

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

*Issued: May 26, 2016
Work Session: May 31, 2016
Legislative Day No. 11: June 6, 2016*

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



OFFICE OF THE COUNTY AUDITOR

BALTIMORE COUNTY COUNCIL

June 6, 2016

NOTES TO THE AGENDA

TABLE OF CONTENTS

	PAGE
LEGISLATIVE SESSION	
Witnesses	ii
<u>BILLS – FINAL READING</u>	
Bill 38-16	1
Bill 39-16	4
Bill 40-16	7
Bill 41-16	8
<u>FISCAL MATTERS</u>	
FM-1	12
FM-2	14
FM-3	16
FM-4	20
FM-5	23
FM-6	26
FM-7	29
FM-8	32
FM-9	35
FM-10	38
FM-11	41
FM-12	44
FM-13	48
FM-14	50
FM-15	52
FM-16	54
<u>MISCELLANEOUS BUSINESS</u>	
MB-3	56
MB-8 (Res. 58-16)	59
APPENDIX	
Correspondence (1) (a)	64

**BALTIMORE COUNTY COUNCIL AGENDA
LEGISLATIVE SESSION 2016, LEGISLATIVE DAY NO. 11
JUNE 6, 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

STEVE WALSH, DIRECTOR, DEPARTMENT OF PUBLIC WORKS

1 Bill 38-16 - Mrs. Almond(By Req.) - CEB - Department of Public Works - Storm Emergencies

TERI RISING, DEPARTMENT OF PLANNING

4 Bill 39-16 - Mrs. Almond(By Req.) - Final Historical Landmarks List

COUNCIL

7 Bill 40-16 - Mr. Marks - Residential Permit Parking Areas

8 Bill 41-16 - Mr. Marks - Downtown Towson District

APPROVAL OF FISCAL MATTERS/CONTRACTS

SUSAN DUBIN, ASSISTANT COUNTY ATTORNEY, OFFICE OF LAW

12 1. Agreement - Elaine C. Katz - Professional Services - Executive Director - Ethics Commission - LAW

GEORGE SARRIS, BALTIMORE COUNTY PUBLIC SCHOOLS

14 2. BAT#16-03 - Baltimore County Public Schools - BCPS

AMY GROSSI HICKS, REAL ESTATE COMPLIANCE

16 3. Contract of Sale - CDN Holdings, LLC - Terminus of Painters Mill Road - REC

DEBORAH RICHARDSON, DIRECTOR, DEPARTMENT OF CORRECTIONS

20 4. BAT#16-04 - Department of Corrections - DOC

KEVIN REED, DEPARTMENT OF HEALTH AND HUMAN SERVICES

23 5. BAT#16-01 - Department of Health and Human Services - HHS

ROBERT STRADLING, DIRECTOR, OFFICE OF INFORMATION TECHNOLOGY

26 6. Contract - Insight Public Sector, Inc. - Technology services & solutions - OIT

29 7. Amendment to Contract - Applied Technology Services - maintenance and repair of equipment - OIT

32 8. Contract - Hewlett Packard Enterprise Company - computer equipment peripherals and services - OIT

35 9. Contract - Skyline Network Engineering, LLC - maintenance and database management-OSPI Insight Software-OIT

38 10.Contract - Woolpert, Inc. - Assistance - evaluation, design & implementation - Enterprise Platform-OIT

41 11.Amendment to Contract - Columbia Telecommunications Corporation - Technical consulting services - OIT

KEITH DORSEY, DIRECTOR, OFFICE OF BUDGET AND FINANCE

44 12.Contract - Bolton Partners, Inc. - Consulting services - Employee benefit plans - OBF

48 13.Contract - Spigler Petroleum Equipment, LLC - VOM - Fuel system maintenance - OBF

50 14.Contracts - (2) - Renovation/repair of tennis and basketball courts - OBF

52 15.Contract - M&T Bank - Banking services - OBF

54 16.BAT#16-02 - Baltimore County Board of Appeals - OBF

MISCELLANEOUS BUSINESS

COUNCIL

64 1. Correspondence - (a)(3) - Non-Competitive Awards (April 27, 2016)

2. Appointment - Mr. Kach - Baltimore County Board of Appeals - Joseph L. Evans

FRONDA COHEN, EXECUTIVE OFFICE

56 3. Grants - Mrs. Almond(By Req.) - FY2017 Arts and Sciences General Fund Grants

COUNCIL

4. Res. 66-16 - Mr. Crandell - Adoption of Policy for Procurement of Goods and Services from local County Businesses

5. Res. 67-16 - Mr. Crandell - Merritt-Sollers Point Commercial Revitalization District

6. Res. 68-16 - Mr. Marks - Property Tax Exemption - DAV - Stuart B. Arnold, III

7. Res. 69-16 - Mrs. Bevins - Property Tax Exemption - DAV - William R. Sheckells

59 8. Res. 58-16 - Mrs. Almond(By Req.) - Payment in lieu of taxes - authorize written agreement - AHC Dunfield LLC

Bill 38-16 (Supplemental Appropriation)

Council District(s) All

Mrs. Almond (By Req.)

Department of Public Works

Storm Emergencies

The Administration is requesting a supplemental appropriation of Unassigned General Fund Balance (Surplus) funds totaling \$9.75 million to the Department of Public Works, Storm Emergencies Program to fund higher-than-anticipated costs related to the 2015-2016 snow season. See Exhibit A.

Fiscal Summary

Funding Source	Supplemental Appropriation	Current Appropriation	Total Appropriation
County ⁽¹⁾	\$ 9,750,000	\$ 5,987,025	\$ 15,737,025
State	--	--	--
Federal	--	--	--
Other	--	--	--
Total	<u>\$ 9,750,000</u>	<u>\$ 5,987,025</u>	<u>\$ 15,737,025</u>

⁽¹⁾ Unassigned General Fund Balance (Surplus).

Analysis

The Department advised that funds totaling \$9.75 million are needed in the Bureau of Highways and Equipment Maintenance – Storm Emergencies Program to cover excess costs incurred for contracted snow removal and de-icing services (\$8.3 million), employee overtime (\$910,000), and salt (\$544,000) during the 2015-2016 winter snow season. The Department also advised that the

additional funds are needed primarily to cover the clean-up costs associated with Winter Storm Jonas, which began on January 22, 2016 and dropped a record amount of snow, with estimated costs in excess of \$9.4 million.

This bill appropriates \$9.75 million from Surplus to the Storm Emergencies Program, increasing the FY 2016 Program budget from \$5,987,025 to \$15,737,025.

As of June 30, 2015, the County's Unassigned General Fund Surplus totaled \$140.5 million, excluding \$89.6 million that was assigned as a source of funding for the FY 2016 budget and \$25.4 million reserved for income tax refunds related to the Wynne case. In addition, the County maintains a separate Revenue Stabilization Reserve Account ("Rainy Day Fund") which totaled \$89.3 million as of June 30, 2015. The expected surplus balance and Rainy Day amounts together total \$229.8 million.

This supplemental appropriation, as well as BAT 16-02 (FM-16) and BAT 16-04 (FM-4) on this agenda will affect ongoing spending subject to the Spending Affordability Committee's FY 2016 guideline; following approval of these three agenda items, the FY 2016 budget will be approximately \$9.3 million under the guideline.

With the affirmative vote of five members of the County Council, Bill 38-16 will take effect June 20, 2016.



COUNCIL ACTION REQUEST FORM

EXECUTIVE SUMMARY

EXECUTIVE SUMMARY

The Department is requesting a supplemental appropriation of \$9,750,000 from the General Fund's Unassigned Fund Balance to cover expenditures in excess of FY 16 Appropriations.

These funds will supplement the Storm Emergencies Program 001-070-7505. These funds are requested to cover the costs incurred above the current FY 16 Appropriation of \$5,987,025 associated with addressing winter storms during the 2015 – 2016. The primary reason driving the necessity of a supplemental appropriation was Winter Storm Jonas. The storm, which began on January 22, 2016, dropped record amounts of snow on the Baltimore Metropolitan Area. The National Weather Service recorded 32.1 inches in Reisterstown, the highest snow total in the County. Although the storm ended the following evening, the plowing, snow clearing, and other clean-up efforts to address the sheer volume continued well into the following week. Most recent estimates indicate that more than \$9.4 million was spent on this event alone in the FY 15-16 winter season. This included the use of over 21,000 tons of salt and contractual labor to assist County forces totaling more than \$6.2 million to keep roads safe and passable.

The County's General Fund Unassigned Fund Balance, excluding the Revenue Stabilization Account, totals \$140,477,764 as of June 30, 2015. Following this supplemental appropriation, the balance will stand at \$130,727,764.

Prepared by: Department of Public Works

Bill 39-16**Council District(s) All**

Mrs. Almond (By Req.)

Department of Planning

Final Historical Landmarks List

Article 32, Title 7 of the Baltimore County Code establishes a system of historic and architectural preservation for Baltimore County. The law authorizes the creation of a Landmarks Preservation Commission and sets forth the procedure to be followed for the creation of historic districts and for the compilation and maintenance of a Historic Landmarks List.

The Historic Landmarks List currently includes 392 properties. The law authorizes placement of historic “structures” and historic environmental settings on the list. A structure is defined as any man-made or natural combination of materials to form stable constructions including, but not limited to, buildings, bridges, towers, walls, trees, and rock formations.

Periodically, after reviewing structures for eligibility and conducting a public hearing, the Landmarks Preservation Commission approves additional structures for placement on a preliminary landmarks list. Each list of proposed structures is then sent to the County Executive for review before being forwarded to the County Council for consideration. The Council may approve the list, in whole or in part, for adoption as additions to the Final Landmarks List.

The Landmarks Preservation Commission recommended one new structure and setting for addition to the list. The County Executive reviewed the list submitted by the Commission, and the list was sent to the County Council. Thereafter, the owners were notified by the Department of Planning of the public hearing, which the Council is required to hold. The Council hearing was held on April 4, 2016.

Bill 39-16 proposes to amend the Landmarks List by adding one new structure to the list. A description of the structure is attached (see Exhibit A). Bill 39-16 approves only the house and a

5-foot perimeter around the house as the setting; the shed and the balance of the setting are not included.

With the affirmative vote of five members of the County Council and signature by the County Executive, Bill 39-16 will take effect on June 20, 2016.

[3] "Melrose Farm" (House; & setting, 29 Ashland Road, Cockeysville

Located at 29 Ashland Road, Melrose Farm was established in 1832 by Peter Fowble Cockey on land he inherited from his father, Joshua Frederick Cockey. It was originally part of a larger tract of land owned by Joshua F. Cockey's uncle, Thomas Cockey Deye of Taylor's Hall. Situated in the Eighth Election District in the area of Cockeysville, the farm was in close proximity to the Northern Central Railroad and the York Turnpike. Melrose Farm was one of several large homes constructed by Cockey relatives in the early 19th century on parcels of land originally owned by Thomas Cockey Deye and conveyed to several nieces and nephews in 1808. Joshua F. Cockey inherited Lot # 7 which contained over 400 acres. Other homes that were constructed during the same period included the Cockey Homestead, Mayfair, Montrose, Sherwood Park Farm, and Cool Spring. Only the Cockey Homestead, Melrose and Mayfair remain standing and Melrose is the only one still owned by Cockey family members. Peter Cockey mainly pursued agricultural interests on Melrose Farm with the assistance of his brother Gist T. Cockey who lived with him and his family. He also served as postmaster of Cockeysville and was involved in local politics. Melrose Farm was also occupied by Union troops during the first days of the Civil War who set up an encampment there while on a hastily planned trip to Baltimore. Upon Cockey's death in 1887, the property passed to his wife Elizabeth and then to his daughters who lived together on the farm. It later passed to descendants who are the current owners. Melrose Farm is significant as the only surviving example of an early Cockey home still retained by the family, it is also significant as only one of three still known to be standing. Melrose also has an important place in Baltimore County's Civil War history as a Union Army encampment. The house also serves as an excellent example of early stone and brick construction in Baltimore County whose later additions and changes retain sufficient historic materials and represent the evolution of a farmstead. Part of the property, was delineated as its historic environmental setting.

Bill 40-16**Council District(s) All**

Mr. Marks

Residential Permit Parking Areas

Article 18, Title 2, Subtitle 4 of the County Code authorizes the establishment of a residential parking area on residential streets in certain residential zones. At least 75% of the dwelling units in a proposed area must petition the Director of Public Works who then conducts a study to determine if the proposed area meets the criteria of the statute. A public hearing must be held, and the recommendation of the Director is forwarded to the County Council for action.

Bill 40-16 proposes to add the proximity of a neighborhood to an institution of higher learning as a consideration for the Director in determining if a neighborhood should be designated as a permit parking area.

The bill also amends one of the criteria the Director must use in evaluating the need for restricted parking in a neighborhood, namely, the number of vehicles parked on streets in the area during any period of the day. The criterion of the current law is that the number of parked vehicles is equal to 70% or more of the capacity of the area. The bill reduces that to 50%.

Finally, Bill 40-16 authorizes the Director to designate a temporary restricted residential permit parking area in a neighborhood for up to 2 years if parking in the neighborhood is displaced by additional vehicles as a result of a nearby county or state construction project.

Bill 40-16 will take effect 45 days after its enactment.

Bill 41-16**Council District(s) 5**

Mr. Marks

Downtown Towson District

Bill 41-16 results from a report of the Planning Board in response to Resolution 113-14. That resolution requested a comprehensive review of the existing laws and regulations that govern the development of Downtown Towson and the incorporation of these provisions into two new zoning classifications, one solely for the Downtown Towson area, that recognizes and accommodates the implementation of the goals of Master Plan 2020, and a second transitional zoning classification where an abundance of student housing exists, that is designed to mitigate the impact of student rentals on residential neighborhoods.

Over the last 20 years, Baltimore County has engaged in numerous planning efforts focusing on Towson. These efforts have ranged in scope from examining regulatory measures such as zoning, urban design standards, and architecture review, to developing financial incentives for targeted blocks, all in an effort to develop Towson as the County's urban center.

An unintended consequence of the numerous planning processes has resulted in the implementation of zoning and special regulations that are fragmented and often contradictory to each other. Currently, there are ten separate designations/zones and overlay districts that currently apply to some part of the Towson urban center. Bill 41-16 repeals these separate zones and districts and adopts a new comprehensive review process in the form of an overlay district that is design-oriented. This approach builds upon and unifies the various plans and regulations that have successively recognized the importance of high quality urban design in Towson. The goals of the new review process are to:

- Encourage mixed-use development by providing more flexible development opportunities;
- Foster improved site and architectural design by a) requiring the use of high quality building materials, b) enabling signature statuesque buildings at strategic locations, and c) integrating urban design components into the public realm; and
- Encourage economic vitality through mixed-use development.

This approach acknowledges a very clear and definite distinction between the physical form of downtown Towson and the form of the greater Towson communities that surround it. Development in Downtown Towson will be reviewed under the process and guidelines adopted in

Bill 41-16. The surrounding suburban neighborhoods will continue to use community conservation efforts outlined in the 1992 Towson Community Plan.

Development in the Downtown Towson District will not be bound by traditional suburban and prescriptive zoning regulations governing setbacks, height, floor area ratio, and density, as well as parking. Instead, a more intensive design review process will be utilized to regulate all levels of development and redevelopment based on a set of urban design guidelines.

The boundaries of the District are described in the map attached to Bill 41-16 (See Exhibit A). The District may be applied only on land zoned B.L., B.M., B.R., R.A.E. 1, R.A.E. 2, O.R. 1, O.R. 2, D.R. 10.5 and D.R. 16.

Area, use, parking, lighting, and sign requirements for development in the District are set forth in the bill, as well as acceptable building principles and building materials.

Any development in the District is subject to review by the Design Review Panel, unless the Development Review Committee determines that a development that qualifies for a limited exemption should be referred to the Department of Planning for review. The Panel must apply the design guidelines set forth in the bill. The Panel submits a non-binding recommendation to the Hearing Officer.

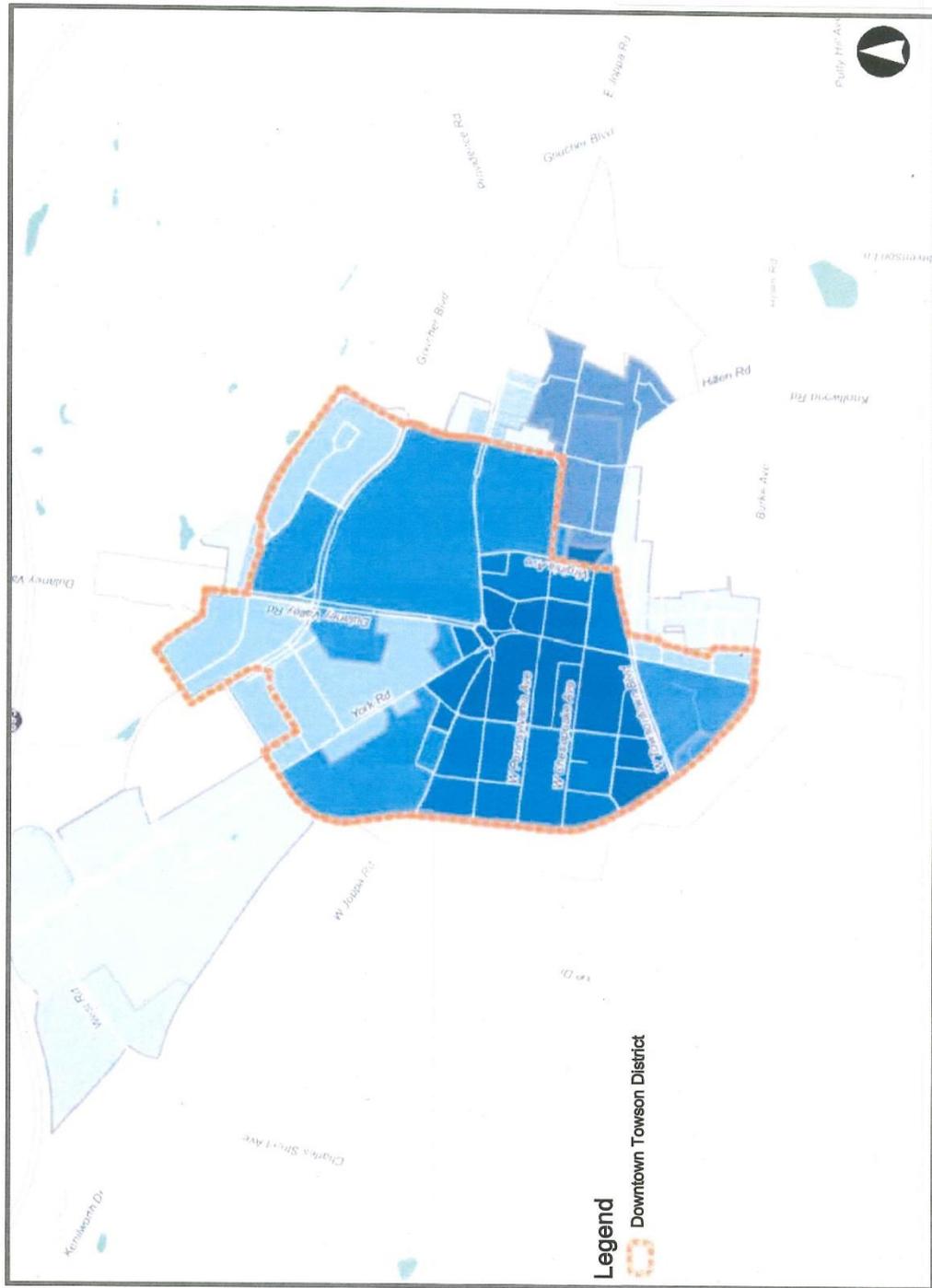
In uncodified sections, the bill provides that, prior to any redevelopment of the Baltimore County Public Library site east of York Road, funding and approvals shall be in place for a bicycle and pedestrian bridge, including a pathway connecting the bridge with neighborhoods in East Towson; and, as a part of any development plan proposed for the Towson Triangle, the Towson Run is required to be stabilized, improved, and landscaped, including the construction of a dedicated pedestrian pathway; and a dedicated bicycle/pedestrian pathway shall be constructed along the northern side of Towsontown Boulevard on the Towson Triangle.

Further, the Act is to be applied prospectively and shall have no application to any development plan or development approved prior to the effective date of the Act or to any parking contract or

lease associated with an approved development plan or development. A material amendment to a development plan or development or parking contract or lease shall comply with the requirements of the Act.

With the affirmative vote of five members of the County Council and signature by the County Executive, Bill 41-16 will take effect on June 20, 2016.

DOWNTOWN TOWSON DISTRICT



FM-1 (Contract)

Council District(s) All

Office of Law

**Professional Services –
Executive Director - Ethics Commission**

The Administration is requesting approval of a contract with Elaine C. Katz to serve as the Executive Director of the Baltimore County Ethics Commission. The contract commences July 1, 2016 and continues through June 30, 2017. Compensation may not exceed \$30,000 for the entire 1-year term.

Fiscal Summary

Funding Source	Maximum Compensation	Notes
County ⁽¹⁾	\$ 30,000	⁽¹⁾ General Fund Operating Budget. ⁽²⁾ Maximum compensation for the entire 1-year term.
State	--	
Federal	--	
Other	--	
Total	\$ 30,000 ⁽²⁾	

Analysis

With staff support and legal counsel from the Office of Law, the Baltimore County Ethics Commission is responsible for ensuring that the impartiality and independent judgment of public officials is maintained in order to preserve public confidence and trust. The Ethics Commission consists of five members (including a Chairman) appointed by the County Executive and confirmed by the County Council. In addition, upon recommendation of the Ethics Commission, the County Executive appoints an Executive Director. The Executive Director must be licensed to practice law in Maryland, be in good standing with the Maryland Court of Appeals, and meet the eligibility requirements for Ethics Commission members (i.e., a Baltimore County resident; not

an elected or appointed official or a candidate for office; not an employee of the state, a political subdivision, or municipal corporation of the state, or a political party; and not required to file a lobbying registration).

The Ethics Commission recommended Elaine C. Katz for the Executive Director position, and the County Executive subsequently appointed her. The Office advised that Ms. Katz has served as Executive Director of the Ethics Commission for over 12 years (yearly reappointments).

The contract commences July 1, 2016 and continues through June 30, 2017. Compensation may not exceed \$30,000 for the entire 1-year term. Either party may terminate the agreement at any time. In the event of termination, Ms. Katz's compensation would be pro-rated on a monthly basis.

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 (BAT 16-03)

Council District(s) All

Baltimore County Public Schools

Budget Appropriation Transfer

The Administration is requesting approval of a budget appropriation transfer (BAT) totaling \$12.1 million within the Baltimore County Public Schools (BCPS) budget to implement the FY 2016 operating plan, including the relocatable classroom plan and the relocation of Victory Villa Elementary School, and to reallocate budgeted funding to correspond with actual school-based funding decisions.

Fiscal Summary

<u>Transfer From</u>	<u>Program</u>	<u>Current Appropriation</u>	<u>Transfer Amount</u>	<u>Adjusted Appropriation</u>
3503	Instructional Salaries & Wages	\$ 495,494,017	\$ (7,850,500)	\$ 487,643,517
3510	Operation of Plant & Equipment	95,862,299	(4,283,000)	91,579,299
			<u>\$ (12,133,500)</u>	
<u>Transfer To</u>				
3504	Instructional Textbooks & Supplies	\$ 22,151,569	\$ 3,350,500	\$ 25,502,069
3509	Student Transportation Service	65,898,645	333,000	66,231,645
3511	Maintenance of Plant & Equipment	32,086,309	8,450,000	40,536,309
			<u>\$ 12,133,500</u>	

Analysis

Source of Funds

BCPS advised that \$12.1 million of funds is available in the Instructional Salaries & Wages (\$7.8 million) and Operation of Plant & Equipment (\$1.1 million) programs as a result of salary savings generated from higher-than-expected turnover. Funds are also available in the Operation of Plant and Equipment program due to savings from gas/electric utilities (\$2.2 million) and heating oil (\$1.0 million).

Use of Funds

BCPS advised that \$12.1 million of additional funds is needed to cover costs as follows:

- \$4.9 million in the Maintenance of Plant & Equipment program for contracted moving expenses, furniture, and equipment for Victory Villa Elementary School;
- \$3.3 million in the Maintenance of Plant & Equipment program to provide 43 additional relocatable classrooms to alleviate overcrowding in SY 2016-2017;
- \$3.3 million in the Instructional Textbooks & Supplies program for the reallocation of school budget funding to correspond with principals' decisions regarding the use of such funds;
- \$333,000 in the Student Transportation Service program to provide for the increased use of contracted buses for athletic events due to BCPS bus driver vacancies; and
- \$250,000 in the Maintenance of Plant & Equipment program for gasoline and diesel fuel for vehicles.

The proposed budget appropriation transfer will not affect ongoing spending subject to the Spending Affordability Guideline for FY 2016.

FM-3 (Contract)

Council District(s) 2

Department of Permits, Approvals and Inspections

Terminus of Painters Mill Road

The Administration is requesting approval of a contract to sell approximately 0.411 acre of surplus County property located at the northern terminus of Painters Mill Road northeast of Reisterstown Road in Owings Mills to CDN Holdings, LLC. The property to be sold is valued at \$100,000. As in-kind consideration for the County's parcel, CDN Holdings has agreed to improve an access road at the intersection of Reisterstown Road and Painters Mill Road in order to facilitate traffic movement, benefitting both the County and CDN's adjacent commercial properties. The value of these improvements is estimated at \$298,471. This sale will return County property no longer needed for public use to the tax rolls and relieve the County of related maintenance costs. See Exhibit A.

Fiscal Summary

Value of County Property to be Sold	Value of Improvements	Notes
\$100,000 ⁽¹⁾	\$298,471 ⁽²⁾	(1) Appraised value. (2) Value of improvements to be constructed by CDN Holdings, LLC.

Analysis

The property is zoned BL (Business Local) and consists of the roadbed at the terminus of Painters Mill Road (0.411 acre). During the Painters Mill Road closing process, the County imposed easements on the property, rendering it unbuildable.

Two appraisals of the property were completed in December 2014 – one by Everett, Benfield LLC in the amount of \$100,000, and the other by Treffer Appraisal Group in the amount of \$233,000. After review and analysis, S. David Nantz, review appraiser, concurred with the Everett, Benfield LLC appraisal, recommending \$100,000 as the fair market value of the property. Mr. Nantz noted that the Treffer Appraisal Group appraisal was not utilized because it did not sufficiently discount for the limited utility (non-buildable nature) of the parcel.

The Department advised the improvements that the developer has agreed to make as in-kind consideration for the property are part of the overall design for the SHA project at the intersection of Painters Mill Road and Reisterstown Road, which has been on the Administration's highway priority list. The Department also advised that the State, the County, and the developer have been in design and negotiation for over a year, and the State has recently begun a portion of the work to improve the intersection. The contract states the improvements are to be completed within 24 months of the sale of the property.

The County declared the property surplus through the 14-day notification process in October 2015. County Code, Section 3-9-106 provides for the sale of surplus County property that is not eligible for a building permit to an adjacent property owner. The County may convey the property upon Council approval.



**COUNCIL ACTION REQUEST FORM
EXECUTIVE SUMMARY**

PROGRAM TITLE: Painters Mill Road

PROJECT NO.: 000-0000-0000

FISCAL MATTER: Contract of Sale

PROPERTY OWNER: Baltimore County, Maryland
Court House, Towson, Maryland 21204

PURCHASER: CDN Holdings, LLC

PROPERTY INTEREST TO BE SOLD: Fee Simple title to 0.411 acre (17,903 sq. ft.)

LOCATION: Parcel 434, Painters Mill Road
Owings Mills, Maryland 21117

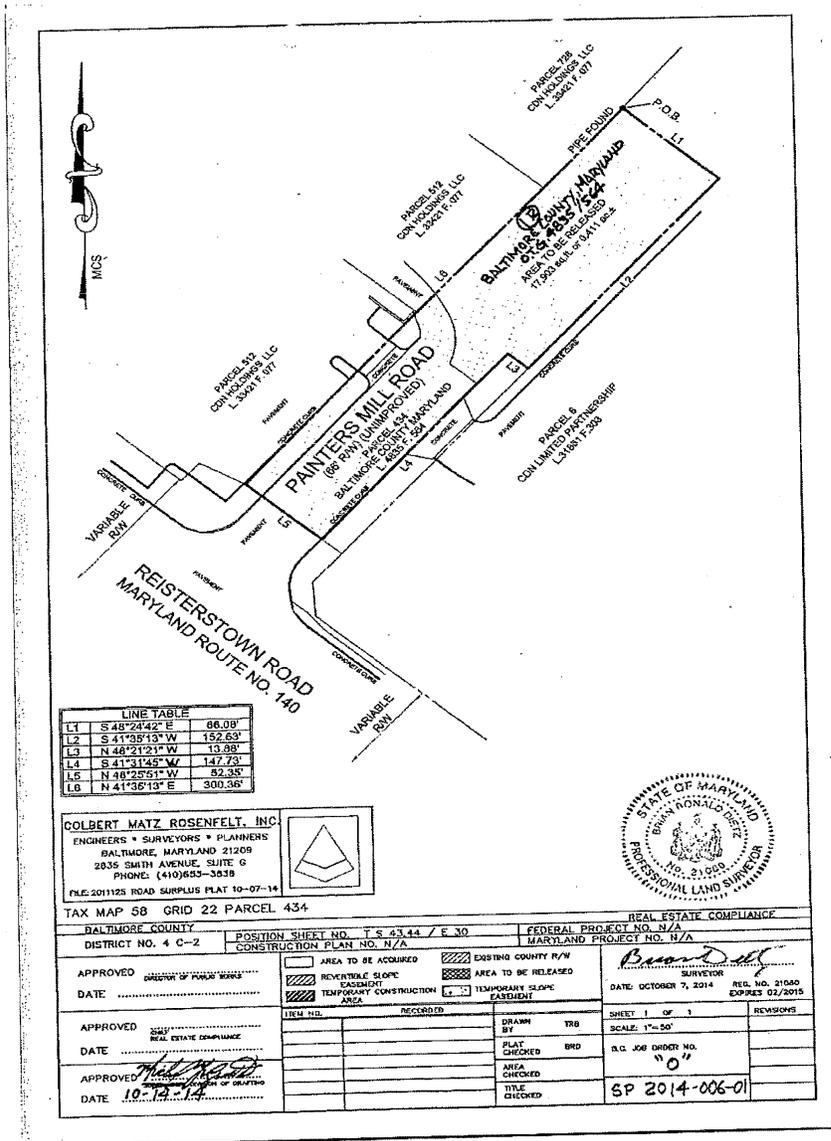
SALE PRICE: \$100,000.00

PURPOSE OF PROJECT: To dispose of County owned property no longer needed for public use, for the commercial development of adjacent land and improvement of the Painters Mill Road and Reisterstown Road intersection.

LIMITS OF PROJECT: The terminus of Painters Mill Road, northeast of Reisterstown Road.

Prepared By: Department of Permits, Approvals & Inspections

EXHIBIT A
DRAWING SP 2014-006-01



Prepared By: Department of Permits, Approvals & Inspections

FM-4 (BAT 16-04)

Council District(s) All

Department of Corrections

Budget Appropriation Transfer

The Administration is requesting approval of a General Fund budget appropriation transfer (BAT) totaling \$300,000 from the Reserve for Contingencies Program to the Department of Corrections – Corrections Program to fund salaries for 8 (5 full-time and 3 part-time) Correctional Officer positions added mid-year and for 15 Corporal positions reclassified to Sergeant positions. See Exhibit A.

Fiscal Summary

<u>Transfer From</u>	<u>Program</u>	<u>Current Appropriation</u>	<u>Transfer Amount</u>	<u>Adjusted Appropriation</u>
047-4701	Reserve for Contingencies	\$ 997,409 ⁽¹⁾	\$ (300,000)	\$ 697,409
 <u>Transfer To</u>				
008-0801	Department of Corrections – Corrections Program	\$ 35,868,066	\$ 300,000	\$ 36,168,066

⁽¹⁾ Adjusted for BAT 16-02 (FM-16) on this agenda, which transfers \$2,591 to the Board of Appeals.

Analysis

Source of Funds

The source of funding for the transfer is the Reserve for Contingencies Program. Specifically, \$300,000 is available from the \$997,409 unexpended amount within the Reserve for Contingencies Program. FM-16 on this agenda (BAT 16-02) transfers \$2,591 from the Reserve for Contingencies Program to the Board of Appeals Program, reducing the \$1.0 million appropriation to \$997,409.

Use of Funds

The funds will be used for salaries for:

- 8 Correctional Officer positions added mid-year, including 5 full-time positions to address the increased number of mentally ill inmates at the Detention Center and 3 part-time positions to provide coverage for two outside work details (Eastern Sanitary Landfill and Animal Services); and
- The reclassification of 15 Corporal positions to Sergeant positions.

The Department advised that although it hired 63 Correctional Officers during FY 2016, it also lost 30 Correctional Officers due to resignations and/or separations. The Department also advised that due to its hiring efforts during FY 2016, it has reduced its number of uniformed vacancies from 29 to 0.

This BAT, BAT 16-02 (FM-16), and Bill 38-16 on this agenda will affect ongoing spending subject to the Spending Affordability Committee's FY 2016 guideline; following approval of these three agenda items, the FY 2016 budget will be approximately \$9.3 under the guideline.

County Charter, Section 712, provides that "[d]uring any fiscal year, the county council, upon the recommendation of the county executive on the advice of the county administrative officer, may make additional or supplementary appropriations from unexpended and unencumbered funds set aside for contingencies in the county budget...provided that the director of finance shall certify in writing that such funds are available for such appropriation."



COUNCIL ACTION REQUEST FORM EXECUTIVE SUMMARY

The Department of Corrections is requesting Council Approval for a Budget Appropriation Transfer in the amount of \$300,000. These funds are necessary for the Department of Corrections salaries. During FY 2016 the Department added (5) additional mid-year Correctional Officer positions, as well as, (3) part-time Correctional Officer positions. In addition, (15) Corporal positions have been re-classified to Sergeant positions resulting in a higher salary for each promotion. As of this request, the Department has reduced the Uniformed vacancies from (29) to zero since July 1, 2015. The Department has hired (63) Correctional Officers during this span.

Prepared by: Department of Corrections

FM-5 (BAT 16-01)

Council District(s) All

Department of Health and Human Services

Budget Appropriation Transfer

The Administration is requesting approval of a General Fund budget appropriation transfer (BAT) totaling \$315,000 within the Department of Health and Human Services. The funds will be used for personnel and motor pool costs resulting from increased tobacco enforcement activities and for personnel costs resulting from the lower-than-anticipated turnover of Environmental Health Specialist positions, which perform various types of inspections (e.g., restaurants, pools). See Exhibit A.

Fiscal Summary

<u>Transfer From</u>	<u>Program</u>	<u>Current Appropriation</u>	<u>Transfer Amount</u>	<u>Adjusted Appropriation</u>
030-3013	Home Health Services Program	\$ 1,432,531	\$ (315,000)	\$ 1,117,531
<u>Transfer To</u>				
030-3005	Environmental Health Services Program	\$ 2,305,113	\$ 315,000	\$ 2,620,113

Analysis

Source of Funds

The Department advised that funds are available in the Home Health Services Program as a result of higher-than-expected salary savings.

Use of Funds

The Department advised that funds will be used by its Environmental Health Services Program as follows:

- \$240,000 for higher-than-anticipated personnel and motor pool costs related to increased inspection efforts under the Tobacco Enforcement Program, which operates up to four tobacco enforcement teams five to six days per week (approximately 350 inspections per month) to identify potential misuse of tobacco licenses; and
- \$75,000 to fund higher-than-anticipated salary costs (due to lower-than-anticipated turnover savings) for the Program's Environmental Health Specialist positions, which inspect restaurants, pools, etc.

County Charter, Section 712, provides that “[d]uring any fiscal year, the county council, upon the recommendation of the county executive on the advice of the county administrative officer, may make additional or supplementary appropriations from unexpended and unencumbered funds set aside for contingencies in the county budget...provided that the director of finance shall certify in writing that such funds are available for such appropriation.”



COUNCIL ACTION REQUEST FORM EXECUTIVE SUMMARY

Executive Summary Budget Appropriation Transfer Environmental Health Services

The Department of Health is requesting a Budget Appropriation Transfer in the amount of \$315,000 for the County's Environmental Health Services program (001-030-3005) due to tobacco enforcement activities and successful recruitment of staff. This BAT will increase the appropriation for Environmental Health to \$2,620,113. Funds are made available from savings in the Department's Home Health Service program (001-030-3013).

Specifically, funding is needed for higher than anticipated personnel and motor pool costs due to the operation of up to four tobacco enforcement teams, 5 to 6 days per week. State grant funding pays for the operation of one team as well as vendor education, town hall meetings, school and faith-based collaborations and community outreach. This program also exceeded the turnover budget due to successful efforts in recruitment and retention of Environmental Health Specialists.

The Baltimore County Department of Health does over 350 tobacco enforcement inspections monthly. Prior to 2015, over half of Baltimore County tobacco retailers were selling tobacco products to minors. During our last inspection by the Federal Government, this fail rate fell to 15.15%. The Department is also aggressively referring retailers who have had two or more violations to the Comptroller of Maryland for potential suspension of tobacco licenses due to misuse. In order to cover this projected deficit, we are requesting \$315,000 in salary savings from the Home Health Services program.

Prepared by:
Department of Health and Human Services

FM-6 (Contract)

Council District(s) All

Office of Information Technology

Technology Services and Solutions

The Administration is requesting approval of a contract with Insight Public Sector, Inc. to purchase various information technology (IT) commodities (i.e., hardware, software) and related services as needed by the County. The contract commences upon Council approval and may not exceed \$25,000 unless approved by the Council. If approved, the contract will continue through April 30, 2019 and will automatically renew for four additional 1-year periods. The contract does not specify a maximum compensation for the initial approximate 2-year and 11-month term. Compensation may not exceed \$4.6 million for the entire approximate 6-year and 11-month term, including the renewal periods. See Exhibit A.

Fiscal Summary

Funding Source	Maximum Compensation	Notes
County ⁽¹⁾	\$ 4,600,000	⁽¹⁾ General Fund Operating Budget. ⁽²⁾ Maximum compensation for the entire approximate 6-year and 11-month term, including the renewal periods. The contract does not specify a maximum compensation for the initial approximate 2-year and 11-month term.
State	--	
Federal	--	
Other	--	
Total	\$ 4,600,000 ⁽²⁾	

Analysis

The contractor will provide IT products/equipment and related services/solutions in support of the technology needs of the County. Products/equipment may include personal computers (desktop and laptop), monitors, servers, printers, software, networking equipment, PDA's, projectors, memory, cables, computer accessories, and computer components. Services/solutions may include systems configuration, testing, software copying (e.g., back-up of software onto a physical

device), hardware and software installation, upgrades and/or maintenance, and system and network integrations. Specific requirements will be developed on a task order basis that will include a statement of work acceptable in form and substance to the County at its sole discretion.

The contract commences upon Council approval and may not exceed \$25,000 unless approved by the Council. If approved, the contract will continue through April 30, 2019 and will automatically renew for four additional 1-year periods on the same terms and conditions, unless the County provides notice of non-renewal. The contract does not specify a maximum compensation for the initial approximate 2-year and 11-month term. Compensation may not exceed \$4.6 million for the entire approximate 6-year and 11-month term, including the renewal periods. The County may terminate the agreement by providing 30 days prior written notice.

The contract provides competitive discount pricing associated with the purchase of products/equipment and associated with a service/solution under this contract. The hourly labor rates range from \$63.24 (Business Analyst II and Service Technician Sr.) to \$367.97 (specialty consultant). The Office advised that as of May 20, 2016, there have not been any expenditures incurred under this contract and does not expect any prior to Council approval.

This contract was awarded based on a piggyback of a contract that was competitively awarded by Fairfax County, Virginia on behalf of the U.S. Communities Government Purchasing Alliance.

On September 21, 2009, the Council approved an approximate 6-year and 7-month contract with Insight Public Sector, Inc. not to exceed \$4.0 million for similar services. The contract expired on April 30, 2016. The Office advised that expenditures under the contract totaled \$2,106,939.

On July 5, 2011, the Council approved 5-year and 3-month contracts estimated to total \$7.5 million for 19 contractors combined to provide information technology consulting and technical services and equipment on an on-call basis.

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

Summary - This fiscal matter is a County-wide contract with Insight Public Sector, Inc. and is for information technology commodities and related services in support of the technology needs of the Baltimore County government and the services provided to the citizens of Baltimore County.

It is a piggyback of a U. S. Communities National Contract # 4400006644. Insight was awarded the contract pursuant to Request for Proposal Number 2000001701 which was competitively bid by the County of Fairfax, VA as the lead agency on behalf of U.S Communities Government Purchasing Alliance and any amendments or revisions thereto.

History

On September 23, 2009 The County entered into a contract with Insight to provide the same services that are being offered in this new contract. That contract was also a piggyback of a U. S. Communities National Contract RQ09-997736-42B. Insight was awarded the contract pursuant to Request for Proposal Number RFP09-99736-42 which was competitively bid by the County of Fairfax, VA as the lead agency on behalf of U.S Communities Government Purchasing Alliance and any amendments or revisions thereto.

This 2009 contract had an original term through 04/30/2013 and three(3) one year renewals expiring on 04/30/2016. The Council will not be presented the new agreement for their approval until June 6, 2016. A Master Agreement will be created so that expenditures cannot exceed \$25,000 until Council approves the new agreement. The initial term will continue through April 30, 2019. The County has the option for four (4) one-year periods or any combination thereof on the same terms and conditions.

Purpose - The Office of Information Technology will continue to utilize Insight to provide Technology Services and Solutions including: Systems Configurations, Testing, Software, Hardware/Software Installation, Upgrades and Maintenance, System and Network Integration. Specific requirements will be developed on a task order basis that will include a Statement of Work acceptable in form and substance to the County in its sole discretion.

Fiscal Impact - The total compensation paid to this vendor cannot exceed the sum of \$4,600,000.00 for the entire term including renewal periods. The term is effective upon execution by the county and continues through April 30, 2019. There is an option to renew for up to four (4) one-year periods or any combination thereof on the same terms and conditions.

Prepared by: Office of Information Technology

FM-7 (Contract Amendment)

Council District(s) All

Office of Information Technology

Maintenance and Repair of Equipment

The Administration is requesting an amendment to a contract with Applied Technology Services to provide on-site remedial maintenance and repair services on printers and peripheral computer equipment. The amendment increases the maximum compensation of the contract by \$73,000, from \$102,000 to \$175,000, for the entire 5-year and 3-month term of the contract, including the renewal and extension periods. The contract commenced December 3, 2012. See Exhibit A.

Fiscal Summary

Funding Source	Contract Amendment	Current Maximum Compensation	Amended Maximum Compensation
County ⁽¹⁾	\$ 73,000	\$ 102,000	\$ 175,000
State	--	--	--
Federal	--	--	--
Other	--	--	--
Total	<u>\$ 73,000</u>	<u>\$ 102,000</u>	<u>\$ 175,000</u> ⁽²⁾

⁽¹⁾ General Fund Operating Budget.

⁽²⁾ Maximum compensation for the entire 5-year and 3-month term, including the renewal and extension periods.

Analysis

Under the proposed amendment, the contractor will continue to provide remedial maintenance and repair services on computer equipment to include, but not limited to, Hewlett Packard printers and peripherals (e.g., scanners and plotters) with expired manufacturer's warranties. The County

reserves the right to add and remove equipment. Additionally, the contractor may provide standard hard drive data erasure and shredding. The contractor will perform services at all Baltimore County locations.

The contractor provides all labor, technical expertise, supervision, materials, freight charges, transportation, and equipment and parts required to perform consultation, troubleshooting, maintenance and repair and/or installation services. The contractor provides manufacturer-certified and experienced technicians 24 hours-per-day, 7 days-per-week. The contractor also provides repair services within 6 hours of notification and, in an emergency situation, within 2 hours of notification. Maintenance and repair services are performed at an hourly rate of \$59 for regular work hours (Monday–Friday, except holidays, 7 a.m. to 6 p.m.) and \$88.50 for overtime hours. Parts are billed at a discount of 10% of Hewlett Packard's suggested retail price. Any major repair (i.e., repairs estimated to exceed \$200) requires the County's prior authorization.

On December 3, 2012, the Council approved the original contract, with compensation not to exceed \$102,000. The proposed amendment increases the maximum compensation of the contract by \$73,000, to \$175,000, for the entire 5-year and 3-month term of the contract, including the renewal and extension periods. All other terms and conditions remain the same. The County may terminate the agreement by providing 30 days prior written notice. As of May 23, 2016, \$97,258 has been encumbered/expended under this contract.

The contract provides that a price escalation is allowed for hourly rates after the initial 1-year period. It is the contractor's responsibility to provide documentation to justify any increase. Any rate changes remain firm for 1 year from the date of the increase.

The original contract was awarded through a competitive procurement process. Applied Technology Services was considered the sole bidder since the other bidder was deemed non-responsive.

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

Summary – This fiscal matter is an Amendment to the contract with Applied Technology Services for remedial maintenance and repair services on equipment to include, but not limited to County printers and peripherals, once the manufacturer’s warranty is expired. The County reserves the right to add and remove equipment as may be required.

Applied Technology Services(ATS) will provide all labor, technical expertise, supervision, materials, freight charges, transportation, equipment and parts required to perform consultation, troubleshooting, maintenance, repairs and/or installation services requested by the County, twenty-four (24) hours per day, seven (7) days per week

History – In 2012 Baltimore County issued a Request for Bid no. B-579 for remedial maintenance and printer repair services. ATS was selected as a result of a Request for Bid. The basis for selection was Lowest Responsive Bidder. There was one other proposal received from Neo Technologies, Inc., who was non-responsive. The award resulted in Master Agreement # 2346. The initial 3 year term continued through December 31, 2015 and 2 one year renewal options continuing through December 31, 2017.

Purpose – The Purpose of this amendment is to increase the total compensation cap allowing ATS to continue to service the County and keep printer equipment operating effectively.

Fiscal Impact - The maximum total compensation paid to Applied Technology Service will be increased from \$102,000 to \$175,000 for the entire term of the contract, including renewal periods.

Prepared by: Office of Information Technology

FM-8 (Contract)

Council District(s) All

Office of Information Technology

Computer Equipment Peripherals and Services

The Administration is requesting approval of a contract with Hewlett Packard Enterprise Company to provide Information Technology (IT) support and maintenance services for HP server and data storage equipment as needed by the County. The contract commences upon Council approval, continues until March 31, 2017, and will automatically renew for three additional 1-year periods. The contract does not specify a maximum compensation for the initial approximate 10-month term or for the entire approximate 3-year and 10-month term. Compensation may not exceed the amount appropriated for these services in any fiscal year. Estimated compensation totals \$260,000 for the entire approximate 3-year and 10-month term of the contract. See Exhibit A.

Fiscal Summary

Funding Source	Total Compensation	Notes
County ⁽¹⁾	\$ 260,000	⁽¹⁾ General Fund Operating Budget.
State	--	⁽²⁾ Estimated compensation for the entire approximate 3-year and 10-month term of the contract. The contract does not specify a maximum compensation for the entire term.
Federal	--	
Other	--	
Total	<u><u>\$ 260,000</u></u> ⁽²⁾	

Analysis

In November 2015, Hewlett Packard Company split into two entities: HP Inc., that provides computer hardware and software (e.g., desktops and laptops including related peripherals) and Hewlett Packard Enterprise Company, that provides support and maintenance services for HP servers and data storage equipment. The split required that the County establish separate

contracts with HP Inc. and Hewlett Packard Enterprise Company. The Office advised that it established a contract with HP Inc. for desktops, laptops and tablets, including related peripherals and support services that became effective December 18, 2015 and did not require Council approval since it was considered a commodity purchase contract.

The proposed contract with Hewlett Packard Enterprise Company will provide IT support and maintenance services for HP server and data storage equipment as needed by the County.

The contract commences upon Council approval, continues until March 31, 2017, and will automatically renew for three additional 1-year periods on the same terms and conditions, unless the County provides notice of non-renewal. The contract does not specify a maximum compensation for the initial approximate 10-month term or for the entire approximate 3-year and 10-month term. Compensation may not exceed the amount appropriated for these services in any fiscal year. Estimated compensation totals \$260,000 for the entire approximate 3-year and 10-month term of the contract.

The \$260,000 estimated total compensation under the contract includes \$238,000 for support and maintenance services on existing equipment (\$59,500/year x 4 years) and a \$22,000 contingency for new equipment or upgrades.

The contract was awarded as a piggyback of a competitively bid contract awarded by the State of Minnesota on behalf of the WSCA-NASPO Cooperative Purchasing Organization in November 2015. The Office advised that the contract was selected based on best value.

On February 19, 2010, the County entered into a 4-year and 5½-month similar piggybacked Minnesota contract with Hewlett Packard Company for IT commodities and related services that was extended through December 18, 2015. The Office advised that expenditures/encumbrances under the contract totaled \$1,069,602. The Office further advised that the contract did not require Council approval since annual maintenance and support services provided under the contract were integral to software and hardware purchased under the same contract, and was considered a commodity purchase.

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

Summary - This fiscal matter is a Participating Addendum with Hewlett Packard Enterprise Company and allows for the purchases of computer equipment peripherals and related services including server, storage and maintenance services in support of the technology needs of the Baltimore County government and the services provided to the citizens of Baltimore County.

History

On February 19, 2010, The County entered into a Participating Addendum with Hewlett Packard Company for Computer related Peripherals and Related Services. The Addendum covered the WSCA/NASPO PC contracts 2009-2014 (Computer Equipment Peripherals and Related Services) lead by the State of Minnesota for use by Baltimore County, Maryland.

This 2010 contract had an original term of contract through August 2014 and was then extended through December 18, 2015. In 2015 Hewlett Packard divided its company into two separate entities. Hewlett Packard Enterprise which covers servers, storages and maintenance services and HP Inc which covers, Hardware, Network Components and Computer Peripherals. The County has currently renewed the HP Inc Participating Addendum and has an established Master Agreement # 3126.

Purpose – Upon County Council approval a Master Agreement will be created and The Office of Information Technology will utilize Hewlett Packard Enterprises services for HP server, storage and maintenance services.

Fiscal Impact - The term is effective upon execution by the county and continues through March 31, 2017 with three 1- year renewal periods.

Prepared by: Office of Information Technology

FM-9 (Contract)

Council District(s) All

Office of Information Technology

Maintenance and Database Management – OSPInsight Software

The Administration is requesting approval of a contract with Skyline Network Engineering, LLC to provide maintenance and database management for OSPInsight software used to manage the County’s fiber optic infrastructure. The contract commenced May 15, 2016, continues for one year, and will automatically renew for one additional 1-year period 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 \$205,000 for the entire 2-year and 3-month term, including the renewal and extension periods. See Exhibit A.

Fiscal Summary

Funding Source	Maximum Compensation	Notes
County ⁽¹⁾	\$ 205,000	⁽¹⁾ General Fund Operating Budget. ⁽²⁾ Maximum compensation for the entire 2-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.
State	--	
Federal	--	
Other	--	
Total	\$ 205,000 ⁽²⁾	

Analysis

The contractor will continue to provide maintenance and database management for the County’s OSPInsight Software, which is used to manage the County’s fiber optic infrastructure. The Office advised that Skyline designed the database for the County in 2011 and has performed all of the maintenance. The current two-year contract with Skyline expired on May 14, 2016; the Office advised that the County requires the contractor’s services to add, edit, and update the database

as needed without the risk of substantial data loss. Services will be billed at an hourly rate of \$100. The Office also advised that Advanced Fiber Optics, Inc. (OSPInsight software creator) will be training the Office of Information Technology staff to take over this responsibility.

The contract commenced May 15, 2016, continues for 1-year, and will automatically renew for one additional 1-year period with the option to further extend the initial term or any renewal term an additional 90 days on the same terms and conditions, unless the County provides notice of non-renewal. The contract does not specify a maximum compensation for the initial 1-year term. Compensation may not exceed \$205,000 for the entire 2-year and 3-month term, including the renewal and extension periods. The County may terminate the agreement by providing 30 days prior written notice.

The contract was awarded on a sole-source basis since Skyline designed and maintained the database for the County.

On May 15, 2014, the Administration approved a 2-year contract with Skyline not to exceed \$25,000 for similar services. The Office advised that as of May 22, 2016, expenditures incurred under this contract totaled \$22,725.

On July 5, 2011, the Council approved 5-year and 3-month contracts not to exceed \$7.5 million combined with 19 contractors that included Skyline Network Engineering, LLC to provide information technology consulting and technical services on an on-call basis. As of May 22, 2016, expenditures to Skyline under that agreement totaled \$20,465.

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

Summary - This fiscal matter is a County-wide contract with Skyline Network Engineering LLC for Skyline to provide maintenance and database management for OSPInsight Software. This supports the technology needs of the Baltimore County government and the services provided to the citizens of Baltimore County.

History - OSPInsight functions as a plug-in to ARCG, and is specifically used by OIT to manage the fiber optic infrastructure. This application was used to design and build the current Baltimore County BCON fiber network. The database was designed for Baltimore County, by Skyline Network Engineering and they have performed all of the maintenance since the database was created in 2011.

The County entered into Master Agreement #2693 May 15, 2014 with Skyline to provide assistance to the County in its management of its fiber optic infrastructures. The MA is specifically for database management and support of OSPInsight software and has a total compensation cap of \$25,000 and expires on May 14, 2016

This database management must continue to be performed by the vendor while OIT works to train in-house staff to take over this role. Skyline designed the current database for Baltimore County and without them we will not be able to effectively add, edit, or update our existing database without the risk of substantial data loss.

Purpose - Upon execution of this new contract, The Office of Information Technology will continue to utilize Skyline for the purpose of maintenance and database management for its OSPInsight Software.

Fiscal Impact - The total compensation paid to this vendor cannot exceed the sum of \$205,000 for the entire term including the renewal period. The term is effective upon execution by the county and continues through May 14, 2017. There is an option to renew for one (1) one-year period on the same terms and conditions.

Prepared by: Office of Information Technology

FM-10 (Contract)

Council District(s) All

Office of Information Technology

Assistance - Evaluation, Design & Implementation - Enterprise Platform

The Administration is requesting approval of a contract with Woolpert, Inc. to provide Information Technology (IT) professional services for implementing a web-based enterprise platform (across several County agencies) for the support of work order/asset management, inspections, and permit/licensing applications. The contract commences upon Council approval and continues until April 6, 2019 with the option to further extend the term an additional 120 days. Compensation may not exceed \$3,960,000 for the entire 3-year and 2-month term, including the extension period. See Exhibit A.

Fiscal Summary

Funding Source	Maximum Compensation	Notes
County ⁽¹⁾	\$ 3,960,000	⁽¹⁾ General Fund Operating Budget. ⁽²⁾ Maximum compensation for the entire 3-year and 2-month term, including the extension period.
State	--	
Federal	--	
Other	--	
Total	<u>\$ 3,960,000</u> ⁽²⁾	

Analysis

The contractor will provide IT professional services to assist with the County’s evaluation, design, and implementation of a web-based enterprise platform (i.e., Accela Civic Platform). This platform will support work order/asset management, inspections, and permits/licensing applications and will replace software applications that are nearing end of life or are running on older technologies, which have become increasingly difficult and expensive to support and maintain. Examples of

applications to be replaced include: CassWorks (Department of Public Works, Bureaus of Utilities and Solid Waste Management – management and maintenance of infrastructure); FS01 mainframe (Fire Department – fire inspections); and Permits and Trade License mainframe (Department of Permits, Approvals and Inspections - land management services).

The contract commences upon Council approval and continues until April 6, 2019 with the option to further extend the term an additional 120 days on the same terms and conditions, unless the County provides notice of non-renewal. Compensation may not exceed \$3,960,000 for the entire 3-year and 2-month term, including the extension period. The County may terminate the agreement by providing 30 days prior written notice.

In the first year of the contract, the hourly labor rates range from \$69.22 (clerical) to \$244.51 (program manager). These hourly rates increase 2.5% each year of the contract.

The contract was awarded as a piggyback on a U.S. General Services Administration, Federal Acquisition Service contract, under a cooperative purchasing program available to state and local government entities.

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

Summary - This fiscal matter is a County-wide contract with Woolpert, Inc, to provide to the County IT Professional Services. This includes assisting the County with evaluating, design, and a successful implementation of an Enterprise Platform for the support of Work Order/Asset Management, Inspections, & Permit/Licensing. This supports the technology needs of the Baltimore County government and the services provided to the citizens of Baltimore County.

History - The Office of Information Technology supports and maintains multiple applications; many of which provide the same or similar functionality supporting processes in the areas of Work Order/Asset Management, Inspections and Permits/Licensing. Many of these applications are reaching end of life or are running on older technologies; such as the mainframe, which are becoming increasingly difficult and expensive to support and maintain.

Baltimore County is moving toward an enterprise Accela platform for the purpose of delivering improved and advanced technology on a consolidated platform as these sunsetting and aging applications and technologies are replaced.

Purpose - Upon execution of this new contract, The Office of Information Technology will utilize Woolpert, Inc to assist the County with its efforts to define best practices, and design software and process standards.

Woolpert, as a certified Accela partner, will assist with major initiatives to develop and implement the Accela Civic Platform in replacing applications which are nearing end of life. This includes but not limited to replacement of the CassWorks application: currently supporting DPW Utilities and Solid Waste, replacement of the FS01 Mainframe Application which supports Fire Inspections and replacement of the Permits and Trade License mainframe applications which support PAI's Land Management services.

Fiscal Impact - The County will use Woolpert's GSA contract No: GS-35F-0425P and the total compensation paid to this vendor cannot exceed the sum of \$ 3,960,000 for the entire term. The term is effective upon execution by the county and continues through April 6, 2019 with no renewal options.

Prepared by: Office of Information Technology

FM-11 (Contract Amendment)

Council District(s) All

Office of Information Technology

Technical Consulting Services

The Administration is requesting an amendment to a contract with Columbia Telecommunications Corporation (CTC) to continue to provide tower engineering support for communications systems and telecommunications networks throughout the County. The amendment adds five automatic 1-year renewal periods to the current 5-year term and increases the maximum compensation by \$90,000, from \$158,862 to \$248,862, for the entire 10-year term of the contract, including the five additional renewal periods. The contract commenced July 5, 2011. See Exhibit A.

Fiscal Summary

Funding Source	Contract Amendment	Current Maximum Compensation	Amended Maximum Compensation
County ⁽¹⁾	\$ 90,000	\$ 158,862	\$ 248,862
State	--	--	--
Federal	--	--	--
Other	--	--	--
Total	<u>\$ 90,000</u>	<u>\$ 158,862</u>	<u>\$ 248,862</u> ⁽²⁾

⁽¹⁾ General Fund Operating Budget.

⁽²⁾ Maximum compensation for the entire 10-year term, including the five additional 1-year renewal periods.

Analysis

Under the proposed amendment, the contractor will continue to provide engineering consulting, inspection, and testing services to assist the County in approving the placement of public and private sector (e.g., T-Mobile, Sprint, etc.), wireless telecommunications tower systems and networks in the County.

The contractor will ensure that such placements meet all County ordinances, laws, agreements, and accepted engineering and construction practices and do not interfere with the County's public safety 800 MHz communications system. Specifically, the contractor will provide support to the County's Chief of Electronic Services in the Chief's role as the Chairman of the County's Tower Review Committee. The contractor will be on call to assist with site surveys of new tower sites or to perform an entire tower review study and issue a report to the Committee. The Office advised that these services are needed to assist the County when emergency or other workload priorities (e.g., 800 MHz projects) arise that require the Chief's attention. The hourly rates associated with the consulting, inspecting, and testing range from \$43.41 to \$150.24, depending on the staffing.

On July 5, 2011, the Council approved the original 5-year contract, with compensation not to exceed \$158,862. The proposed amendment adds five automatic 1-year renewal periods to the current 5-year term and increases the maximum compensation of the contract by \$90,000, from \$158,862 to \$248,862, for the entire 10-year term including the renewal periods, unless the County provides notice of non-renewal. All other terms and conditions remain the same. The Office advised that as of May 12, 2016, expenditures under this contract totaled \$56,738.

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 original contract was awarded through a competitive procurement process based on the lowest of five bids that were deemed responsive.

The Office advised that CTC has been providing these services for the County since 2005. In addition, on February 2, 2015, the Council approved a 3-year and 3-month contract not to exceed \$500,000 with Columbia Telecommunications Corporation d/b/a CTC Technology and Energy to develop a dark broadband fiber lease model and business plan for the County's Broadband Fiber Optic Network. Dark broadband fiber is optical fiber infrastructure (cabling and repeaters) that is currently in place but not being used. As of May 23, 2016, expenditures under this contract totaled \$52,891.

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

Summary - This fiscal matter is a contract Amendment with Columbia Telecommunications Corporation (CTC) adding five (5) 1- year renewal periods on the same terms and conditions. CTC provides technical consulting services to assist the County in facilitating deployment and placement of public and private wireless telecommunications facilities and services in the County.

History – In 2006 Baltimore County entered into an agreement with CTC piggybacking a Montgomery County contract that was awarded based on their formal bid process. The services offered include engineering consulting, inspections, and testing. The initial term started upon Council approval through 6/30/06, with four (4) one-year renewal periods.

On March 23, 2010 Montgomery County extended their term for an additional year ending June 30, 2011. Therefor Baltimore County extended our term one additional year as well.

In February 2011 Baltimore County issued RFB no. B-384 for Telecommunications, Engineering and Consulting Services for the Tower Review Committee. The bid was awarded to CTC resulting in Master Agreement # 1916. This MA had an initial term of one (1) year with four (4) additional one-year renewal periods expiring 07/05/2016.

Purpose – The purpose of this amendment is to allow CTC to continue to provide Engineering and Consulting Services for the Tower Review Committee.

Fiscal Impact – In addition to adding five (5) one year renewal periods to this contract, the total compensation cap will also be increased. In no event shall the compensation paid to the contractor exceed the sum of \$248,862 during the entire term of the Agreement including renewals.

FM-12 (Contract)

Council District(s) All

Office of Budget and Finance

Consulting Services – Employee Benefit Plans

The Administration is requesting approval of a contract with Bolton Partners, Inc. to provide financial and actuarial consulting services for Baltimore County employee and retiree benefit plans. The contract commenced November 29, 2015, will continue until June 30, 2016, and may not exceed \$25,000 unless approved by the Council. If approved, the contract will continue through August 31, 2016 and will automatically renew for two additional 1-year periods with the option to further extend the initial term or any renewal term an additional 90 days. Compensation may not exceed the amount appropriated for these services in any fiscal year. Estimated compensation totals \$210,000 for the initial 9-month term and \$750,000 for the entire 3-year term, including the renewal and extension periods. See Exhibit A.

Fiscal Summary

Funding Source	Initial Term	Total Compensation
County ⁽¹⁾	\$ 210,000	\$ 750,000
State	--	--
Federal	--	--
Other	--	--
Total	\$ 210,000 ⁽²⁾	\$ 750,000 ⁽³⁾

⁽¹⁾ General Fund Operating Budget.

⁽²⁾ Estimated compensation for the initial 9-month term. The contract does not specify a maximum compensation for the initial 9-month term. Compensation may not exceed the amount appropriated for these services.

⁽³⁾ Estimated compensation for the entire 3-year term, including the renewal and extension periods. The contract does not specify a maximum compensation for the entire contract term. Compensation may not exceed the amount appropriated for these services during the entire contract term.

Analysis

The contractor will provide consulting services for the County's employee and retiree benefit plans, including development of recommended reserve amounts for health insurance claims incurred but not reported, review and determination of health insurance premium rates, assistance with enrollment process re-design, preparation of Federal- and State-mandated filings, preparation and review of competitive bids for third-party administration of County benefit plan services and programs, comparison of County offerings and costs to similar-sized employers, and analysis of the County's Other Post Employment Benefits (OPEB) funding. Hourly rates range from \$125 for support staff to \$375 for the principal consultant, or a blended rate of \$234.25.

The contract commenced November 29, 2015, continues until June 30, 2016, and may not exceed \$25,000 unless approved by the Council. If approved, the contract will continue through August 31, 2016, and will automatically renew for two additional 1-year periods with the option to further extend the initial term or any renewal term an additional 90 days on the same terms and conditions, unless the County provides notice of non-renewal. The contract does not specify a maximum compensation; rather, the contract provides that compensation may not exceed the amount appropriated each contract year during the entire 3-year term of the contract, including the renewal and extension periods. Estimated compensation totals \$210,000 for the initial 9-month term and \$750,000 for the entire 3-year term, including the renewal and extension periods. The Office advised that as of May 18, 2016, \$104,769 has been expended for services under this contract.

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

The contract was awarded on a noncompetitive basis due to the contractor's extensive experience with and knowledge of County employee and retiree health insurance benefit plans. The Office advised that the contractor's experience and knowledge are crucial in the next several years as the County continues to evaluate its employee and retiree medical plans, as well as monitor compliance with the Affordable Care Act and provide for the ongoing actuarial valuation of the

County's OPEB plan. The contractor has been providing similar services for the County since October 2001. The Office advised that the contractor had not proposed a rate increase since the negotiation of the previous contract in 2009 and that the time expended for rate negotiation exceeded expectations. The Office also advised that the proposed contract's initial term is effective retroactively because it inadvertently overlooked the contract's finalization and approval.

On August 3, 2009, the Council approved a similar 6-year and 3-month contract with Bolton Partners, Inc. with estimated compensation totaling \$937,500. Expenditures under the contract totaled \$1,133,705. Additionally, on March 16, 2015, the Council approved an approximate 4-year and 9-month contract with Bolton Partners, Inc. not to exceed \$1,824,000 to provide actuarial services for the Employees' Retirement System.

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...." As previously mentioned, the proposed contract commenced November 29, 2015, and the Office has expended \$104,769 to date. We believe this situation may constitute a violation of the aforementioned section of the County Charter.



COUNCIL ACTION REQUEST FORM EXECUTIVE SUMMARY

EXECUTIVE SUMMARY FOR THE BOLTON PARTNERS, INC.

The County's current agreement with Bolton Partners, Inc. (hereinafter called Bolton) includes an initial term effective September 1, 2009 to August 31, 2013 with two, one-year renewal options to August 31, 2015. This contract was extended for an additional 90 days in accordance with contract terms to November 28, 2015. This request is for retroactive approval of a new agreement with Bolton for an initial term effective November 29, 2015 to August 31, 2016 with two, one-year renewal options to August 31, 2018. The noncompetitive negotiation of this agreement is the most advantageous to the County due to the extensive experience and knowledge of the vendor of Baltimore County employee and retiree health benefit plans. In addition, Bolton has performed the County's Other Post Employment Benefit (OPEB) analysis since the issuance of Governmental Accounting Standards Board (GASB) 45 in June 2004, requiring the County to start accounting for retiree health and life insurance benefits on an accrual basis instead of a pay-as-you go basis effective July 1, 2007. This experience and knowledge is crucial in the next several years as the County continues to evaluate its employee and retiree medical plans, monitor compliance with the Affordable Care Act as well as the ongoing actuarial valuation of the OPEB plan as the County works toward its plan for funding.

FM-13 (Contract)

Council District(s) All

Office of Budget and Finance

VOM - Fuel System Maintenance

The Administration is requesting approval of a contract with Spigler Petroleum Equipment, LLC to provide maintenance services for the County's fuel systems. 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 120 days. The contract does not specify a maximum compensation for the initial 1-year term or for the entire 5-year and 4-month term of the contract. Compensation may not exceed the amount appropriated for these services during the entire contract term. Estimated compensation totals \$57,079 for the initial 1-year term and \$304,421 for the entire 5-year and 4-month term, including the renewal and extension periods.

Fiscal Summary

Funding Source	Initial Term	Total Compensation
County ⁽¹⁾	\$ 57,079	\$ 304,421
State	--	--
Federal	--	--
Other	--	--
Total	<u>\$ 57,079</u> ⁽²⁾	<u>\$ 304,421</u> ⁽³⁾

⁽¹⁾ Vehicle Operations and Maintenance Fund.

⁽²⁾ Estimated compensation for the initial 1-year term. The contract does not provide a maximum compensation for the initial 1-year term. Compensation may not exceed the amount appropriated for these services.

⁽³⁾ Estimated compensation for the entire 5-year and 4-month term, including the renewal and extension periods. The contract does not specify a maximum compensation for the entire contract term. Compensation may not exceed the amount appropriated for these services.

Analysis

The contractor will provide all labor, materials, tools, equipment, and supervision for the maintenance of the County's automated and non-automated fuel centers on a time-and-material basis. The County has 36 fuel centers (12 automated and 24 non-automated). The contractor must be available 24 hours-per-day, 365 days-per-year. The contractor must respond to an emergency within 2 hours. Hourly rates range from \$45 to \$93 depending on the worker's skill level and regular/overtime status. Materials will be billed at a markup of 20%.

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 120 days on the same terms and conditions, unless the County provides notice of non-renewal. The contract does not specify a maximum compensation for the initial 1-year term or for the entire 5-year and 4-month contract term. Compensation may not exceed the amount appropriated for these services. Estimated compensation totals \$57,079 for the initial 1-year term and \$304,421 for the entire 5-year and 4-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 based on low bid from three bids received.

On June 6, 2011, the Council approved a 5-year and 3-month contract totaling an estimated \$276,282 with Spigler Petroleum Equipment, LLC to provide similar services. As of May 13, 2016, expenditures/encumbrances under the contract totaled \$339,283.

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-14 (2 Contracts)

Council District(s) All

Office of Budget and Finance

Renovation/Repair of Tennis and Basketball Courts

The Administration is requesting approval of two contracts to provide renovation and/or repair services for basketball and tennis courts at various County-owned and/or operated sites. The two contractors are The American Asphalt Paving Company, LLC and American Tennis Courts, Inc. 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. The contracts do not specify a maximum compensation for the initial 1-year term. Compensation for both contractors combined may not exceed \$459,547 for the entire 5-year and 4-month term, including the renewal and extension periods. Additionally, compensation for American Tennis Courts, Inc. may not exceed \$340,025 during the entire contract term.

Fiscal Summary

Funding Source	Combined Maximum Compensation	Notes
County ⁽¹⁾	\$ 459,547	⁽¹⁾ General Fund Operating Budget or Capital Projects Fund, depending on the nature of the work.
State	--	⁽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.
Federal	--	
Other	--	
Total	\$ 459,547 ⁽²⁾	

Analysis

The contractors will provide all labor, materials, tools, equipment, supervision, services, and related items required to renovate and/or repair basketball and tennis courts at various County-

owned and/or operated sites. The County will be billed at unit prices in accordance with the type of work performed. Unit prices range from \$2 per square yard for seal coating over an existing surface to \$2,600 to remove and install a basketball post, post footings, backboard and rim. The County intends to issue work equally to both contractors in a general rotation; however, the assignment of work is at the County's sole discretion.

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 \$459,547 for the entire 5-year and 4-month term, including the renewal and extension periods. Additionally, compensation for American Tennis Courts, Inc. may not exceed \$340,025 during the entire contract term.

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 will also allow a price escalation for asphalt. The County may terminate the agreements by providing 30 days prior written notice.

The contracts were awarded through a competitive procurement process based on low bid from three bids received.

On April 18, 2011, the Council approved similar 5-year and 4-month contracts not to exceed a combined \$1,549,166 with The American Asphalt Company, LLC and American Tennis Courts, Inc. As of April 15, 2016, expenditures/encumbrances under these contracts totaled \$251,771 and \$88,945, 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-15 (Contract Amendment)

Council District(s) All

Office of Budget and Finance

Banking Services

The Administration is requesting an amendment to a contract with Manufacturers and Traders Trust Company d/b/a M&T Bank to continue providing banking services for County agencies and component units (e.g., Board of Education, Revenue Authority). The amendment extends the current contract for a period not to exceed the earlier of the date a new agreement is executed with the contractor, or December 31, 2016, and increases the estimated compensation of the contract by \$100,000, from \$1,097,720 to \$1,197,720 for the entire 11-year, 7½-month term, including the extension period. The contract expires June 30, 2016. The amendment is necessary to avoid an interruption in banking services while the County finalizes the terms of a new contract with M&T Bank.

Fiscal Summary

<u>Funding Source</u>	<u>Contract Amendment</u>	<u>Current Total Compensation</u>	<u>Amended Total Compensation</u>
County ⁽¹⁾	\$ 100,000	\$ 1,097,720	\$ 1,197,720
State	--	--	--
Federal	--	--	--
Other	--	--	--
Total	<u>\$ 100,000</u> ⁽²⁾	<u>\$ 1,097,720</u>	<u>\$ 1,197,720</u> ⁽³⁾

⁽¹⁾ General Fund Operating Budget.

⁽²⁾ Estimated compensation for the additional 6-month extension period.

⁽³⁾ Estimated compensation for the entire 11-year, 7½-month term, including the 6-month extension period.

Analysis

Under the proposed amendment, the contractor will continue to provide banking services which include, but are not limited to, general account maintenance, deposit and disbursement functions (including payroll disbursements), electronic fund transfers, lock box processing, reconciliations, security safekeeping, and other services in a fiscally responsible manner. The contract also provides benefits for County employees and retirees (e.g., free checking). The Office advised that the proposed amendment is necessary since the current contract expires June 30, 2016, and the County requires additional time to negotiate the terms of a new contract with M&T Bank for banking services, which was competitively procured.

On May 16, 2005, the Council approved the original 11-year, 1½-month contract. The proposed amendment extends the current contract for a period not to exceed the earlier of the date a new agreement is executed with the contractor, or December 31, 2016, and increases the estimated compensation by \$100,000, from \$1,097,720 to \$1,197,720. All other terms and conditions remain the same. The County may terminate the agreement by providing 30 days prior written notice.

The original contract was awarded through a competitive procurement process based on low bid, price, qualifications, and experience from five bids received. The Office advised that as of May 25, 2016, \$1,097,720 has been expended/encumbered under this contract.

The Office advised that M&T Bank (through its predecessors First National and AllFirst) has been providing banking services to the County since 1978.

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-16 (BAT 16-02)

Council District(s) All

Office of Budget and Finance

Baltimore County Board of Appeals – Budget Appropriation Transfer

The Administration is requesting approval of a General Fund budget appropriation transfer (BAT) totaling \$2,591 from the Reserve for Contingencies Program to the Board of Appeals – Hearings and Adjudications Program to fund a one-time 3% bonus and a 3% cost-of-living increase to the seven Board members in accordance with Bill 39-15, which was approved by the Council after the adoption of the FY 2016 Operating Budget.

Fiscal Summary

<u>Transfer From</u>	<u>Program</u>	<u>Current Appropriation</u>	<u>Transfer Amount</u>	<u>Adjusted Appropriation</u>
047-4701	Reserve for Contingencies	\$ 1,000,000 ⁽¹⁾	\$ (2,591)	\$ 997,409
<u>Transfer To</u>				
051-5101	Board of Appeals – Hearings and Adjudications	\$ 225,368	\$ 2,591	\$ 227,959

⁽¹⁾ Original appropriation. BAT 16-04 (FM-4) on this agenda transfers an additional \$300,000 from the Program to the Department of Corrections.

Analysis
Source of Funds

The source of funding for the transfer is the Reserve for Contingencies Program. Specifically, \$2,591 is available from the \$1 million appropriation that is presently unexpended and unencumbered. FM-4 (BAT 16-04) transfers an additional \$300,000 from the Reserve for Contingencies Program to the Department of Corrections.

Use of Funds

The funds are needed to cover the salary adjustments included in Bill 39-15, which granted a one-time 3% salary bonus and a 3% cost-of-living increase to the seven members of the Board of Appeals (i.e., Chairperson and six members). Bill 39-15 was approved by the Council after the adoption of the FY 2016 Operating Budget.

This BAT, BAT 16-04 (FM-4), and Bill 38-16 on this agenda will affect ongoing spending subject to the Spending Affordability Committee's FY 2016 guideline; following approval of these three agenda items, the FY 2016 budget will be approximately \$9.3 million under the guideline.

County Charter, Section 712, provides that “[d]uring any fiscal year, the county council, upon the recommendation of the county executive on the advice of the county administrative officer, may make additional or supplementary appropriations from unexpended and unencumbered funds set aside for contingencies in the county budget...provided that the director of finance shall certify in writing that such funds are available for such appropriation.”

MB-3 (Grants)

Council District(s) All

Mrs. Almond (By Req.)

Office of Communications

FY 2017 Arts and Sciences General Fund Grants

The Administration is requesting approval of 42 operating grants and 3 capital grants/endowments totaling \$3,236,700 to cultural and artistic nonprofit organizations as approved by the Council during the FY 2017 budget process. See Exhibit A for a listing of the organizations and the respective grant awards.

Fiscal Summary

Funding Source	Amount	Notes
County ⁽¹⁾	\$ 3,236,700	⁽¹⁾ FY 2017 General Fund Operating Budget.
State	--	
Federal	--	
Other	--	
Total	\$ 3,236,700	

Analysis

The Office advised that for FY 2017, the Commission on Arts and Sciences worked within the guidelines established by the County Executive to assure that all grantees provided value to Baltimore County citizens. The Commission evaluated all grant applicants based on artistic merit; service to the community; multicultural outreach; soundness of business practice; and level of service to Baltimore County residents, including partnerships with County-based organizations, creativity of outreach programs to the County, geographic diversity within the County, number of

programs/activities that take place in the County, and extent and effectiveness of outreach to youth and artists/performers in the County.

Monetary assistance for arts and sciences organizations in excess of \$5,000 is subject to approval by the County Council in accordance with Baltimore County Code, Section 10-1-108. Monetary assistance of \$5,000 or less is subject to the 14-day grant notification process. Although not required, the Office has included \$19,500 for five operating grants of \$5,000 or less as part of the current request. The FY 2017 budget includes \$34,500 for project grants of \$7,500 or less.

Arts & Sciences Organizational Contributions FY2017

	Adopted Budget
Office of Communications	
001-059-5901	
American Visionary Art Museum	\$ 35,000
Baltimore & Ohio Railroad Museum	\$ 25,000
Baltimore Chamber Orchestra	\$ 12,100
Baltimore Children's Museum dba Port Discovery	\$ 70,000
Baltimore Choral Arts Society	\$ 18,000
Baltimore Clayworks	\$ 8,300
Baltimore Museum of Art	\$ 350,000
Baltimore Museum of Industry	\$ 18,000
Baltimore Symphony Orchestra	\$ 680,000
Baltimore Theatre Project	\$ 7,000
Camp Puh'Tok	\$ 18,000
Centerstage Associates	\$ 130,000
Contemporary Arts, Inc.	\$ 5,300
Creative Alliance at the Patterson	\$ 11,000
Deep Vision Dance Company, Inc.	\$ 6,000
Everyman Theatre	\$ 10,000
Fire Museum of Maryland	\$ 13,000
Glenn L. Martin Maryland Aviation Museum	\$ 7,000
Gordon Center for Performing Arts at the JCC	\$ 10,000
Handel Choir of Baltimore	\$ 4,000
Hippodrome Foundation, Inc.	\$ 55,000
Historic Ships in Baltimore, Inc.	\$ 3,500
Historical Society of Baltimore County	\$ 12,000
Irvine Nature Center, Inc.	\$ 35,000
Ladew Topiary Gardens	\$ 12,000
Living Classrooms Foundation	\$ 25,000
Lyric Opera Baltimore Foundation	\$ 35,000
Maryland Academy of Sciences dba Maryland Science Center	\$ 80,000
Maryland Art Place	\$ 4,000
Maryland Historical Society	\$ 25,000
Maryland Zoological Society dba Maryland Zoo	\$ 500,000
MPT Foundation	\$ 28,500
Museum of Ceramic Art & Glass	\$ 7,000
National Aquarium	\$ 200,000
Pro Music Rara	\$ 3,000
Reginald F. Lewis Museum of MD African Amer. History & Culture	\$ 40,000
Star Spangled Banner Flag House Museum	\$ 11,000
Towson University Asian Art & Culture Center	\$ 12,000
UMBC Center for Art Design and Visual Culture	\$ 5,000
Walters Art Gallery dba Walters Art Museum	\$ 350,000
Young Audiences of Maryland/Arts for Learning	\$ 36,000
Number of Grants = 41	\$ 2,916,700
Organizational Contributions (001-059- 5902)	
National Aquarium Capital Grant (\$100,000 per year FY16 -20)	\$100,000
Center Stage Capital Grant (\$100,000 per year FY17-20)	\$100,000
Walters Art Gallery Capital Grant (\$100,000 per year FY17-20)	\$100,000
Patapsco Heritage Greenway	\$20,000
Number of Grants = 4	\$320,000
Total Number of Operating Grants = 42	\$ 2,936,700
Total Number of Capital Grants/Endowments = 3	\$300,000
Total	\$ 3,236,700

Prepared by: Office of Communications

MB-8 (Res. 58-16) PILOT

Council District(s) 5

Mrs. Almond (By Req.)

Department of Planning

Payments-In-Lieu-of-Taxes – Authorize Written Agreement – AHC Dunfield LLC

Resolution 58-16 authorizes the County to enter into a 10-year agreement with AHC Dunfield, LLC for stipulated payments-in-lieu-of-real-property-taxes (PILOT) in order to provide financial assistance for a rental housing project located at 78 Insley Way in Nottingham. See Exhibit A.

Fiscal Summary

Funding Source	Property Tax Reduction
County	\$ 2,197,793 ⁽¹⁾
State	--
Federal	--
Other	--
Total	<u>\$ 2,197,793</u>

⁽¹⁾ Estimated net present value of property tax loss over the 10-year term of the PILOT agreement.

Analysis

AHC Dunfield, LLC currently owns the Dunfield Townhomes located at 78 Insley Way in Nottingham. Dunfield Townhomes consist of 312 units (a mix of 3- and 2-bedroom units), 78 of which will be reserved for persons whose incomes do not exceed 60% of the area median income (\$53,040 for a family of four); 20 of the 78 units will be reserved for persons whose incomes do

not exceed 30% of the area median income (\$26,520 for a family of four). In addition, at least 4 of the 78 units will be “accessible units” as defined by the Fair Housing Act. Renovations to the 312 units are underway and expected to be completed in summer 2016.

Resolution 58-16 authorizes the County to enter into a 10-year PILOT agreement with AHC Dunfield, LLC with payments-in-lieu-of-taxes in the amount of \$1,092 per unit in the first year; \$1,233.50 per unit in the second year; \$1,375 per unit in the third year; and increasing 3% per year in the fourth year through the tenth year. (If the property is transferred or sold subject to the governing Declaration of Covenants and the PILOT agreement, the annual payments will increase by 4%.) The PILOT agreement will reduce County real property tax revenue for the earlier of 10 years or as long as the developer continues to maintain the affordability restrictions of the 78 units. The PILOT agreement states that the property owner shall make annual payments at the end of each calendar year, and the tax payment shall be made prior to payment of any debt service on the property. Payments in the first year after project completion will total \$340,704 (\$1,092 per unit for 312 units). Estimated PILOT-generated revenue is \$292,737 less than the estimated County property tax revenue amount in the first year. PILOT-generated revenue is estimated to be a net present value amount of \$2,197,793 less than the County property tax amount over 10 years (assuming that payments are \$1,092 per unit in the first year; \$1,233.50 per unit in the second year; \$1,375 per unit in the third year; payments increase 3% per year in the fourth year through the tenth year; the assessed value of the property is equal to the project cost of \$57.6 million; property values increase by 3% each year; and the present-value discount rate equals 5% per year). Should the property no longer maintain its affordability restrictions, AHC Dunfield, LLC will be liable for all foregone County property taxes.

The Annotated Code of Maryland, Tax-Property Article, Section 7-506.1 exempts certain subsidized rental housing projects from property taxation if the owner and governing body of the County agree to negotiated payments-in-lieu-of-real-property-taxes.

Estimated project costs total approximately \$57.6 million and will be financed as follows:

First mortgage	\$ 41,600,000
Equity (from AHC and partner Housing Partnership Equity Trust)	10,985,531
Baltimore County conditional loan	5,000,000
Total	\$ 57,585,531

In October 2015, AHC Dunfield, LLC received a \$5 million conditional loan from the County with an interest rate of 3%. Principal and interest payments are deferred for 20 years and ultimately forgiven, provided the borrower complies with certain affordability covenants.

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



COUNCIL ACTION REQUEST FORM EXECUTIVE SUMMARY

Dunfield Townhomes (the "Property") is located in the Nottingham area of Baltimore County. The Property consists of 312 units which are primarily three (3) bedroom townhomes with the remaining units having two (2) bedrooms. Seventy-eight to of the units will be rented to persons with incomes of 60% or below the area median income for the Baltimore metropolitan area.

AHC Dunfield LLC (the "Owner") acquired the Property from Home Properties Dunfield Townhouses, LLC for \$52,000,000. Renovations are expected to cost an additional \$5,585,530. The Owner received a \$5,000,000 conditional loan from Baltimore County to assist with the acquisition.

As a part of the financial assistance to support the affordable units in Dunfield Townhomes, the Baltimore County Administration has recommended a payment in lieu of Baltimore County real estate taxes ("PILOT") based on the following:

- The new assessable base will be 75% of the purchase price of the property;
- The new assessment will be phased in over a period of three (3) years;
- After new assessment is fully phased in (year 4), the assessment will increase by three (3) percent per year during the remainder of the term of the PILOT: and
- The PILOT term is ten (10) years.

BALTIMORE COUNTY COUNCIL
NOTES TO THE AGENDA
APPENDIX A

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

TO: Fred Homan
Administrative Officer **DATE:** 4/27/16

FROM: Keith Dorsey, Director *KAD* **COUNCIL MEETING**
Office of Budget & Finance **DATE:** 6/6/16

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 9033 Baltimore Gas & Electric Co dba BGE – Cross Road Improvements – BGE Relocation WO#09412363

This purchase order represents relocation of distribution facilities for Cross Road Improvements. BGE owns the distribution facilities and is the only source for this relocation work.

Estimated Total \$74,419.00
Award Date: 4/27/16

PO 9034 Baltimore Gas & Electric Co dba BGE – Hooks Lane. BGE Relocation WO#13791672

This purchase order represents relocation of distribution facilities for Hooks Lane. BGE owns the distribution facilities and is the only source for this relocation work.

Estimated Total \$40,151.00
Award Date: 4/27/16

PO 9032 Baltimore Gas & Electric Co dba BGE – 14178 SX0 – Gwynns Falls Sewershed
– Pole Bracing

This purchase order represents relocation of distribution facilities on Gwynns Falls Sewershed under Capital Improvement Contract 14178 SX0. BGE owns the distribution facilities and is the only source for this relocation work.

Estimated Total \$52,000.00
Award Date: 4/27/16

c: M. Field
T. Peddicord
L. Smelkinson