

*BALTIMORE COUNTY COUNCIL
NOTES TO THE AGENDA
LEGISLATIVE SESSION 2016*

*Issued: March 10, 2016
Work Session: March 15, 2016
Legislative Day No. 6 : March 21, 2016*

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



OFFICE OF THE COUNTY AUDITOR

BALTIMORE COUNTY COUNCIL

March 21, 2016

NOTES TO THE AGENDA

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**BALTIMORE COUNTY COUNCIL AGENDA
LEGISLATIVE SESSION 2016, LEGISLATIVE DAY NO. 6
MARCH 21, 2016 6:00 P.M.**

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

Page

CALL OF BILLS FOR FINAL READING AND VOTE

DR. GREGORY BRANCH, DIRECTOR, DEPARTMENT OF HEALTH AND HUMAN RESOURCES

1 Bill 7-16 - Mrs. Almond(By Req.) - CEB - Maryland Children's Health Program

COUNCIL

4 Bill 8-16 - Mrs. Bevins - Zoning Regulations - Agricultural Structures
5 Bill 9-16 - Mrs. Bevins - Parking Violations
6 Bill 10-16 - Mr. Crandell - Disabled Workers Tax Credit
8 Bill 11-16 - Mr. Marks - Residential Permit Parking Areas
9 Bill 12-16 - All Councilmembers - County Budget - Contents
10 Bill 13-16 - All Councilmembers - Purchasing

APPROVAL OF FISCAL MATTERS/CONTRACTS

NO FISCALS

MISCELLANEOUS BUSINESS

COUNCIL

13 1. Correspondence - (a)(4) - Non-Competitive Awards (January 22, 2016)
11 2. Res. 32-16 - Councilmembers Almond, Quirk, Bevins & Marks - Community Eligibility Pilot Program
3. Res. 33-16 - Mr. Kach - Property Tax Exemption - BLIND - Emmajean Harris
4. Res. 34-16 - Mr. Kach - Property Tax Exemption - DAV - Arnold Matthews
5. Res. 35-16 - Mr. Marks - Property Tax Exemption - DAV - Tina M. Szewczyk
6. Res. 36-16 - Mrs. Bevins - Property Tax Exemption - DAV - Melvin L. Fields

Bill 7-16 (Supplemental Appropriation)

Council District(s) All

Mrs. Almond (By Req.)

Department of Health and Human Services

Maryland Children's Health Program

The Administration is requesting a supplemental appropriation of federal and state funds totaling \$79,268 to the Maryland Children's Health Program Gifts and Grants Fund program to increase the amount appropriated to the actual amount of the grant award. The funds will be used to support the salary costs of two new part-time (34 hours-per-week) Human Services Assistants to determine Medicaid client eligibility and to provide referrals to qualified health plans. See Exhibit A.

Fiscal Summary

<u>Funding Source</u>	<u>Supplemental Appropriation</u>	<u>Current Appropriation</u>	<u>Total Appropriation</u>
County	--	--	--
State ⁽¹⁾	\$ 33,293	\$ 817,300	\$ 850,593
Federal ⁽²⁾	45,975	817,300	863,275
Other	--	--	--
Total	\$ 79,268	\$ 1,634,600	\$ 1,713,868

⁽¹⁾ Maryland Department of Health and Mental Hygiene funds. No County matching funds are required.

⁽²⁾ U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services funds passed through the Maryland Department of Health and Mental Hygiene. No County matching funds are required.

Analysis

The Maryland Children's Health Program (MCHP) provides health insurance through Medical Assistance to pregnant women, children, parents, caretaker relatives, and non-disabled single adults (under 65) who meet eligibility requirements. Program staff provide eligibility determination and case management services for clients applying for health insurance benefits through the

Maryland Medicaid Program. After the implementation of the Affordable Care Act (ACA), MCHP's population expanded to include the single adult population. Additionally, the ACA requires all local health departments to provide service to any Maryland resident, regardless of jurisdiction.

The proposed grant funds will be used to support the salary costs of two new part-time (34 hours-per-week) Human Services Assistants to determine client Medicaid eligibility and to provide referrals to qualified health plans. Clients are referred through the Maryland Health Connection website and call center, connector entities (consumer assistance organizations), mailings, and by Department staff. The Department advised that as of November 30, 2015, the program had an active caseload of 104,180, up from 51,523 in January 2015. The Department further advised that the additional funding will help it to process the increased caseload.

The FY 2016 Adopted Operating Budget included a \$1,634,600 appropriation to the Department's MCHP based on the estimated amount of the grant award at the time the Department submitted its budget request to the Office of Budget and Finance. Accordingly, this bill appropriates the additional \$79,268 to the program, increasing the total appropriation to the actual \$1,713,868 grant award.

The grant period is FY 2016. No County matching funds are required for this grant. With the affirmative vote of five members of the County Council, Bill 7-16 will take effect April 4, 2016.



COUNCIL ACTION REQUEST FORM EXECUTIVE SUMMARY

Maryland Children's Health Program Supplemental

The Baltimore County Department of Health is seeking a supplemental appropriation in the amount of \$79,268. The FY2016 County appropriation for this program was approved for \$1,634,600. The original grant award was \$1,403,037. One additional supplement of \$196,588 and a second supplement of \$114,243 have been received, for a new grant total of \$1,713,868.

Background

Since 1998, the Maryland Children's Health Program (MCHP) within the Baltimore County Department of Health's (BCDH) Bureau of Healthcare Access has served residents applying for health insurance benefits through the Maryland Medicaid Program. With the implementation of the Affordable Care Act (ACA) in 2014, MCHP's population expanded to serve the single adult population and provide referrals for qualified health plans for all eligible residents. The program performs eligibility and case management functions. The ACA also requires a "no wrong door" approach, requiring all local health departments to provide service to any presenting Maryland resident.

The program has doubled its caseload since the beginning of the year, from 51,523 to 104,180 as of November 30, 2015.

Purpose

The purpose of this additional funding is for staff necessary to complete timely and accurate Medicaid eligibility decisions and make referrals for qualified health plans for pregnant women, children, families and non-elderly adults throughout the State.

Baltimore County Health and Human Services, Department of Health, will use this grant to support the current MCHP funding and pay personnel costs associated with the grant.

Fiscal

Supplemental Funding \$79,268.

Prepared by:
Department of Health and Human Services

Bill 8-16**Council District(s) All**

Mrs. Bevins

Zoning Regulations – Agricultural Structures

Section 404 of the Baltimore County Zoning Regulations sets forth the regulations for certain agricultural activities and uses, as well as structures. This includes specific regulations for horticultural nurseries, landscape service operations, agricultural roadside businesses, firewood operations, and others. There are also provisions for setbacks for internal roadways and structures and distances between structures, loading and unloading of vehicles, signage, and the maximum percentage of plants and trees available for immediate sale that may occupy the sales area of a site.

Bill 8-16 amends the regulation pertaining to the property line setback requirement for limited acreage wholesale flower farms, horticultural nurseries, and landscape service operations. Current law requires that controlled-environment structures (such as greenhouses or similar structures) and accessory structures be located at least 50 feet from any property line, including any right-of-way line. This bill would amend the setback requirement to 25 feet.

With the affirmative vote of five members of the County Council and signature by the County Executive, Bill 8-16 will take effect on April 4, 2016.

Bill 9-16

Council District(s) All

Mrs. Bevins

Parking Violations

Bill 9-16 prohibits parking in spaces designated for plug-in vehicles.

A plug-in vehicle is a vehicle that:

- Is made by a vehicle manufacturer;
- Is manufactured primarily for use on a public street, road, or highway;
- Has a rated unloaded gross vehicle weight of no more than 8,500 pounds;
- Has a maximum speed capability of at least 55 miles per hour; and
- Is propelled to a significant extent by an electric motor that draws electricity from a battery that:
 - for a four wheeled vehicle, has a capacity of at least 4 kilowatt hours;
 - for a two or three wheeled vehicle, has a capacity of at least 2.5 kilowatt hours; and
 - can be recharged from an external source of electricity.

A person may not park a vehicle that is not a plug-in vehicle in a space, including a space on private property, that is designated for the use of plug-in vehicles, provides access to a recharging station, and has a sign approved by the Police Department stating the prohibition of this section.

A person who violates this section is guilty of a misdemeanor and is subject to a \$75 fine.

With the affirmative vote of five members of the County Council and signature by the County Executive, Bill 9-16 will take effect on April 4, 2016.

Bill 10-16

Council District(s) All

Mr. Crandell

Disabled Workers Tax Credit

The General Assembly authorizes the counties to grant a tax credit for the surviving spouse of a fallen law enforcement officer or rescue worker. The Council established this credit by the passage of Bill 42-03. In 2008, the General Assembly expanded the authorization to include disabled personnel and correctional officers (Chapter 586). Council Bill 109-08 established the County tax credit for disabled Baltimore County law enforcement officers or rescue workers pursuant to this State authorization.

A disabled worker is a Baltimore County law enforcement officer or rescue worker who:

1. Has been found to be permanently and totally disabled by an administrative body or court of competent jurisdiction authorized to make such a determination; and
2. Became disabled:
 - A. As a result of or in the course of employment as a Baltimore County law enforcement officer; or
 - B. While in the active service of a Baltimore County fire, rescue, or emergency medical service.

The credit is applicable to a dwelling owned by a disabled worker at the time the individual was adjudged to be permanently and totally disabled, or a dwelling purchased by the individual within 2 years of that date, if domiciled in the State at the time of adjudication.

Bill 10-16 proposes two changes to the current law:

The bill provides for reciprocity with a Maryland jurisdiction that offers a similar credit to a Baltimore County law enforcement officer or rescue worker. An individual who worked for a jurisdiction with reciprocity is eligible to receive a credit under this section to the extent the individual would qualify for the similar tax credit in the jurisdiction with reciprocity if the individual were a resident there.

Secondly, the bill proposes to repeal the requirement that, as a condition of receiving the credit, the disabled worker must have purchased a dwelling within 2 years of the date of judgement of disability.

With the affirmative vote of five members of the County Council and signature by the County Executive, Bill 10-16 will take effect on April 4, 2016.

Bill 11-16

Council District(s) 5

Mr. Marks

Residential Permit Parking Areas

Article 18, Title 2, Subtitle 4 of the Baltimore County Code, 2003 authorizes the establishment of Residential Permit Parking Areas pursuant to a statutory process. The process requires the filing of a petition by at least 65% of the (owners of) dwelling units in the proposed parking area; a study by the Department of Public Works (DPW) to determine if the area meets the criteria of the statute; a public meeting; the submission of findings and recommendations to the County Council; a review by the Council; and, finally, the designation of the area as a residential permit parking area by Council resolution.

After designation of an area as a residential permit parking area, DPW must erect signs that (1) establish the locations, conditions, times, and days during which parking is allowed or prohibited, and (2) prohibit parking by vehicles that do not have valid parking permits.

Bill 11-16 proposes to create two such areas notwithstanding the requirement for a study by DPW of the eligibility of the areas based upon the statutory criteria.

These areas are:

- 504 through 520 Windwood Road, to expire upon the completion of the parking garage at Drumcastle; and
- 901 through 912 Locustvale Road, to expire upon the issuance of an occupancy permit for the apartment building developed at Locustvale Road by the Taylor Property Group.

The bill requires that 65% of the dwelling units in each proposed residential permit parking area petition the Director of Public Works for the designation of the area as a residential permit parking area.

With the affirmative vote of five members of the County Council and signature by the County Executive, Bill 11-16 will take effect on April 4, 2016.

Bill 12-16**Council District(s) All**

All Councilmembers

County Budget - Contents

Bill 12-16 requires specific information about proposed capital projects to be included in the proposed capital budget.

Current law requires that the capital budget and capital program include:

- The plan of proposed capital projects for the following fiscal year and for each of the next five fiscal years;
- The means of financing the capital projects; and
- A statement of the receipts anticipated during the following fiscal year from all borrowing and from all other sources for capital projects.

Bill 12-16 sets forth an additional requirement. The budget must contain a description, by Councilmanic District, of the proposed capital projects in each capital project classification, without designating proposed capital project appropriations as being shared among Councilmanic Districts.

With the affirmative vote of five members of the County Council and signature by the County Executive, Bill 12-16 will take effect on April 4, 2016.

Bill 13-16

Council District(s) All

All Councilmembers

Purchasing

Bill 13-16 requires County Council approval of contracts for the purchase or lease of commodities.

Current law defines a commodity as an article of trade or value, an item that is bought or sold, or any moveable or tangible item that is produced or used as the subject of trade or commerce. The term includes goods, materials, equipment, and supplies. Bill 13-16 provides that the term does not include the storage of records or data that is integral or incidental to the purchase of a commodity.

Current law requires that certain contracts in excess of \$50,000 for the purchase of commodities are required to be approved by the County Council before being executed. Bill 13-16 requires Council approval prior to execution for all commodity contracts in excess of \$100,000.

With the affirmative vote of five members of the County Council and signature by the County Executive, Bill 13-16 will take effect on April 4, 2016.

MB-2 (Res. 32-16)**Council District(s) All**

Councilmembers Almond, Quirk, Bevins & Marks

Community Eligibility Pilot Program

Resolution 32-16 provides for the implementation of a Community Eligibility Pilot Program in the Baltimore County Public School System for the 2016-2017 school year.

The Community Eligibility Provision of the Healthy, Hunger-Free Kids Act of 2010 provides local educational agencies and schools in low-income areas with an alternative approach for operating school meal programs; it is an option that allows schools with high percentages of low-income children to provide free breakfast and lunch to all students.

On January 19, 2016, the County Council passed Resolution 8-16 providing for a study and evaluation of a Community Eligibility Pilot Program to be implemented by the Baltimore County Public School System for the 2016-2017 school year.

The School System has chosen Riverview Elementary School, Hawthorne Elementary School, Dundalk Middle School, and Dundalk High School for inclusion in the Pilot Program. Resolution 32-16 requests the School System to implement the Pilot Program in cooperation with its Office of Food and Nutrition Services. Assuming 100% participation by students, estimated costs associated with the pilot program total \$485,520.

The School System will report on a quarterly basis to the County Council and the Baltimore County Food Policy Task Force (established by Resolution 9-16) on the progress of the Pilot Program.

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

BALTIMORE COUNTY COUNCIL
NOTES TO THE AGENDA
APPENDIX A

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

MB-1(a)

TO: Fred Homan
Administrative Officer

DATE: 1/22/16

FROM: Keith Dorsey, Director
Office of Budget & Finance



**COUNCIL MEETING
DATE:** 3/21/16

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 8695 Verizon – Galloway Avenue Intersection Improvements - Verizon

This purchase order represents relocation of distribution facilities on Galloway Avenue intersection improvements. Verizon owns the distribution facilities and is the only source for this relocation work.

Estimated Total \$43,750.00
Award Date: 1/22/16

PO 8694 Baltimore Gas & Electric Co dba BGE – 14001 SX0 – Templegate P.S. – BGE New Service

This purchase order represents new installation of distribution facilities on Templegate Pumping Station under Capital Improvement Contract 14001 SX0. BGE owns the distribution facilities and is the only source for this relocation work.

Estimated Total \$36,181.00
Award Date: 1/22/16

PO 8704 Thompson Electric Inc. – Signal Equipment – Signal Construction MD 26 @ OMB/Live Oak

This order is for traffic signal construction on MD 26 at Owings Mills Blvd./Live Oak Road. As indicated in DPW Director Edward Adams's memo, traffic signal construction needs to be completed as part of the Owings Mills Boulevard construction expansion project. Thompson Electric is the County's on-call signal construction contractor, and will complete this work using components from a separate SHA agreement between Thompson and SHA.

Estimated Total \$32,571.20
Award Date: 1/22/16

PO 8736 A 2 Z Environmental Group LLC – Derelict Building, Clean-up, Property Management, FY16

This Purchase Order is for the interior clean-up of 7923 Charlesmont Road 21222. As detailed in the justification memo signed by Property Manager George Klunk, dated December 31, 2015, Baltimore County took possession of the property, which contained interior debris. A2Z Environmental was called upon to quote the interior clean-up of the property, under the County's Derelict Lot Contract for debris removal. Upon responding to the location, and viewing the property condition, A2Z Environmental concluded that the clean-up would not be covered under the Derelict Lot Contract, as the property contained a large rat infestation, including dead rodents and fecal matter. The clean-up of the property would require hazardous waste removal. A2Z Environmental indicated that they possess the necessary materials and expertise to perform the clean-up of the hazardous materials in a safe manner. A2Z Environmental was instructed to proceed with the clean-up as they were on-site. The clean-up was now considered an emergency as a result of the hazardous conditions present at the location.

Estimated Total \$54,377.26
Award Date: 1/22/16

c: M. Field
T. Peddicord
L. Smelkinson