--	--
State ⁽¹⁾	\$ 309,653	\$ 1,780,505
Federal	--	--
Other	--	--
Total	<u>\$ 309,653 ⁽²⁾</u>	<u>\$ 1,780,505 ⁽³⁾</u>

⁽¹⁾ Maryland Department of Aging.

⁽²⁾ Estimated compensation for all contractors providing these services for FY 2016.

⁽³⁾ Estimated compensation for all contractors providing these services for the approximate 5-year and 9-month term, assuming the FY 2016 estimated cost for each renewal period.

Analysis

The Department operates the Senior Assisted Living Group Home Subsidy Program for low and moderate income seniors. The program provides access to state-licensed small assisted living sites (4 to 16 beds).

The contractors will provide assisted living services to eligible County seniors (62 years of age and older). Services include onsite supervision 24 hours-per-day, 7 days-per-week, 3 meals-per-day and an evening snack, personal services (e.g., grooming, bathing, dressing), and housekeeping and laundry services. To be eligible, a client's gross monthly income may not exceed \$2,739 for single households and \$3,581 for two-person households; assets may not exceed \$11,000 for an individual or \$14,000 for a couple; and the client must not be enrolled in Medicaid.

The client is responsible for entering into a service agreement for the services needed directly with the contractor of his or her choice from the County's list of contractors. The County will pay the contractor up to \$650 per month per client (the subsidy amount), based on the client's contribution of income, at a rate to be determined by the State of Maryland. The client is responsible for paying any contractor fees in excess of the County's subsidy amount. Contractor fees charged to clients vary depending on the level of services provided and may not exceed the fees charged to non-subsidized clients for the same level of service.

The 23 other contractors currently providing assisted living services to eligible seniors are as follows:

- 303 N. Rolling Road, LLC
- A Caring Place, Inc. d/b/a Oakleigh House
- Angels Among Us ALF, Inc.
- Assisted Living Affiliates LLC T/A Marlyn Place
- Beechwood Assisted Living, LLC
- Best Care Assisted Living, LLC
- Dulaney Valley Assisted Living, Inc.
- Dulaney Valley Assisted Living, Inc. T/A Dulaney Valley Assisted Living at Hunt Valley
- Gloria Friends Home, Inc.
- Grace Manor Senior Assisted Living, LLC

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- Hampton Meadows, LLC
 - House of Victory Home Care, Inc. T/A The House of Victory Apostolic
 - J.L. Care Enterprise Home Again II, Inc. T/A J.L. Care Enterprises
 - Joyous Living, Inc.
 - Lifespring, LLC
 - Ma Maison, Inc. T/A Ma Maison I
 - Ma Maison, Inc. T/A Ma Maison II
 - Ma Maison, Inc. T/A Ma Maison III
 - Na's Place A Haven of Rest, Inc.
 - Rose Hill Management, Inc., T/A Hearthomes at Lutherville I
 - Rose Hill Management , Inc., T/A Hearthomes at Lutherville II
 - Splendid Home Care, LLC (Catonsville)
 - Woodholme Manor, LLC

The contracts commence October 5, 2015, continue through June 30, 2016, and may be renewed for five additional 1-year periods on the same terms and conditions. Estimated compensation for all contractors providing these services totals \$309,653 for FY 2016 and \$1,780,505 for the entire approximate 5-year and 9-month term, including the renewal periods, assuming the FY 2016 estimated cost in each renewal year. Either party may terminate each agreement by providing 30 days prior written notice. The contracts are subject to the availability of state funds and to termination by the County in the event of a reduction or termination in funding.

The County contracts with any provider that is licensed by the State of Maryland and serves Baltimore County residents and meets Department criteria for providing these services.

The Department advised that there is currently a waiting list of 20 seniors who applied and are eligible for these services and that the number of clients served per year depends on each client's longevity and changing service needs. The Department expects to serve approximately 60 clients in FY 2016 and served 54 clients in FY 2015.

The Department advised that it expended \$268,698 in FY 2015 and \$37,492 in FY 2016 through September 15, 2015 for these services.

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
SENIOR ASSISTED GROUP HOME SUBSIDY PROGRAM
Fiscal Year 2016

SPLENDID HOME CARE II, LLC.
25 GREENAPLE COURT
WOODLAWN, MD 21207

The Department of Aging is requesting approval of an assisted living contract for Splendid Home Care II, LLC. for fiscal year 2016. Services provided include: twenty-four hour, seven days per week on-site supervision, three meals per day and evening snack, personal services (grooming, bathing, dressing), and housekeeping and laundry services. This program also provides a measure of monetary support for assisted living expenses of individuals 62 years of age or older who meet income and eligibility requirements.

The Department served 52 clients in FY 2014, 54 clients in FY 2015 and expects to serve 60 clients in FY 2016 for all contracts. The estimated costs will not exceed the set amount allowed under the Maryland Department of Aging Directive. The client is responsible for fees in excess of this subsidy. Fees vary depending on the services provided and are generally the same as those charged to non-subsidized clients.

This original contract is effective October 5, 2015 through June 30, 2016 (initial term), with an option to renew for 5 one-year periods under the same terms, conditions, and State established rates. This contractor is an assisted living facility licensed by the Maryland Department of Health and Mental Hygiene.

Executive Summary
SENIOR ASSISTED GROUP HOME SUBSIDY PROGRAM
Fiscal Year 2016

THE COMFORTS AT CATONSVILLE, LLC
1306 LINCOLN WOODS DRIVE
CATONSVILLE, MD 21228

The Department of Aging is requesting approval of an assisted living contract for The Comforts at Catonsville, LLC for fiscal year 2016. Services provided include: twenty-four hour, seven days per week on-site supervision, three meals per day and evening snack, personal services (grooming, bathing, dressing), and housekeeping and laundry services. This program also provides a measure of monetary support for assisted living expenses of individuals 62 years of age or older who meet income and eligibility requirements.

The Department served 52 clients in FY 2014, 54 clients in FY 2015 and expects to serve 60 clients in FY 2016 for all contracts. The estimated costs will not exceed the set amount allowed under the Maryland Department of Aging Directive. The client is responsible for fees in excess of this subsidy. Fees vary depending on the services provided and are generally the same as those charged to non-subsidized clients.

This original contract is effective October 5, 2015 through June 30, 2016 (initial term), with an option to renew for 5 one-year periods under the same terms, conditions, and State established rates. This contractor is an assisted living facility licensed by the Maryland Department of Health and Mental Hygiene.

Prepared by: Department of Aging

FM-4 (Contract)

Council District(s) All

Department of Environmental Protection & Sustainability

Maintenance/Operation Surface Water Stream Gages

The Administration is requesting approval of a Joint Funding Agreement with the U.S. Geological Survey (USGS), U.S. Department of the Interior, for the continued maintenance and operation of 17 surface water stream gages (measure the depth and flow of streams) throughout the County. The contract commences October 1, 2015 and continues for 2 years. The County's contribution totals \$378,200 and the USGS's contribution totals \$153,160 for the entire 2-year term. See Exhibits A and B.

Fiscal Summary

Funding Source	Maximum Compensation	Notes
County ⁽¹⁾	\$ 378,200	⁽¹⁾ Capital Projects Fund.
State	--	⁽²⁾ The agreement requires the USGS to contribute \$153,160 for the entire 2-year term of the contract.
Federal ⁽²⁾	--	⁽³⁾ Maximum compensation for the entire 2-year term.
Other	--	
Total	<u>\$ 378,200</u> ⁽³⁾	

Analysis

The USGS will monitor and maintain 17 stream gages installed at various locations throughout the County, and provide hydrologic data to assist the Department of Environmental Protection & Sustainability (EPS) in planning water quality improvement projects. EPS uses the data to assess progress in meeting local Total Maximum Daily Loads (TMDLs) and to measure the County's progress in meeting water quality standards. In addition, this data is shared with other County departments, including the Department of Public Works, for the design of bridges and culverts for

stream crossings and for stream flood studies. The USGS uses the data collected from the gages to conduct research and hydrologic studies for appraising the nation's water sources, and to conduct research and analysis for the Chesapeake Bay TMDLs. The Maryland Department of the Environment (MDE) uses the data in models to develop local TMDLs. EPS advised that stream gage locations are adjusted on a case-by-case basis, depending upon need, or continued need, for this data. The USGS will also provide for the monitoring of turbidity (suspended solids in the water (e.g., silt, plant matter)) and conductivity (dissolved solids in the water (e.g., sodium, magnesium, iron, and aluminum)) of the Scott's Level Branch gage for 2 years in support of the County's MS4 monitoring program.

The contract commences October 1, 2015 and continues for 2 years. The contract provides that the County will contribute \$378,200 (\$190,100 for the first year and \$188,100 for the second year) and the USGS will contribute \$153,160 (\$76,580 each year) for these services. Either party may terminate this agreement by providing 60 days written notice.

EPS advised that the USGS was awarded this contract on a sole-source basis since it is the only known qualified provider for these services. The USGS has provided the County's stream gage services for more than 25 years.

On September 16, 2013, the Council approved a similar 2-year Joint Funding Agreement with the USGS not to exceed \$311,600 for the continued maintenance and operation of 17 surface water stream gages throughout the County.

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...."



COUNCIL ACTION REQUEST FORM EXECUTIVE SUMMARY

The Joint Funding Agreement with the US Geological Survey provides funding for the continued maintenance and operation of 17 surface water stream gages for the next two years. This funding will also provide for the monitoring of turbidity and conductivity at the Scotts Level Branch gage for ^{two} ~~one~~ year in support of our MS4 monitoring program. The County share of the agreement is \$378,200, while the US Geological Survey share is \$153,160. These gages measure the depth and flow of streams throughout the County. The continued operation of these gages facilitates the gathering of data necessary for the waterway restoration efforts of EPS. The data is used in the design of stream restoration projects and the assessment of changes in pollutant loads. This information is then used to measure progress towards achieving mandated water quality improvements. In addition, the data is often shared with other County departments for the design of bridges and culverts for stream crossings and may also be used in stream flood studies.

Prepared by: Department of Environmental
Protection and Sustainability

MD 024 6000001284
16ENMDGELF0001

Operating costs for USGS continuous-record streamflow and water-quality gages in
Baltimore County for the period October 1, 2015 through September 30, 2016

		<u>County</u>	<u>USGS</u>
0158397967	Minebank Run nr Glen Arm	\$ 8,789	\$5,911
01581960	Beetree Run at Bentley Springs	8,789	5,911
01583100	Piney Run at Dover	8,789	5,911
01583580	Baisman Run at Broadmoor*	4,191	2,824
01584050	Long Green Creek at Glen Arm	8,789	5,911
01584500	Little Gunpowder Falls at Laurel Brook	8,789	5,911
01585090	Whitemarsh Run near Fullerton	8,789	5,911
01585104	Honeygo Run at White Marsh	8,789	5,911
01585200	WB Herring Run at Idlewylde	8,789	5,911
01589100	EB Herbert Run at Arbutus	8,789	5,911
01589197	Gwynns Falls near Delight	8,789	5,911
01589290	Scotts Level Branch at Rockdale	46,850	0
01589300	Gwynns Falls at Villa Nova*	4,191	2,824
01589305	Powder Mill Run at Lochearn	14,700	0
01599330	Dead Run at Franklinton	8,789	5,911
01589440	Jones Falls at Sorrento	8,789	5,911
01583800	Long Quarter Branch	14,700	0
SUBTOTAL, October 1, 2015 to September 30, 2016		\$190,100	\$76,580

Operating costs for USGS continuous-record streamflow and water-quality gages in
Baltimore County for the period October 1, 2016 through September 30, 2017

		<u>County</u>	<u>USGS</u>
0158397967	Minebank Run nr Glen Arm	\$ 8,789	\$5,911
01581960	Beetree Run at Bentley Springs	8,789	5,911
01583100	Piney Run at Dover	8,789	5,911
01583580	Baisman Run at Broadmoor*	4,191	2,824
01584050	Long Green Creek at Glen Arm	8,789	5,911
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01585090	Whitemarsh Run near Fullerton	8,789	5,911
01585104	Honeygo Run at White Marsh	8,789	5,911
01585200	WB Herring Run at Idlewylde	8,789	5,911
01589100	EB Herbert Run at Arbutus	8,789	5,911
01589197	Gwynns Falls near Delight	8,789	5,911
01589290	Scotts Level Branch at Rockdale	44,850	0
01589300	Gwynns Falls at Villa Nova*	4,191	2,824
01589305	Powder Mill Run at Lochearn	14,700	0
01599330	Dead Run at Franklinton	8,789	5,911
01589440	Jones Falls at Sorrento	8,789	5,911
01583800	Long Quarter Branch	14,700	0
SUBTOTAL, October 1, 2016 to September 30, 2017		\$188,100	\$76,580
TOTAL COST, October 1, 2015 to September 30, 2017		\$378,200	\$153,160

Note: *Remaining share of costs is covered under a separate Joint Funding Agreement between the Baltimore Ecosystem Study (University of Maryland, Baltimore County) and the U.S. Geological Survey.

Prepared by: Department of Environmental
Protection and Sustainability

MB-2 (Res. 81-15)**Council District(s) 5**

Councilmembers Marks and Kach

Pilot Program – Towson Circulator

Resolution 81-15 states the support of the County Council for a pilot program for a Towson Circulator, to be conducted by the Maryland Department of Transportation.

The concept of a free, north-south bus circulator route along York Road in the Towson core has been discussed and studied for several years. It is felt that a transit circulator can be part of a comprehensive transportation strategy for Towson that includes better roads and bicycle and pedestrian connections. The circulator would be modeled after the Baltimore City Charm City Circulator and would be state and County-funded.

The Maryland Department of Transportation has convened a Towson Circulator Feasibility Study Advisory Group that has met and will continue to meet through November 2015.

Resolution 81-15 states the Council's support for the development of a pilot program for the Towson Circulator, subject to input from neighborhoods regarding routes and other aspects of operation.

MB-3 (Res. 82-15)

Council District(s) All

Mrs. Bevins (By Req.)

Department of Planning

Endorsement of Application – MD DHCD Community Investment Tax Credit Program

The Administration is requesting the endorsement of an application for Vehicles for Change Inc. (VFC) to the Maryland Department of Housing and Community Development (DHCD) for the Community Investment Tax Credit (CITC) Program. VFC will use the Program's tax credits as incentives for businesses to donate money, goods, or real property in order to raise funds to support its Full Circle Service Center, which provides light maintenance and car repair at affordable rates and offers a prison reentry program for Automotive Service Excellence (ASE)-certified mechanics. See Exhibit A.

Fiscal Summary

This resolution has no fiscal impact to the County since the Community Investment Tax Credit Program is a state program.

Analysis

VFC is a nonprofit organization whose mission is to empower financially-challenged families to achieve economic and personal independence through vehicle ownership and technical training. VFC receives vehicle donations from the public, performs necessary repairs, and provides the vehicles at a low cost to eligible families referred by social service agencies. VFC also guarantees families low-interest vehicle loans (providing the opportunity to build credit), offers an orientation course to prepare families for vehicle ownership, and offers a warranty on every vehicle. VFC operates Freedom Wheels, a retail used-vehicle lot that is open to the public; some donated

vehicles (such as luxury models or cars with a high book value) are sold through Freedom Wheels to maximize the donor's tax deduction and VFC's financial return. In May 2015, VFC opened a subsidiary, Full Circle Service Center, which provides light maintenance and car repair at affordable rates and provides training to unemployed and underemployed individuals for jobs in automotive services through VFC's Center for Automotive Careers. Mechanics who work at the Service Center may also be part of VFC's Auto Technicians for Change internship, a 6-month prison reentry program for ASE-certified mechanics. VFC will request an allocation of \$50,000 in tax credits over 2 years (January 2016 through December 2017) from the CITC Program to raise funds to support the Full Circle Service Center and the Auto Technicians for Change internship.

The purpose of the CITC Program is to support nonprofit organizations by awarding allocations of state tax credits for use as incentives to attract contributions from individuals and businesses to benefit local projects and services; 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 individuals and businesses that make donations of \$500 or more to support approved projects. Under the tax credit program, individuals and 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.

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



COUNCIL ACTION REQUEST FORM EXECUTIVE SUMMARY

The Department of Planning requests approval of a local resolution to support the application of Vehicles for Change Inc. ("VFC") to the Maryland Department of Housing and Community Development for an allocation of tax credits under the Community Investment Tax Credit program. The State requires a local government resolution in support of the tax credits prior to final approval of the application. Nonprofit organizations utilize the tax credits as incentives for individuals and businesses to donate money, goods or real property to support operational and programmatic costs associated with specific, approved projects delivering services to communities across Maryland.

Operating in the Maryland-Virginia-Washington, D.C. region, VFC is a 501(c)3 non-profit corporation which empowers financially challenged families to achieve economic and personal independence through car ownership and technical training.

VFC receives its car donations from the public, and then repairs the cars that meet the company's quality standards and awards them for as little as \$750 to eligible families, who are referred to VFC by social service agencies. Since 1999, VFC has awarded cars to more than 4,900 low-income families, changing the lives of more than 15,000 people. A 2011 study found that 75 percent of VFC recipients got better jobs and/or boosted their earnings an average of \$7,000 within the first year.

The Center for Automotive Careers ("CAC") is a new VFC program that serves individuals from the Baltimore area. The goal of CAC is to train unemployed and underemployed individuals for jobs in automotive services.

VFC also operates Freedom Wheels, a retail used-car lot that is open to the public. Some donated vehicles (such as luxury models or cars with a high book value) are sold through Freedom Wheels to maximize the donor's tax deduction and VFC's financial return. All proceeds go toward preparing more vehicles for deserving families.

In May 2015 VFC opened a subsidiary, Full Circle Service Center, which furthers VFC's mission to help individuals and families by providing light maintenance and car repair at affordable rates. Mechanics who work at Full Circle are part of VFC's Auto Technicians for Change internship, a six-month prison reentry program for ASE certified mechanics. The program will provide on-the-job training while readying the interns to obtain jobs in the automotive field.

VFC is requesting \$50,000 in tax credits to be used to support its Full Circle Service Center program. No Baltimore County funds will be used for this project. The County's role is to support VFC's application for the tax credits.

Prepared by: Department of Planning

BALTIMORE COUNTY COUNCIL
NOTES TO THE AGENDA
APPENDIX A

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

TO: Fred Homan
Administrative Officer

DATE: 8/21/15

FROM: Keith Dorsey, Director 
Office of Budget & Finance

**COUNCIL MEETING
DATE:** 10/5/15

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 8309 Oxford Instruments America Inc. – Detector, Silicone Drift, X-MaxN, Replacement, SEM, Police

This order is for the purchase of a silicone drift detector (SDD), pulse processor and software to replace on the Energy Dispersive X-ray Spectrometer (EDS). This is part of a larger system called a Scanning Electron Microscope for analyses of gunshot residue for the Police Department.

As indicated in Chief James Johnson's memo dated April 23, 2015, the purchase of this equipment will bring the Scanning Electron Microscope within guidelines and standards of the American Society for Testing and Materials and Scientific Working Group for gunshot residue recommendations. This part of the system is proprietary to Oxford Instruments America, Inc. and cannot be purchased from any other vendor.

Amount Total: \$37,000.00
Award Date: 08/21/15

MA 3022 Costar Realty Information Inc. – On-line, Commercial Real Estate Data-base Subscription, COSTAR

The Baltimore County Department of Economic Development uses the CoStar Group, Inc. (CoStar) proprietary database to gain access to independently researched information including commercial real estate for sale, property for lease, verified comparable sales transactions, and tenant information to assist their clients make better decisions when they are interested in expanding or relocating to Baltimore County.

Pursuant to Director Will Anderson's memo dated 5/8/2015, CoStar's online database keeps the Department relevant and competitive in this global business, commercial real estate and political environment for various clients. CoStar is the only research-based database where a neutral company maintains the accuracy of the data which is paramount to the Departments' integrity.

The Master Agreement is for 1 year with up to 4 one year renewal options subject to annual price escalation per the current CPI-U or up to 5%, whichever is lower.

Amount Not to Exceed: \$139,043.01
Award Date: 08/21/15

c: M. Field
T. Peddicord
L. Smelkinson