

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

*Issued: June 15, 2016
Work Session: June 21, 2016
Legislative Day No. 13: August 1, 2016*

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



OFFICE OF THE COUNTY AUDITOR

BALTIMORE COUNTY COUNCIL

August 1, 2016

NOTES TO THE AGENDA

TABLE OF CONTENTS

	PAGE
LEGISLATIVE SESSION	
Witnesses	ii
<u>BILLS – FINAL READING</u>	
Bill 45-16	1
Bill 46-16	4
Bill 47-16	6
Bill 48-16	11
Bill 49-16	13
<u>FISCAL MATTERS</u>	
FM-1	15
FM-2	19
FM-3	22
FM-4	26
FM-5	31
FM-6	40
FM-7	44
FM-8	47
FM-9	49
FM-10	35
<u>MISCELLANEOUS BUSINESS</u>	
MB-2 (Res. 78-16)	52
MB-3 (Res. 79-16)	57
MB-4 (Res. 80-16)	58
APPENDIX	
Correspondence (1) (a)	61
Correspondence (1) (b)	62

**BALTIMORE COUNTY COUNCIL AGENDA
LEGISLATIVE SESSION 2016, LEGISLATIVE DAY NO. 13
AUGUST 1, 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

DAVE LYKENS, DEPARTMENT OF ENVIRONMENTAL PROTECTION & SUSTAINABILITY

1 Bill 45-16 - Mrs. Almond(By Req.) - CEB - Grant -MDE for Best Available Technology (BAT) for Onsite Sewage Disposal Systems (OSDS)

ANDREA VANARSDALE, DIRECTOR, DEPARTMENT OF PLANNING

4 Bill 46-16 - Mrs. Almond(By Req.) - Human Relations - Source of Income Discrimination

KEITH DORSEY, DIRECTOR, OFFICE OF BUDGET AND FINANCE

6 Bill 47-16 - Mrs. Almond(By Req.) - CEB - Capital Budget - 211-213-P209 School Air Conditioning Projects

COUNCIL

11 Bill 48-16 - Mr. Crandell - Fort Howard Overlay District

13 Bill 49-16 - Mr. Marks - Downtown Towson District

WITHDRAWN Bill 50-16 - Mr. Marks - Towson Legion Triangle District

APPROVAL OF FISCAL MATTERS/CONTRACTS

STEVE WALSH, DIRECTOR, DEPARTMENT OF PUBLIC WORKS

15 1. Contracts - (3) - Temporary Construction Inspectors - DPW

LIONEL VAN DOMMELEN, CODE ENFORCEMENT, DEPARTMENT OF PERMITS, APPROVALS & INSPECTIONS

19 2. Amendment to Contract - Home Paramount Pest Control Company - On-call Pest Management Services - Rat eradication-PAI

DAVE LYKENS, DEPARTMENT OF ENVIRONMENTAL PROTECTION & SUSTAINABILITY

22 3. Contract - Pinnacle Communications Resource Company - Outreach & educational services - environmental issues-DEPS

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

26 4. Contract - Hope Health Systems, Inc. - Outreach, early intervention & treatment for Seniors - Mental Health - HHS

31 5. Contract - NAMI Metropolitan Baltimore, Inc. - Family-to-Family Program - HHS

35 10. Contract - On Our Own, Inc. - Peer run Recovery Community Center (RCC) - Dundalk - HHS

KEITH DORSEY, DIRECTOR, OFFICE OF BUDGET AND FINANCE

40 6. Contract - WGL Energy Services, Inc. - Electric Supply Services - OBF

44 7. Contracts - (2) - On-call Carpentry Services - OBF

47 8. Contract - Classic Lawn and Landscape, Ltd. - Maintenance and repair of irrigation systems - OBF

AMY GROSSI, REAL ESTATE COMPLIANCE

49 9. Lease Agreement - The Emanuel Baptist Church, Inc. - REC

MISCELLANEOUS BUSINESS

COUNCIL

61 1. Correspondence - (a)(1) - Non-Competitive Awards (June 10, 2016)

62 (b)(1) - Non-Competitive Awards (June 24, 2016)

WILL ANDERSON, DIRECTOR, DEPARTMENT OF ECONOMIC AND WORKFORCE DEVELOPMENT

52 2. Res. 78-16 - Mrs. Almond(By Req.) - Revenue Bond - Maryvale Preparatory School

COUNCIL

57 3. Res. 79-16 - Mr. Jones - Maryland Faith Community Network

58 4. Res. 80-16 - Mr. Marks - Planned Unit Development - The Villages of White Marsh

5. Res. 81-16 - Mr. Kach - Property Tax Exemption - DAV - Lewis E. Marcum

6. Res. 82-16 - Mrs. Bevins - Property Tax Exemption - DAV - Juanita Wilson

7. Reappointments - Mrs. Almond(By Req.) - (4) - Baltimore County Animal Hearing Board

8. Appointment - Mrs. Almond(By Req.) - Baltimore County Adult Public Guardianship Review Board

Bill 45-16 (Supplemental Appropriation)

Council District(s) All

Mrs. Almond (By Req.)

Department of Environmental Protection and Sustainability

Grant - MDE for Best Available Technology (BAT) for Onsite Sewage Disposal Systems (OSDS)

The Administration is requesting a supplemental appropriation of State funds totaling \$20,651 to the Best Available Technology (BAT) for Onsite Sewage Disposal Systems (OSDS) Gifts and Grants Fund program. The funds will be used to support a portion of the salary and fringe benefits costs of five existing positions (three full-time environmental health specialists, one full-time geohydrologist, and one part-time office assistant) which implement BAT regulations to ensure compliant onsite sewage disposal system installation. See Exhibit A.

Fiscal Summary

Funding Source	Supplemental Appropriation	Current Appropriation	Total Appropriation
County	--	--	--
State ⁽¹⁾	\$ 20,651	\$ 85,000	\$ 105,651
Federal	--	--	--
Other	--	--	--
Total	<u>\$ 20,651</u>	<u>\$ 85,000</u>	<u>\$ 105,651</u>

⁽¹⁾ Maryland Department of the Environment, Maryland Water Quality Financing Administration funds. No County matching funds are required.

Analysis

In order to help achieve Maryland's nutrient loading goals for the Chesapeake and Coastal Bays as well as to help protect the State's groundwater, the Maryland Department of the Environment

(MDE) provides grants derived from Bay Restoration Fee revenue. Grant funds support local governments' implementation of State regulations for on-site sewage disposal systems, which require utilization of the best available technology (BAT) for the removal of nitrogen (i.e., incorporation of engineered products into standard septic system design to reduce nitrogen that would otherwise be conveyed to the subsurface environment). Specifically, the regulations require BAT for all on-site sewage disposal systems installed in the Chesapeake or Atlantic Coastal Bays watersheds or in any watershed of a nitrogen-impaired body of water to serve new construction; and for any replacement of on-site sewage disposal systems to serve a property in either the Chesapeake Bay critical area or the Atlantic Coastal Bays critical area. The regulations further require that all owners maintain BAT systems for the life of the systems by utilizing certain management measures. The County is responsible for certain tasks, including performing technical reviews to verify the appropriate locations and designs of both residential and non-residential systems; verifying of contractor licensing; providing homeowner and builder education; performing inspections; sending noncompliance notices to property owners; and enforcing compliance with the regulations. The Department advised that as of July 1, 2016, 477 BAT systems have been installed in the County, with an additional 100 systems expected to be installed during FY 2017.

The proposed \$20,651 will be used to support a portion of the salary (\$15,048) and fringe benefits costs (\$5,603) of five existing positions (three full-time environmental health specialists, one full-time geohydrologist, and one part-time office assistant) to administer the implementation of the BAT regulations. The \$20,651 supplemental appropriation reflects the unanticipated portion of \$85,000 in grant funds the County was awarded in FY 2016 as part of a 3-year grant agreement with the MDE. Under the agreement, the County receives an annual \$85,000 grant for FYs 2016, 2017, and 2018 to perform specified tasks during the 3-year grant period. The Department advised that the unanticipated additional \$20,651 awarded in FY 2016 is being appropriated in FY 2017 due to the timing of the approval.

No County matching funds are required for this grant.

With the affirmative vote of five members of the County Council, Bill 45-16 will take effect August 14, 2016.



COUNCIL ACTION REQUEST FORM EXECUTIVE SUMMARY

In 2013, MDE promulgated new regulations requiring best available technology (BAT) for nitrogen removal on all new construction served by onsite sewage disposal systems. In addition, these regulations require that all property owners with BATs must maintain these units in perpetuity by qualified service providers. Based on concerns raised by the local jurisdictions and the onsite sewage disposal industry about the extra work involved in permitting BATs and how BAT maintenance would be ensured, MDE proposed changes to the BRF that enabled up to 10% of the money collected for septic systems to be used by the local jurisdictions to implement the new BAT regulations. MDE developed an activity-based formula, and is offering annual grants to each county for performing the necessary tasks involved with implementing the regulations. Baltimore County EPS has agreed to accept these responsibilities for permitting, tracking, and enforcing maintenance requirements on all BATs installed in Baltimore County. However, the Department did not receive notification of this award amount for FY 2016 until after the Council's adoption of an operating budget based on an anticipated grant award of \$64,349. Recently, the Department realized that a supplemental appropriation for the balance of the award (i.e. \$20,651) must be initiated if the Department is to optimize the State's subsidy of on-going administrative costs. While the Department acknowledges that a supplemental appropriation should have been initiated during FY 2016, the requisite legislation must be scheduled for the County Council's review and approval such that the recently adopted FY 2017 operating budget for the Best Available Technology for On-Site Disposal System (BAT-OSDS) Administration Fund should be amended to recognize the additional State revenue. Accordingly, The Department proposes to increase the FY 2017 appropriation for Unit 005-042-1723 BAT-OSDS Administration Fund by \$20,651 to the amended total of \$105,651.

The duties of the designated employees are as follows:

Office Assistant – maintain administrative records, answering phone inquiries, and perform clerical duties such as payroll, scanning development records, photocopying, and filing related to BAT duties.

Environmental Health Specialist II (Two) – ensuring that BAT system applications are processed for installations, track inspections and send out notices for inspections due.

Environmental Health Specialist III – manage and supervise office assistant and EHS II to ensure that BAT records are maintained per MDE requirements, track contractors, review BAT contracts and inspection records, and follow up with the public's installation of BAT systems.

Geohydrologist – manage BAT programs and act as department liaison to MDE to report BAT actions by Baltimore County and to represent Baltimore County in all meetings for BAT administrative and technical duties.

Prepared by: Department of Environmental
Protection and Sustainability

Bill 46-16 (Supplemental Appropriation)**Council District(s) All**

Mrs. Almond (By Req.)

Department of Planning

Human Relations – Source of Income Discrimination

Bill 46-16 proposes to amend the County Human Relations law by prohibiting discrimination in housing based on source of income.

Source of income is defined as any lawful source of money paid to, or on behalf of, a renter or buyer of housing. It includes income from a profession, job, or occupation, or a gift, inheritance, pension, alimony, child support, or the sale or pledge of property, or the receipt of a government benefit, or a history of such, including medical assistance or disability benefits, or a government housing subsidy, including rental assistance or supplements.

The bill provides that the prohibition against discrimination based on source of income does not prohibit a person from verifying, in a commercially reasonable and nondiscriminatory manner, the source and amount of income of the potential renter or buyer. Additionally, a person may refuse to consider income derived from criminal activity.

According to the Administration, 11 states have enacted source of income legislation, including Utah, Oklahoma, and North Dakota. In Maryland, Frederick, Howard, and Montgomery Counties as well as Annapolis, the City of Frederick, and Baltimore City have enacted similar legislation.

The introduction of this bill is required by the terms of an agreement among HUD, Baltimore County, and private party complainants. According to the agreement, the County Executive will submit to the County Council legislation prohibiting housing discrimination based upon lawful source of income. The County Executive will “promote such legislation and oppose weakening amendments.”

If two or fewer members vote in favor of passage, the County Executive is not required to resubmit the legislation until the first year of the next term of office. If three members vote in favor of passage, the County Executive is required to resubmit the legislation in 2017, and again in 2018 if three members again vote in favor.

If the Maryland General Assembly approves a bill prohibiting housing discrimination based on source of income, the County Executive's obligations are terminated.

With the affirmative vote of five members of the County Council, Bill 46-16 will take effect 45 days from its enactment.

Bill 47-16 (Supplemental Appropriations)

Council District(s) 1, 2, 3, 4, 6 & 7

Mrs. Almond (By Req.)

Office of Budget and Finance

School Air Conditioning Projects

The Administration is requesting supplemental appropriations that will authorize the additional capital expenditure of \$83,512,500 to complete the remaining central air conditioning upgrades in Baltimore County Public Schools (BCPS). See Exhibit A.

Fiscal Summary

Operating Budget – Department of Education, Contribution to Capital Budget Program:

Funding Source	Supplemental Appropriation	Current Appropriation	Total Appropriation
County	\$ 38,940,000 ⁽¹⁾	\$ 47,208,853	\$ 86,148,853
State	--	--	--
Federal	--	--	--
Other	--	--	--
Total	<u>\$ 38,940,000</u>	<u>\$ 47,208,853</u> ⁽²⁾	<u>\$ 86,148,853</u>

⁽¹⁾ Consists of \$18,940,000 from the County’s General Fund Balance (Surplus) and \$20,000,000 returned to the County from BCPS’s Fund Balance.

⁽²⁾ FY 2017 appropriation for the Department of Education, Contribution to Capital Budget program.

Capital Budget – School Air Conditioning Projects Capital Project:

Funding Source	Supplemental Appropriation	Current Appropriation	Total Appropriation
County	\$ 38,940,000 ⁽¹⁾	\$ 45,408,500	\$ 84,348,500
State	44,572,500 ⁽²⁾	4,390,000	48,962,500
Federal	--	--	--
Other	--	--	--
Total	<u>\$ 83,512,500</u>	<u>\$ 49,798,500</u> ⁽³⁾	<u>\$ 133,311,000</u>

⁽¹⁾ General Funds (PAYGO).

⁽²⁾ Anticipated State funds being forward-funded by the County.

⁽³⁾ FY 2017 appropriation for the School Air Conditioning Projects capital project.

Analysis

The Office advised that the proposed supplemental appropriations will provide funds necessary to complete the remaining central air conditioning upgrades in Baltimore County Public Schools (BCPS). The bill appropriates \$38,940,000 in current expense funds, derived from the County’s General Fund Balance (\$18,940,000) and from BCPS’s Fund Balance (\$20,000,000), to the Department of Education’s Contribution to Capital (PAYGO) General Fund program. The bill then appropriates these PAYGO funds (\$38,940,000) and an additional \$44,572,500 in anticipated State aid to the School Air Conditioning Projects capital project. In total, funding for the School Air Conditioning Projects capital project will increase by \$83,512,500, with the \$44,572,500 in anticipated State aid being “forward-funded” by the County.

The distribution of the total project funding is as follows:

School	Previously Appropriated County Funds (FY 2017)	Proposed Supplemental Appropriation		Total Est. Cost
		Forward-Funded State Funds	County Funds	
Battle Grove Elementary	\$ 3,162,500	\$ 2,587,500	--	\$ 5,750,000
Charlesmont Elementary	2,475,000	2,025,000	--	4,500,000
Church Lane Elementary	2,475,000	2,025,000	--	4,500,000
Orems Elementary	2,475,000	2,025,000	--	4,500,000
Reisterstown Elementary	2,475,000	2,025,000	--	4,500,000
Arbutus Middle	2,475,000	2,025,000	--	4,500,000
Golden Ring Middle	--	4,050,000	\$ 4,945,000	9,000,000
Middle River Middle	--	4,275,000	5,225,000	9,500,000
Southwest Academy	--	2,835,000	3,465,000	6,300,000
Stemmers Run Middle	--	5,400,000	6,600,000	12,000,000
Franklin High	--	6,030,000	7,370,000	13,400,000
Kenwood High	--	9,270,000	11,330,000	20,600,000
Total	\$ 15,537,500	\$ 44,572,500	\$ 38,940,000	\$ 99,050,000

The Office estimates that the County’s Surplus as of June 30, 2016 totaled \$156,317,011, including \$19,123,883 assigned to the FY 2017 operating budget. The County also maintains a separate General Fund “Rainy Day Fund” known as the Revenue Stabilization Reserve Account (RSRA), which the Office estimates totaled \$93,106,722 as of June 30, 2016.

BCPS estimates that its fund balance as of June 30, 2016 totaled approximately \$62 million, including \$23,173,458 assigned to the FY 2017 operating budget. BCPS advised that with the use of the proposed \$20,000,000 for the air conditioning projects, the remaining projected fund balance totals approximately \$18.8 million. BCPS further advised that its operating plans and the S.T.A.T. digital device implementation schedule are unchanged with this proposed use of fund balance.

Due to the one-time nature of PAYGO contributions to the capital budget, the proposed supplemental appropriation will not affect ongoing spending subject to the Spending Affordability Committee’s FY 2017 guideline.

With the affirmative vote of five members of the County Council, Bill 47-16 will take effect August 14, 2016.



**COUNCIL ACTION REQUEST FORM
 EXECUTIVE SUMMARY**

This supplemental appropriation totaling \$83,512,500 will fund the remaining air conditioning upgrades in Baltimore County Public Schools. The total is a combination of \$38,940,000 in County general funds and \$44,572,500 in forward-funded State funds.

The \$38,940,000 is a combination of \$20 million of surplus funds from BCPS fund balance and \$18,940,000 from County General Fund Unappropriated Balance. The funds will be used for the County share of the following schools:

Golden Ring MS	\$4,950,000
Middle River MS	\$5,225,000
Southwest Academy MS	\$3,465,000
Stemmers Run MS	\$6,600,000
Franklin HS	\$7,370,000
Kenwood HS	\$11,330,000
TOTAL	\$38,940,000

The forward-funded State funds will be used for the State share of the following schools:

Battle Grove ES	\$2,587,500
Charlesmont ES	\$2,025,000
Church Lane ES	\$2,025,000
Orems ES	\$2,025,000
Reisterstown ES	\$2,025,000
Arbutus MS	\$2,025,000
Golden Ring MS	\$4,050,000
Middle River MS	\$4,275,000
Southwest Academy MS	\$2,835,000
Stemmers Run MS	\$5,400,000
Franklin HS	\$6,030,000
Kenwood HS	\$9,270,000
TOTAL	\$44,572,500

The Adopted FY2017 Capital Budget includes \$15,537,500 for the County share of funding for the following schools: Battle Grove ES, Charlesmont ES, Church Lane ES, Orems ES, Reisterstown ES and Arbutus MS. The total estimated cost for each project is as follows:



COUNCIL ACTION REQUEST FORM EXECUTIVE SUMMARY

Battle Grove ES	\$5,750,000
Charlesmont ES	\$4,500,000
Church Lane ES	\$4,500,000
Orems ES	\$4,500,000
Reisterstown ES	\$4,500,000
Arbutus MS	\$4,500,000
Golden Ring MS	\$9,000,000
Middle River MS	\$9,500,000
Southwest Academy MS	\$6,300,000
Stemmers Run MS	\$12,000,000
Franklin HS	\$13,400,000
Kenwood HS	\$20,600,000
TOTAL	\$99,050,000

Prepared by: Office of Budget and Finance

Bill 48-16**Council District(s) All**

Mr. Crandell

Fort Howard Overlay District

Bill 48-16 creates the Fort Howard Overlay District.

Overlay Districts are set forth in Section 259 of the Baltimore County Zoning Regulations. The general purpose of Overlay Districts is to establish special land use regulations, standards, or controls in areas with unique land use, site planning, building design, or environmental resource issues. A District zoning designation is superimposed over an underlying zoning classification and creates a specific, mapped zone. A zoning classification designated with an Overlay District is also typically subject to a higher level of regulations under certain circumstances and is applied to a specific area or zone(s).

Fort Howard, located on the North Point Peninsula in eastern Baltimore County, has a rich military history, beginning with the War of 1812 and continuing through the Spanish-American War, through the World Wars, and culminating in its use as a Veterans Hospital until 2002. The property is still owned by the Department of Veterans Affairs and is currently under lease for redevelopment. The former Fort Howard Veterans Hospital campus is a unique waterfront site with great redevelopment potential, but is also constrained by a singular vehicular access road and limited infrastructure capacity.

The purpose of the Fort Howard (F.H.) Overlay District is to allow for residential development that: is compatible with the existing Fort Howard community and the adjacent Resource Conservation (R.C.) zoning and County park; integrates the existing historic structures on the site; and provides veterans with housing opportunities and recreational and therapeutic amenities.

The F.H. Overlay District may be applied only to property located on the North Point Peninsula, owned by the U.S. Department of Veterans Affairs (VA) or any successor agency or other entity as of the effective date of the Act, and assigned a Density Residential (D.R.) or R.C. 20 zoning classification. The new District will allow certain uses by right, including dwellings, a veterans preferred assisted living facility, local open space, community buildings less than 3,000 square feet, home occupations, and group child care centers for up to 12 children. Permitted

special exception uses include group child care centers for more than 12 children, community buildings more than 3,000 square feet, offices or studios for certain professionals, and a public pier and boat ramp. Unless required in an enhanced use lease with the VA, apartments are prohibited, as are commercial uses.

The F.H. Overlay District also specifies that no more than 400 total dwelling units are permitted, and these units shall be marketed as veterans-preferred housing. Development within the District shall comply with all development processes, policies, rules, regulations, and statutes, as well as all open space standards and requirements applicable to the underlying D.R. Zone. No waivers with regard to open space are permitted, however, therapeutic amenities provided for disabled veterans may be credited to fulfill the open space requirements.

Special regulations applicable to the District include: a requirement that a homeowners' association shall be established and maintained; an allowance for signage subject to the sign regulations in the Zoning Regulations; a requirement that architecturally or historically significant buildings and settings shall be preserved; a requirement that any development shall provide for continued uninterrupted access to the adjacent County park; a requirement that the location and restoration of a community pier and kayak launch at Denton Cove shall be a condition of an approved development plan; and a requirement that an independent traffic study shall be submitted with a development plan by the applicant.

Due to continued input from the Fort Howard community as well as other interested stakeholders, it is anticipated that amendments to Bill 48-16 may be forthcoming.

With passage by the affirmative vote of five members of the County Council and signature by the County Executive, Bill 48-16 will take effect on August 15, 2016.

Bill 49-16**Council District(s) 5**

Mr. Marks

Downtown Towson District

Bill 49-16 results from a Planning Board report 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 the 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 49-16 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 49-16. 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 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.

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 49-16 will take effect on August 15, 2016.

FM-1 (3 Contracts)

Council District(s) All

Department of Public Works

Temporary Construction Inspectors

The Administration is requesting approval of three contracts to provide construction inspectors with specific areas of expertise as needed to inspect various County government construction projects. The three contractors are BOTA Consulting Engineers, Inc. (BCE), Development Facilitators, Inc. (DFI), and Wallace Montgomery & Associates, LLP. The contract with BCE, the primary contractor, commences August 1, 2016, continues until September 19, 2016, and may not exceed \$25,000 unless approved by the Council. If approved, the contract will continue for 1 year. The contracts with DFI (secondary contractor) and Wallace Montgomery & Associates, LLP (tertiary contractor) commence upon Council approval and continue for 1 year. All three contracts 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 or for the entire 5-year and 4-month term, including the renewal and extension periods. Compensation for all contractors combined is limited to the amount appropriated for these services in any contract year. Estimated compensation for all contractors combined totals \$2,012,188 for the initial 1-year term and \$11,118,606 for the entire 5-year and 4-month term, including the renewal and extension periods.

Fiscal Summary

Funding Source	Initial Term	Combined Total Compensation
County ⁽¹⁾	\$ 2,012,188	\$ 11,118,606
State	--	--
Federal	--	--
Other	--	--
Total	\$ 2,012,188 ⁽²⁾	\$ 11,118,606 ⁽³⁾

⁽¹⁾ Capital Projects Fund.

⁽²⁾ Estimated compensation for the three contractors combined for the initial 1-year term. The contracts do not specify a maximum compensation for the initial 1-year term. Compensation may not exceed the amount appropriated for these services.

⁽³⁾ Estimated compensation for the three 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 entire contract term. Compensation may not exceed the amount appropriated for these services.

Analysis

The contractors will provide construction inspection services for various County government projects, including pumping station, road, water, sewer, storm drain, stream restoration, and sediment control projects. The Department advised that the County will utilize these contracts primarily for lower level construction inspection services, though senior level inspection services may also be provided. The inspectors will have demonstrated experience in road, bridge, and utility construction and will ensure compliance with construction standards.

The Department advised that the majority of the work will be performed at hourly rates ranging from \$20 to \$30 for lower level inspectors. For projects requiring more experienced inspectors, higher rates may apply. The Department further advised that for each inspector, the County will negotiate an hourly rate based on the candidate’s qualifications, certifications, and knowledge upon completion of an interview.

The contract with BCE commences August 1, 2016, continues until September 19, 2016, and may not exceed \$25,000 unless approved by the Council. If approved, the contract will continue for 1 year. The contracts with DFI and Wallace Montgomery & Associates, LLP commence upon Council approval and continue for 1 year. All three contracts 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 or for the entire 5-year and 4-month term. Compensation for all contractors combined is limited to the amount appropriated for these services in any contract year. Estimated compensation for all contractors combined totals \$2,012,188 for the initial 1-year term and \$11,118,606 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 agreements by providing 30 days prior written notice. Funding for these contracts will not be encumbered at this time. Rather, contract costs will be charged as project tasks are assigned. The contracts do not guarantee any minimum amount of work or compensation.

The contracts were awarded through a competitive procurement process based on the lowest responsive and responsible bids from nine bids received.

On August 1, 2011, the Council approved a 5-year and 3-month contract for senior level construction inspection services with DFI (primary contractor) that commenced May 1, 2011, and on September 19, 2011, the Council approved similar 5-year and 3-month contracts with EA Engineering, Science, and Technology, Inc. (secondary contractor) and Reuling, Inc. (tertiary contractor). Compensation for all three contractors combined for the entire 5-year and 3-month term was limited to the amount appropriated for these services and was estimated to total \$5,538,032. The Office of Budget and Finance, Purchasing Division advised that as of July 8, 2016, the County has expended a total of \$3,609,044, \$943,201, and \$0 on the DFI, EA Engineering, Science, and Technology, Inc., and Reuling, Inc. contracts, respectively, for a total of \$4,552,245.

On May 7, 2012, the Council approved three 5-year contracts for lower level construction inspection services with DFI, BCE, and Louis Berger Water Services, Inc. (formerly EA Engineering, Science and Technology, Inc.). Compensation for all three contractors combined may not exceed \$19,586,250 for the entire 5-year term. The Office of Budget and Finance,

Purchasing Division advised that as of July 11, 2016, the County has expended \$1,590,166, \$1,116,783, and \$832,123 on the DFI, BCE, and Louis Berger Water Services contracts, respectively, for a total of \$3,539,072.

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

FM-2 (Contract Amendment)

Council District(s) All

Department of Permits, Approvals and Inspections

On-Call Pest Management Services – Rat Eradication

The Administration is requesting an amended and restated contract with Home Paramount Pest Control Company to provide on-call pest control services for County communities. The amendment adds an optional 120-day extension period and increases the maximum compensation of the contract by \$25,000, from \$25,000 to \$50,000, for the entire 2-year and 4-month term of the contract, including the renewal and extension periods. The contract commenced October 13, 2015. See Exhibit A.

Fiscal Summary

Funding Source	Contract Amendment	Current Maximum Compensation	Amended Maximum Compensation
County ⁽¹⁾	\$ 25,000	\$ 25,000	\$ 50,000
State	--	--	--
Federal	--	--	--
Other	--	--	--
Total	<u>\$ 25,000</u>	<u>\$ 25,000</u>	<u>\$ 50,000</u> ⁽²⁾

⁽¹⁾ General Fund Operating Budget.

⁽²⁾ Maximum compensation for the entire 2-year and 4-month term, including the renewal and extension periods.

Analysis

Under the proposed amendment, the contractor will continue to provide on-call integrated pest management services for the County’s rat eradication program. When the County determines a need for rat eradication services, the Department and the contractor will perform a neighborhood

inspection to determine the homes that require treatment. The Department will provide the contractor with a list of all homes that have been cleared with the homeowners for access to their property to perform treatment. The contractor will bait the rat burrows, collapse the burrows, and flag the treated burrows and properties that have been treated as well as confirm the visual inspection of properties with no burrows. The contractor is also responsible for treating storm drain inlets in alleyways. The contractor will be compensated \$4.00 for each home treated, \$2.00 for each storm drain inlet treated, and \$0.50 for each visual property inspection.

On October 13, 2015, the County entered into the original 2-year agreement with compensation not to exceed \$25,000. The proposed amendment adds an optional 120-day extension period and increases the maximum compensation of the contract by \$25,000 to \$50,000 for the entire 2-year and 4-month term of the contract, including the renewal and extension periods. The County may terminate the agreement by providing 30 days prior written notice. All other terms and conditions remain the same.

The Department advised that the amendment is necessary since the County is stepping up its efforts in response to residential complaints. The Department currently utilizes three contractors to provide neighborhood-wide rat eradication services (Home Paramount Pest Control Company, Daniel B. Purdie d/b/a Big Dan the Pest Man Pest Control, and Solomon's Termite and Pest Control) and a fourth contractor to control court-ordered eradication services (The Terminix International Company Limited Partnership). The Department further advised that it intends to award multiple additional contracts through a solicitation that was issued July 12, 2016.

The original contract was awarded through an informal solicitation process. The contract was for 1 year with one 1-year renewal not to exceed \$25,000. The original agreement did not require Council approval. The Department advised that \$12,979 has been expended under this contract as of July 12, 2016.

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

This request is to expand upon current Master Agreement Number 00003077 with Home Paramount Pest Control in the interest of public health and in response to increased resident complaints. The purpose of this contract is to provide integrated pest management services for the control and eradication of rats in County communities on an on-call, as needed basis. Currently the Vendor's Master Agreement has an annual not to exceed amount of \$25,000, the Department of Permits, Approvals and Inspections would like to increase the ~~annual~~ not to exceed amount to \$50,000 and is therefore bringing the contract before County Council for approval.

Prepared by: Department of Permits, Approvals &
Inspections

FM-3 (Contract)

Council District(s) All

Department of Environmental Protection and Sustainability

Outreach and Educational Services – Environmental Issues

The Administration is requesting approval of a contract with Pinnacle Communications Resource Company, a Limited Liability Company, to provide on-call environmental consulting services for the development and implementation of education and outreach materials/programs that promote pollutant reduction. The contract commences upon Council approval, continues for 3 years, 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. The contract does not specify a maximum compensation for the initial 3-year term. Estimated compensation totals \$717,131 for the initial 3-year term. Compensation may not exceed \$1,231,672 for the entire 5-year and 3-month term, including the renewal and extension periods. See Exhibit A.

Fiscal Summary

Funding Source	Initial Term	Maximum Compensation	Notes
County ⁽¹⁾	\$ 717,131	\$ 1,231,672	⁽¹⁾ Capital Projects Fund. ⁽²⁾ Estimated compensation for the initial 3-year term. The contract does not specify a maximum compensation for the initial 3-year term. ⁽³⁾ Maximum compensation for the entire 5-year and 3-month term, including the renewal and extension periods.
State	--	--	
Federal	--	--	
Other	--	--	
Total	<u>\$ 717,131</u> ⁽²⁾	<u>\$ 1,231,672</u> ⁽³⁾	

Analysis

Pinnacle Communications Resource Company, a Limited Liability Company, will develop a strategy and outreach materials, pilot test the developed materials, and quantify pollutant

reduction that results from human behavior change as a result of the education and outreach delivery services among targeted audiences. The Department advised that these services are required for the County's compliance with the National Pollutant Discharge Elimination System (NPDES) – Municipal Separate Stormwater Sewer Systems (MS4) permit.

Under the proposed contract, the contractor will assign one staff person to work in the Department's office 7 hours daily. The staff person will produce various outreach and media materials; write educational blog entries, press releases, social media materials, factsheets, newsletters, and brochures; and develop a "trash treaty." The staff person will also train County staff on communication to outside groups regarding environmental issues/risks, and represent the County at various festivals, environmental events, and on-request presentations. The contractor's hourly rate is \$40.11 for onsite work and \$90 to \$150 for specific offsite assignments, depending on the professional skill level of staff assigned (e.g., development of public outreach, media strategy, incentive programs, staff training).

The contract commences upon Council approval, continues for 3 years, 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 for the initial 3-year term. Estimated compensation totals \$717,131 for the initial 3-year term. Compensation may not exceed \$1,231,672 for the entire 5-year and 3-month term, including the renewal and extension periods.

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

The contract was awarded through a competitive procurement process based on best value from eight bids received.

On April 18, 2016, the Administration entered into an agreement not to exceed \$25,000 with Pinnacle to develop an advertising campaign to raise awareness of underage/youth and young adult binge drinking. The contract expired June 30, 2016 and expenditures totaled \$25,000.

Additionally, on June 2, 2014, the Council approved a 10-year contract estimated to total \$20,000 with Pinnacle to develop an advertising and marketing campaign with respect to the County's participation in the State's Video Lottery Terminal (VLT) loan program for small, minority, and woman-owned businesses. As of July 8, 2016, the Department advised that there have been no expenditures under this contract.

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

Executive Summary

Baltimore County is a Phase I NPDES – MS 4 permittee. The permit requires education and outreach programs for pollutant reduction. In addition, the county has developed TMDL Implementation Plans, Small Watershed Action Plans, and a County-wide Trash and Litter Reduction Strategy, all of which incorporate development of education and outreach programs and their delivery to effect human behavioral change as a strategy for reducing pollutants and meeting water quality standards. The county is hiring an on-call communications consultant to develop a strategy and outreach materials, pilot test the developed materials, and quantify pollutant reduction that results from human behavior change as a result of the education and outreach delivery services. The education and outreach programs need to be developed to reach target audiences.

FM-4 (Contract)

Council District(s) All

Department of Health and Human Services

Outreach, Early Intervention & Treatment for Seniors

The Administration is requesting approval of a contract with Hope Health Systems, Inc. to provide geriatric mental health services for County seniors age 60 years and older. The contract commenced July 1, 2016, continues for 1 year, and may not exceed \$25,000 unless approved by the Council. If approved, the contract 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. Compensation may not exceed \$205,988 for FY 2017. Compensation for each renewal period may not exceed the amount appropriated for these services. Estimated compensation totals \$1,029,940 for the entire 5-year and 4-month term, including the renewal and extension periods. See Exhibit A.

Fiscal Summary

Funding Source	Initial Term	Total Compensation
County ⁽¹⁾	\$ 108,000	\$ 540,000
State ⁽²⁾	97,988	489,940
Federal	--	--
Other	--	--
Total	<u>\$ 205,988</u> ⁽³⁾	<u>\$ 1,029,940</u> ⁽⁴⁾

(1) General Fund Operating Budget - Local Share Program funds for the Department's Mental Health - Service Agencies program.

(2) Maryland Department of Health and Mental Hygiene, Behavioral Health Administration.

(3) Maximum compensation for FY 2017.

(4) 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 of local and grant funds appropriated for these services in each renewal period.

Analysis

The contractor will provide a full range of geriatric mental health services for County seniors 60 years of age and older, including outreach, early intervention, assessment, ongoing psychotherapy, consultation, and training for Department of Aging and other geriatric service providers, supportive discussion groups in community settings, and prevention through public and professional education. Licensed qualified mental health professionals will provide services at the contractor's outpatient clinic (located at 6706 Whitestone Road in Woodlawn), the client's home, a Baltimore County Senior Center, or any appropriate alternative community site that best meets the needs of the client. The contractor will also coordinate a telephonic countywide referral and information line for all intakes into the program between Monday and Friday, from 8:30 a.m. to 4:30 p.m. The information line will function as the call center for geriatric mental health services in the County.

The Department advised that clients are referred by family, mental health professionals, family physicians, themselves, or by anyone concerned about a client's well-being. The Department estimates that the contractor will screen at least 200 clients annually and enroll a minimum of 50 unduplicated clients into the program per year. The contractor will conduct 750 home visits and 100 professional consultation sessions on mental health and substance abuse related issues annually. The contractor will also conduct six bi-weekly Senior Center discussion and support groups, participate in the Senior Expo, and attend the Department's scheduled Vulnerable Adults Assistance Network meetings held at the Drumcastle Government Center. Clients must meet certain financial criteria (e.g., public mental health system, three times the federal poverty level (\$47,790 for a household of two)). The contractor may collect fees in accordance with public mental health Medicaid fees-for-service, which does not reduce the amount the County pays to the contractor. The Department advised that the State grant pays for non-eligible Medicaid and Medicare services.

The contract commenced July 1, 2016, continues for 1 year, and may not exceed \$25,000 unless approved by the Council. If approved, the contract 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. Compensation may not exceed \$205,988 for FY 2017. Compensation for each renewal period may not exceed the amount of appropriated for these services. Estimated compensation totals \$1,029,940 for the entire 5-year and 4-month term, including the renewal and extension

periods. The County may terminate the agreement by providing 30 days prior written notice. In the event the County does not receive grant funds, the County shall not renew the agreement.

The contract was awarded through a competitive negotiation process after no responsive bids were received from the Request for Proposal.

On July 5, 2011, the Council approved a similar 5-year and 3-month contract with Bay Life Services Corporation that commenced July 1, 2011 and totaled an estimated \$1,029,940. The contract expired on June 30, 2016. As of June 27, 2016, expenditures under this contract totaled \$978,443.

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

Hope Health Systems, Inc.

The Baltimore County Department of Health, Bureau of Behavioral Health is contracting with Hope Health Systems, Inc. to provide Outreach Elderly Services Initiatives countywide. Primary services include outreach, early intervention, assessment, on-going individual psychotherapy, consultation and training for Department of Aging and related geriatric service providers, and supportive discussion groups in community settings.

Funding for this program is available through local funds and a grant from the State of Maryland Department of Health and Mental Hygiene, Behavioral Health Administration allocated to the Baltimore County Department of Health, Bureau of Behavioral Health.

The initial term of the agreement(s) is July 1, 2016 through June 30, 2017 with four one-year renewals. It is anticipated that approximately 200 adults will be screened annually.

BACKGROUND

State funds are provided by the Department of Health and Mental Hygiene, Behavioral Health Administration for the purpose of providing a program to meet the needs of the geriatric population. The goal of the Elderly Outreach Services Initiative is to ensure that consumers receive mental health treatment and supportive services they need to remain safely in the community.

The vendor will provide countywide Elderly Services Initiatives which includes outreach, early intervention, and treatment for seniors age 60 years and older. Services are to be provided by licensed qualified mental health professionals. These services will also conduct discussion groups at Baltimore County senior centers and senior apartment programs related to mental health and substance use disorder education.

PURPOSE

The Baltimore County Department of Health, Bureau of Behavioral Health receives grant funding from the Maryland Department of Health and Mental Hygiene, Behavioral Health Administration to provide mental health services to older adults living in Baltimore County.



COUNCIL ACTION REQUEST FORM

EXECUTIVE SUMMARY

FISCAL

The amount of available funds is \$205,988 per contract term as follows:

- \$97,988 State funds
- \$108,000 County funds

The Bureau of Behavioral Health is requesting the initial term beginning FY 2017 with an option to renew for four (4) additional years.

Provided by: Department of Health and Human
Services

FM-5 (Contract)

Council District(s) All

Department of Health and Human Services

Family-to-Family Program

The Administration is requesting approval of a contract with National Alliance for the Mentally Ill of Metropolitan Baltimore, Inc. t/a NAMI Metropolitan Baltimore, Inc. to provide education and support to family members of Baltimore County residents diagnosed with a severe mental illness. The contract commenced July 1, 2016, continues for 1 year, and will automatically renew for five additional 1-year periods with the option to further extend the initial term or any renewal term an additional 120 days. Compensation may not exceed \$24,500 for FY 2017. Compensation for each renewal period may not exceed the amount of funds appropriated for these services. Estimated compensation totals \$147,000 for the entire 6-year and 4-month term, including the renewal and extension periods. See Exhibit A.

Fiscal Summary

Funding Source	Initial Term	Total Compensation
County ⁽¹⁾	\$ 24,500	\$ 147,000
State	--	--
Federal	--	--
Other	--	--
Total	<u>\$ 24,500</u> ⁽²⁾	<u>\$ 147,000</u> ⁽³⁾

⁽¹⁾ General Fund Operating Budget - Local Share Program funds for the Department's Mental Health-Service Agencies program.

⁽²⁾ Maximum compensation for FY 2017.

⁽³⁾ Estimated compensation for the entire 6-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 of funds appropriated for these services in each renewal period.

Analysis

The contractor will continue to provide its Family-to-Family Program, a peer-led, non-treatment intervention that provides education and support to families of Baltimore County residents diagnosed with a severe mental illness (e.g., schizophrenia, depression). The contractor will provide annually six, 12-week Family-to-Family courses at no cost to the participants, which will provide psychoeducation, skills training, and support for affected families. The Department advised that trained volunteers who have dealt with the difficulties associated with mental health in their own families facilitate the courses using a highly structured curriculum. The Program provides family members with information about: various mental illnesses and their treatment, medication management, symptoms of mental illness, current research related to the biology of brain disorders, and strategies to manage crisis and relapse.

For each contract year, the contractor will distribute at least 30 press releases announcing the course and support groups, distribute at least 2,500 course announcements, enroll at least 140 family members of individuals with mental illness in education courses, and provide course attendees with weekly education resources. Additionally, the contractor will coordinate and support four existing family/peer support groups and provide group attendees with crisis materials.

The Department advised that the onset of mental illness often occurs in young adulthood, and families without experience with mental illness are often unprepared and unable to cope alone. The Department further advised that providing families with education and support, including volunteers who have experienced this in their own family, can be invaluable.

The contract commenced July 1, 2016, continues for 1 year, and will automatically renew for five 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. Compensation may not exceed \$24,500 for FY 2017. Compensation for each renewal period may not exceed the amount of funds appropriated for these services. Estimated compensation totals \$147,000 for the entire 6-year and 4-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 NAMI is the creator of the curriculum and the only provider of this specialized program. The Department advised that NAMI has provided Family-to-Family Program services to Baltimore County residents since FY 2001.

On June 6, 2011, the Council approved a similar 5-year and 3-month contract with NAMI, which commenced July 1, 2011, totaling an estimated \$122,500. The Department advised that as of June 7, 2016, \$116,375 had been expended under this contract.

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

Family-to-Family Education Program

The Baltimore County Department of Health (BCDH) has had an Agreement with the National Alliance on Mental Illness (NAMI) since FY 2001 to provide the Family-to-Family Program in Baltimore County. The current contract expires June 30, 2016. The Department is requesting that a new contract be approved to continue providing this program. NAMI is the only vendor that can provide this training program, therefore the Purchasing Division has approved them as a sole source provider.

The initial term of the Agreement is July 1, 2016 through June 30, 2017.

BACKGROUND

The Family-to-Family Program offered by NAMI is a peer-led, non-treatment intervention that provides education and support to family members of Baltimore County residents diagnosed with a severe mental illness. BCDH supports the continuation of this program to assist family members and caregivers of individuals with mental illness to: receive education about diagnosis and treatment, medication management, symptoms of mental illness, current research related to the biology of brain disorders, and strategies to manage crises and relapse. NAMI is required to provide six (6) courses, lasting twelve (12) weeks per course throughout each contract year. The program is provided at no cost to the participants. The program is taught by trained family members. A minimum of 140 individuals will participate in the training per contract year.

NAMI is required to release 30 press releases and distribute 2,500 course announcements to market the program. The Family-to-Family program was created by NAMI. NAMI owns the copyright to the curriculum. As a result, they are the only provider of the highly specialized program. In addition, only NAMI trained instructors are approved to provide the training.

PURPOSE

The Baltimore County Department of Health supports the continuation of the Family-to-Family Program in Baltimore County for family members and caregivers of individuals with severe mental illness.

FISCAL

The amount of available funds is \$24,500 per year. This program is funded using local funds.

Provided by: Department of Health and Human
Services

Revised 1.20.2016_PH

FM-10 (Contract)

Council District(s) All

Department of Health and Human Services

Peer-Run Recovery Community Center (RCC) – Dundalk

The Administration is requesting approval of a contract with On Our Own, Inc. to provide a peer-run Recovery Community Center (RCC) in Dundalk for County residents (age 18 and older) with substance use disorders, and their family members. The contract commenced July 1, 2016, continues for 1 year, and may not exceed \$25,000 unless approved by the Council. If approved, the contract 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. Compensation may not exceed \$165,000 during FY 2017. Compensation for each renewal period may not exceed the amount of grant funds appropriated for these services. Estimated compensation totals \$825,000 for the entire 5-year and 4-month term, including the renewal and extension periods. See Exhibit A.

Fiscal Summary

Funding Source	Initial Term	Total Compensation
County	--	--
State ⁽¹⁾	\$ 165,000	\$ 825,000
Federal	--	--
Other	--	--
Total	<u>\$ 165,000 ⁽²⁾</u>	<u>\$ 825,000 ⁽³⁾</u>

⁽¹⁾ Maryland Department of Health and Mental Hygiene, Behavioral Health Administration funds.

⁽²⁾ Maximum compensation for FY 2017.

⁽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 of grant funds appropriated for these services in each renewal period.

Analysis

On Our Own, Inc. will provide a peer-run Recovery Community Center (RCC) in Dundalk for County residents, 18 years and older, with substance use disorders who are voluntarily seeking recovery or who are already in early-, mid-, or late-stage recovery, and their family members. State-certified peer recovery specialists will provide the recovery support services which will include, but will not be limited to, peer mentoring, peer-led support groups, informational classes, life skills sessions, linkages to community services, and drug- and alcohol-free socialization opportunities. The RCC must be open a minimum of 1,500 hours annually, including evenings and weekends.

The contractor will manage and coordinate data collection related to the number of individuals served, the type and frequency of services provided, and the results of participant satisfaction surveys and submit a monthly progress report to the Department's Bureau of Behavioral Health. The contractor will also establish a 7-member RCC Advisory Board; the majority of the Board's members shall be representatives from the local recovery community. The Department expects that the RCC will serve 180 unduplicated adults annually.

The contract commenced July 1, 2016, continues for 1 year, and may not exceed \$25,000 unless approved by the Council. If approved, the contract 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. Compensation may not exceed \$165,000 during FY 2017. Compensation for each renewal period may not exceed the amount of grant funds appropriated for these services. Estimated compensation totals \$825,000 for the entire 5-year and 4-month term, including the renewal and extension periods. The County may terminate the agreement by providing 30 days prior written notice. In the event the County does not receive grant funds, the County shall not renew the agreement.

The contract was awarded through a competitive procurement process; no other bids were received.

On July 5, 2011, the Council approved two 5-year and 3-month contracts estimated to total \$1,146,000, one with On Our Own, Inc. and one with Prologue, Inc., to operate Wellness and Recovery Centers for individuals with mental illness. On Our Own operates three centers located

in Dundalk, Towson, and Catonsville. Prologue, Inc. operates one center in Pikesville. On February 21, 2012, the Council approved a contract amendment with On Our Own, Inc. to expand services at its Dundalk facility to include an RCC, increasing the estimated total compensation to \$1,325,678. The Department advised that as of June 9, 2016, expenditures to On Our Own, Inc. totaled \$638,826.

On March 17, 2014, the Council approved a similar 4-year and 8-month contract estimated to total \$318,314 with Prologue, Inc. to provide an RCC in Pikesville.

On July 5, 2016, the Council approved a 5-year and 4-month contract estimated to total \$696,000 with On Our Own, Inc. to provide wellness and recovery services to Baltimore County residents (age 18 and older) who have mental health disorders and are seeking treatment.

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

Recovery Community Center

The Baltimore County Department of Health, Bureau of Behavioral Health seeks a qualified vendor to provide a peer-run, Recovery Community Center (RCC) in Baltimore County's Dundalk community (21222). The RCC will serve as an integral component of the county's recovery-oriented system of care initiative *One Voice*. The selected vendor will provide recovery support services at the RCC to Baltimore County residents, 18 and older, who are voluntarily seeking recovery or those already in early, mid, or later stage recovery. Recovery support services are non-clinical in nature, and include, but are not limited to, peer mentoring, peer-led support groups, informational classes, life skills sessions, linkages to community services, and alcohol/drug-free socialization opportunities. Services are to be provided by Peer Recovery Specialists (PRS) who are required to be or become State certified. Funding for the RCC and its recovery support services is available through a grant from the State of Maryland Department of Health and Mental Hygiene, Behavioral Health Administration allocated to the Baltimore County Department of Health, Bureau of Behavioral Health.

The initial term of the Agreement is July 1, 2016 through June 30, 2017 with four additional one year renewals. It is anticipated that a minimum of one hundred and eighty (180), unduplicated adults will be served annually.

BACKGROUND

State funds are provided by the Department of Health and Mental Hygiene, Behavioral Health Administration for the purpose of establishing a recovery community center in the 21222 area to Baltimore County residents with substance use disorders. Data has revealed that the southeast area of the county struggles with community-wide issues of substance use and addiction, and as a result, the community experiences a substantial negative impact from substance-related problems.

The target population is adults, age 18 and older, who are voluntarily seeking recovery from a substance use disorder, and their family members. Individuals may participate in recovery support activities at the RCC on a regular or episodic basis, and may participate in only those recovery support services that match their personal needs. The RCC has established a weekly, part time schedule that includes evening hours, and offers a scheduled weekend activity once a month.

Research has demonstrated that recovery is facilitated by social support. Recovery community centers provide a robust type of social support through its use of Certified Peer Recovery Specialists (CPRS) – those individuals in stable recovery themselves who show concern and



COUNCIL ACTION REQUEST FORM

EXECUTIVE SUMMARY

caring, share knowledge and information, provide concrete assistance with task completion, and facilitate pro-social, abstinent contacts and socialization opportunities.

PURPOSE

The Baltimore County Department of Health, Bureau of Behavioral Health receives grant funding from the Maryland Department of Health and Mental Hygiene, Behavioral Health Administration to establish and sustain a Recovery Community Center in the 21222 area of Baltimore County to serve county residents with substance use disorders and their family members.

The presence of a recovery community center serves as a support for the community. Pathways to recovery are more accessible due to the reduction of stigma, the instillation of hope, and the provision of concrete, non-treatment services provided in the safe, substance-free environment at the RCC by Certified Peer Recovery Specialists.

FISCAL

The amount of available funds is \$ 165,000.

Prepared by:
Department of Health and Human Services

FM-6 (Contract)

Council District(s) All

Office of Budget and Finance

Electric Supply Services

The Administration is requesting approval of a contract with WGL Energy Services, Inc. (formerly Washington Gas Energy Services, Inc.) to act as the County’s agent for the purchase of electricity. The contract commences upon Council approval, continues for 1 year, and will automatically renew for nine additional 1-year periods. Compensation is limited to the amount appropriated. Estimated compensation totals \$45,110 for the initial 1-year term and \$451,100 for the entire 10-year term, including the renewal periods. See Exhibit A.

Fiscal Summary

Funding Source	Initial Term	Total Compensation	Notes
County ⁽¹⁾	\$ 45,110	\$ 451,100	⁽¹⁾ General Fund Operating Budget. ⁽²⁾ Estimated compensation for the initial 1-year term. Compensation may not exceed the amount appropriated. ⁽³⁾ Estimated compensation for the entire 10-year term, including the renewal periods, assuming the initial term estimated cost for each renewal period. Compensation may not exceed the amount appropriated.
State	--	--	
Federal	--	--	
Other	--	--	
Total	\$ 45,110 ⁽²⁾	\$ 451,100 ⁽³⁾	

Analysis

The contractor will act as the County’s agent for purchasing electricity. When the purchase of electricity was deregulated in 1999, the County, as part of a consortium comprised of 20 governmental and nonprofit entities known as the Baltimore Regional Cooperative Purchasing Committee (BRPC), began soliciting bids from electricity suppliers to purchase electricity on a retail basis. The goal of this procurement strategy was to identify and contract with companies that offered rates lower than those offered by BGE and Conectiv, which were considered providers

of last resort. However, rate fluctuations within the electricity futures market occurred faster than current procurement methods could process, which compelled suppliers to add “risk premiums” to rates offered to BRCPC.

BRCPC evaluated its purchasing strategy and determined that municipal government procurement rules and regulations were not the most cost-effective procurement and risk-management vehicle for procuring energy commodity. Accordingly, the BRCPC decided on the strategy of purchasing electricity from a licensed agent who buys electricity on an hourly and fixed block purchasing structure at the direction of an independent energy advisory consultant (EnerNOC, formerly South River Consulting, LLC); the Council approved related contracts on November 6, 2006 and November 7, 2011. The Office of Budget and Finance, Purchasing Division estimates that employing this strategy has saved the County more than \$950,000 per year since 2006.

The contract commences upon Council approval, continues for 1 year, and will automatically renew for nine additional 1-year periods on the same terms and conditions, unless the County provides notice of non-renewal. Compensation for transactional services (i.e., the transactional fee) will be at the rate of \$0.50 per megawatt hour (MWh). The County will be billed under fixed-rate budget billing with the budget-billing rates adjusted periodically to “true up” actual versus billed costs. The contract does not specify a maximum compensation amount for the initial 1-year term or the entire 10-year term, including the renewal periods. Compensation is limited to the amount appropriated. Estimated compensation totals \$45,110 for the initial 1-year term and \$451,100 for the entire 10-year term, including the renewal periods, assuming that the County uses 90,220 MWh per year. There is no price escalation provision in the contract; the fee will remain constant throughout the entire 10-year term. The County may terminate the agreement without cause by providing 30 days prior written notice. If sufficient funds are not appropriated in any fiscal year, the County may terminate the agreement by providing 60 days prior written notice. In the event of default, the County may terminate the agreement by providing 7 days prior written notice.

On September 6, 2011, the Council approved a 5-year contract with Washington Gas Energy Services, Inc. (WGES), now WGL Energy Services, Inc., to act as the County’s agent for the purchase of electricity; the contract expires on September 5, 2016. The Purchasing Division advised that the amount of transactional fees paid to WGES under the contract is not readily available.

The Purchasing Division advised that the County expended approximately \$8.8 million in FY 2015 and approximately \$6.3 million in FY 2016 through April 2016 for electricity usage.

This contract was awarded through a competitive procurement process based on best value from six proposals that were received. This solicitation was a cooperative effort with 23 participating BRCPC entities, including Baltimore County Public Schools, the Community College of Baltimore County, Baltimore County Public Library, and the Baltimore County Revenue Authority, and 2 other entities - the Montgomery County Board of Education (MCBE) and the Eastern Shore of Maryland Educational Consortium Energy Trust (ESMEC-ET), with Baltimore County serving as the lead jurisdiction. Each entity will enter into a separate agreement with the contractor.

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

WGL ENERGY SERVICES

TERM CONTRACT FOR ELECTRIC
SUPPLY SERVICES
RFP P-146
BRCPC COOPERATIVE

CONTRACT

AUGUST 1, 2016 COUNCIL

MEETING

On February 29, 2016, proposals were received from six firms in response to the referenced solicitation. Twenty-three jurisdictions of the Baltimore Regional Cooperative Purchasing Committee, and two other entities, the Montgomery County Board of Education (MCBE) and the Eastern Shore of Maryland Educational Consortium Energy Trust (ESMEC-ET), with Baltimore County as the lead jurisdiction, have banded together to replace the existing contract with Washington Gas which expires on September 5, 2016. Washington Gas has been the transactional contractor for electricity purchase since September 2011. Enernoc (formerly South River Consulting) is still BRCPC's energy consultant contractor and they direct Washington Gas/WGL on when and how much electricity to purchase along with the capacity and other ancillary purchases.

After extensive evaluation of the six proposals, WGL was selected as the best respondent. The evaluation committee, in conjunction with Enernoc's guidance, and consideration of all other aspects of the submitted proposals, decided to recommend that a contract award be given to WGL Energy Services, Inc. as the electric supply services contractor. WGL Services is well established in the electricity marketplace and has many counterparties that they currently deal with on the PJM markets. WGL's transactional fee will be \$0.50 MWh. WGL will funnel the cost of the electricity through their State license and add the transactional charge. BRCPC's collective load of 1.7 million MWhs (annually) power and the transactional fee will be paid for at fixed rate budget billing and "true-up" periodically for actual versus billed costs. The contract with Washington Gas is being executed by each jurisdiction and has an initial term of one year with nine (9) one-year renewal options. There is no price escalation in this contract; the fee will remain constant for all nine years. The WGL contract will start after approval at the August 1, 2016 Council meeting. Physical delivery of electricity will start in September 2016, and WGL will conduct all electricity transactions to meet the BRCPC needs under the direction of the BRCPC Energy Advisor, Enernoc.

Prepared by: Office of Budget and Finance

FM-7 (2 Contracts)

Council District(s) All

Office of Budget and Finance

On-Call Carpentry Services

The Administration is requesting approval of two contracts to provide on-call carpentry services at various County-owned and/or operated buildings. The two contractors are Hayes Construction Company and Colossal Contractors, Inc. The contracts commence upon Council approval, continue for 2 years, and may be extended an additional 120 days. The contracts do not specify a maximum compensation for the 2-year term. Compensation for both contractors combined may not exceed \$8,827,887 for the entire 2-year and 4-month term, including the extension period. Compensation may not exceed \$8,827,887 for Hayes Construction Company and \$8,393,089 for Colossal Contractors, Inc.

Fiscal Summary

Funding Source	Combined Maximum Compensation	Notes
County ⁽¹⁾	\$ 8,827,887	⁽¹⁾ General Fund Operating Budget or Capital Projects Fund, depending on the nature of the work. ⁽²⁾ Maximum compensation for both contractors combined for the entire 2-year and 4-month term, including the extension period. The contracts do not specify a maximum compensation for the 2-year term.
State	--	
Federal	--	
Other	--	
Total	\$ 8,827,887 ⁽²⁾	

Analysis

The contractors will provide all labor, materials, tools, equipment, and supervision necessary to provide carpentry services on an as-needed basis. Services will include structural and finish carpentry; roofing; decking and flooring work; minor masonry; painting, caulking, and sealing; installation of doors, windows, tile ceilings, sheet rock, and insulation; and other assistance on

various projects at County-owned and/or operated buildings. Both contractors will serve as primary contractors with the intention of the County to issue work equally; however, the assignment of work will be at the sole discretion of the County.

Hourly rates range from \$9 to \$85 for Hayes Construction Company and \$20.75 to \$26.75 for Colossal Contractors, Inc., depending on the staffing/skill level and regular/overtime status. Sub-contractor services are billed at 14.5% and 12% above the contractors' costs, respectively. Materials are billed at 2.25% and 8% above the contractors' costs, respectively.

The contracts commence upon Council approval, continue for 2 years, and may be extended 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 2-year term. Compensation for both contractors combined may not exceed \$8,827,887 for the entire 2-year and 4-month term, including the extension period. Specifically, compensation may not exceed \$8,827,887 for Hayes Construction Company and \$8,393,089 for Colossal Contractors, Inc. 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 six bids received; the second lowest bidder was disqualified.

On January 22, 2013, the Council approved two 5-year and 4-month contracts not to exceed \$7,961,330 combined for similar services – one with U.K. Construction and Management, LLC and one with Micklos Painting and Drywall LLC. The Office previously advised that since approval, U.K. Construction and Management, LLC requested to withdraw from its contract and that no services were provided to the County. On October 7, 2013, the Council approved a 5-year and 4-month contract not to exceed \$8,788,517 combined with Total Contracting, Inc. for similar services. Total Contracting, Inc. had submitted the next lowest bid and was awarded the contract. The Office advised that as of July 7, 2016, \$558,907 has been expended under the contract. The Office also advised that on January 21, 2016, the contract with Micklos Painting was terminated; \$73,344 was expended under the contract.

On January 19, 2016, the Council approved a 5-year and 4-month contract not to exceed \$2,373,781 with Colossal Contractors, Inc. for on-call painting services. The Office advised that as of July 7, 2016, expenditures under this contract totaled \$47,715.

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-8 (Contract)

Council District(s) All

Office of Budget and Finance

Maintenance and Repair of Irrigation Systems

The Administration is requesting approval of a contract with Classic Lawn & Landscape, Ltd. to provide maintenance and repair of irrigation systems at various County-owned and/or operated locations. The contract commenced May 1, 2016, continues for 1 year, and may not exceed \$25,000 unless approved by the Council. If approved, the contract will automatically renew for four additional 1-year periods. Compensation may not exceed \$131,462 for the initial 1-year term and \$726,409 for the entire 5-year term, including the renewal periods.

Fiscal Summary

Funding Source	Initial Term	Maximum Compensation	Notes
County ⁽¹⁾	\$ 131,462	\$ 726,409	⁽¹⁾ General Fund Operating Budget or Capital Projects Fund, depending on the nature of the work. ⁽²⁾ Maximum compensation for the initial 1-year term. ⁽³⁾ Maximum compensation for the entire 5-year term, including the renewal periods.
State	--	--	
Federal	--	--	
Other	--	--	
Total	<u>\$ 131,462</u> ⁽²⁾	<u>\$ 726,409</u> ⁽³⁾	

Analysis

The contractor will provide all equipment, labor, fuel, and any other related materials to provide monthly irrigation system maintenance at 22 County owned and/or operated facilities throughout the County. Services include repairs, inspections, sprinkler head adjustment, time clock and water percentage adjustment, and winter maintenance (i.e., shut down and start up). All work will be performed between the hours of 7:00 a.m. to 5:00 p.m., Monday through Friday, excluding County holidays. The contractor must be available for emergency calls 365 days per year, 24 hours per day, and have personnel on the job site within 2 hours after receiving a request for emergency service.

Hourly labor rates range from \$35 to \$73.50, depending on the worker's skill level and regular/overtime status. Temporary grounds stabilization (e.g., light grading, seeding, mulching) for irrigation repairs will be billed at \$0.60 per square yard, and materials will be billed at a markup of 18%.

The contract commenced May 1, 2016, continues for 1 year, and may not exceed \$25,000 unless approved by the Council. If approved, the contract will automatically renew for four additional 1-year periods, on the same terms and conditions, unless the County provides notice of non-renewal. Compensation may not exceed \$131,462 for the initial 1-year term and \$726,409 for the entire 5-year term, including the renewal 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 the lowest responsive and responsible bid from five bids received; the original lowest bid was withdrawn. The Office advised that as of July 13, 2016, no costs have been incurred under the proposed contract.

On January 7, 2008, the Council approved a similar 5-year contract not to exceed \$165,294 with Irrigation Unlimited, Inc. The Office advised that expenditures under this contract totaled \$36,723. The Office advised that since the expiration of the previous contract through the commencement of the proposed contract, repair services have been provided by County employees on an as-needed basis. The Office further advised that the sites have not had annual maintenance services during this time.

On July 5, 2016, the Council approved two approximate 5-year and 1-month contracts not to exceed \$1,092,631 combined with Classic Lawn and Lorenz, Inc. to provide on-call landscaping services at County-owned and/or operated sites.

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-9 (Lease)

Council District(s) 6

Department of Permits, Approvals and Inspections

The Emanuel Baptist Church, Inc.

The Administration is requesting approval to lease an unimproved 0.14-acre parcel (Lot 48 – “Cherry Heights”) located on Linden Avenue in Fullerton to The Emanuel Baptist Church, Inc. (the tenant). The tenant will use the parcel, which adjoins its property, for additional parking. The lease commences upon Council approval and continues for 3 years. The lease provides the tenant with the option to purchase the property during the third year. The County will charge a nominal rent of \$1 per year. See Exhibit A.

Fiscal Summary

The tenant will pay the County a nominal rent of \$1 per year. The tenant will also be responsible for all maintenance costs, utilities, services, fees, and taxes related to the property; taxes related to the property total \$0 and other such costs are unknown.

Analysis

The County property to be leased is an unimproved 0.14-acre parcel (Lot 48 – Cherry Heights) located on Linden Avenue, just south of Fullerton Avenue, in Fullerton and situated between Cherry Street and property owned by the tenant; the property is zoned DR 5.5. The Department advised that the property is not currently in use and that the tenant intends to use the property for an additional parking area.

The lease commences upon Council approval and continues for 3 years. The County will charge the tenant a nominal rent of \$1 per year. The Department advised that it did not consider the

current market value for the property. The tenant may, at its expense and with approval of the County, construct improvements on the premises; however, it may not construct any standing structures or buildings. The lease specifically allows the tenant to erect a metal fence and install screening, signage, lighting fixtures, and accessories consistent with certain permitting and approval requirements. The tenant will be responsible for the removal of any improvements if it does not elect to purchase the property. The lease also states that the tenant will be responsible for all maintenance costs, utilities, services, fees, and taxes related to the property; the Department advised that taxes related to the property total \$0 and other such costs are unknown.

The lease also provides the tenant with the option to purchase the property pursuant to Section 3-9-107(c) of the Baltimore County Code. This section states that leased property that has been declared to be surplus may be sold to a lessee who has leased the property continuously for a period of not less than 2 years before the property was declared surplus. Accordingly, the lease provides the tenant with the option to purchase the property "as is" during the third year of the lease. If the option to purchase is not exercised, the lease shall automatically terminate. The purchase price will be determined based on two independent appraisals of the property, and shall be no less than the lowest appraised value, and no more than the highest appraised value, unless otherwise approved by the Council.



COUNCIL ACTION REQUEST FORM EXECUTIVE SUMMARY

PROGRAM TITLE: Lease with Option to Purchase
Emanuel Baptist Church, Inc.

PROJECT NO.: SP 2015-009

FISCAL MATTER: Lease Agreement

PROPERTY OWNERS: Baltimore County, Maryland

PROPERTY INTEREST TO
BE CONVEYED: Lot 48, "Cherry Heights"
Plat WPC 3, folio 71

LOCATION: Linden Avenue
Baltimore, Maryland 21206

CONSIDERATION \$1.00 per year for three years with the option to
Purchase within the third year pursuant to Baltimore
County Code 3-9-107(c)

PURPOSE OF PROJECT: To obtain approval of the County Council to lease
Lot 48 to Emanuel Baptist Church, Inc. with the
option to purchase within the third year.

LIMITS OF PROJECT: Linden Avenue, Lot 48 "Cherry Heights"

Prepared by: Department of Permits, Approvals &
Inspections

MB-2 (Res. 78-16)

Council District(s) 2

Mrs. Almond (By Req.)

Department of Economic and Workforce Development

Revenue Bond – Maryvale Preparatory School

This resolution authorizes the issuance of Baltimore County revenue bonds in an amount not to exceed \$10.0 million on behalf of Maryvale Preparatory School, Incorporated located at 11300 Falls Road in Lutherville. The bonds will be used to refinance existing Baltimore County Series 2005, 2006, and 2010 revenue bonds and to finance issuance costs related to the transaction. See Exhibit A.

Fiscal Summary

The County will earn an annual fee of 1/8 of 1% on the outstanding principal balance of the bonds. Maryvale Preparatory School, Incorporated will pay all debt service related to the bonds. The County does not incur any liability nor pledge its full faith and credit for the bonds.

Analysis

Maryvale Preparatory School, Incorporated is a private Catholic school that provides a small classroom environment for girls in grades 6 through 12. The school occupies an area of approximately 103 acres in Lutherville. Maryvale's enrollment is limited to 425 students, and Maryvale expects employment to remain at 99 personnel. The current annual payroll totals approximately \$4.2 million.

Proceeds of the bond sale will be used to refinance outstanding Baltimore County revenue bonds that were issued on behalf of Maryvale by the County in 2005, 2006, and 2010 (approximately \$9.5 million) and to pay expenses related to the sale and issuance of the bonds (approximately \$200,000), and for contingency (approximately \$300,000).

The County does not incur any liability by approving this resolution nor does it pledge its full faith and credit. Maryvale will repay the principal and interest on the bonds. All costs incurred by, or on behalf of, the County in connection with the issuance, sale, delivery, and administration of the bonds, and the making of a loan, including the bond counsel fees, are the responsibility of Maryvale. (Revenue bonds result in lower interest rates to the borrower since they are generally tax-exempt.)

The Department advised that the bonds, once issued, will be purchased by M&T Bank. The bonds will be entirely tax-exempt and will have a projected 3% fixed interest rate. The bonds will have a 10-year term with a 25-year amortization and a balloon payment due at maturity. The County will earn an annual fee of 1/8 of 1% on the outstanding principal balance of the bonds. Settlement is expected to take place on August 10, 2016. Bond counsel for this transaction is Timothy E. Dixon, Esquire of The Law Office of Timothy E. Dixon, PA.

A public hearing for this matter is scheduled for July 21, 2016. The Department advised that the hearing was advertised in *The Baltimore Sun* on July 4, 2016.

On October 3, 2005, the Council approved Resolution 117-05 authorizing the issuance of up to \$3.75 million in revenue bonds on behalf of Maryvale for improvements to its Castle building. On December 4, 2006, the Council approved Resolution 98-06 authorizing the issuance of up to \$4.7 million in revenue bonds on behalf of Maryvale to refinance the acquisition cost of the school's campus, related buildings, and improvements. On July 6, 2010, the Council approved Resolution 58-10 authorizing the issuance of up to \$10.0 million in revenue bonds on behalf of Maryvale to finance costs associated with the construction of a new building on the property, an upgrade of the athletic fields, and improvements to campus infrastructure. The Department advised that all bonds were issued, and the principal outstanding balances are approximately \$2.4 million, \$3.4 million, and \$3.6 million, respectively.

The Maryland Economic Development Revenue Bond Act (Annotated Code of Maryland, Economic Development Article, Title 12, Subtitle 1, Sections 12-101 to 12-118) allows counties

to issue economic development revenue bonds for various purposes including encouraging the increase of industry, relieving unemployment, and promoting economic development. The bond proceeds may be used to finance or refinance the costs of acquiring a facility or to refund outstanding bonds. The proceeds may also be used to pay expenses related to the sale and issuance of the bonds, to fund reserves, and to pay interest with respect to the financing. The Act provides that a legislative body of any county may adopt a resolution to authorize the issuance of bonds by the county.



**COUNCIL ACTION REQUEST FORM
 EXECUTIVE SUMMARY**

Maryvale Preparatory School, Incorporated

**Work Session- July 21, 2016
 Council Session- August 1, 2016**

Maryvale Preparatory School, Incorporated is requesting that Baltimore County issue up to \$10 million in Refunding Bonds on behalf of the school. The school is located at 11300 Falls Road in Lutherville, Maryland.

*** Baltimore County does not incur any financial liability as a result of the issuance of the tax-exempt bonds.**

Project Description:

Name of Project: Maryvale Preparatory School Refunding Bonds

Location: 11300 Falls Road, Lutherville, Maryland 21093

Description: The Applicant is requesting assistance from the County in refunding three bond issues previously issued by the County for the benefit of the Applicant in 2005, 2006 and 2010.

Employment:

	Existing No. Jobs	No. of New Jobs	Recruited Locally	Final Number	Annual Payroll	Salary/ Wage Range
Professional Executive	89	0	n/a	89	\$3,837,000	\$800 - \$210K
Administrative Supervisory	2	0	n/a	2	\$170,000	\$77K - \$93K
Skilled	0	0	n/a	0	0	0
Semi-Skilled	5	0	n/a	5	\$131,000	\$4300 - \$47K
Unskilled	3	0	n/a	3	\$97,000	\$30K - 35K
Total	99	0	n/a	99	\$4,235,000	\$800 - \$210K

Student Enrollment: By order of the Zoning Commissioner dated January 10, 2006, the enrollment at Maryvale Preparatory School is limited to 425 students. The Applicant operates within that limitation.



**COUNCIL ACTION REQUEST FORM
 EXECUTIVE SUMMARY**

Outstanding bond amount: Approximately \$9,404,055
 Estimated amount of bonds to be issued: \$10,000,000

Use of Bond Proceeds:

	Estimated Costs	Amount Financed with IRB
Sources of Funds:		
Bond Proceeds	\$10,000,000	\$10,000,000
Uses of Funds:		
Refunding of Existing Bond Issues	\$9,500,000	\$9,500,000
Costs of Issuance	200,000	200,000
Contingency/rounding	300,000	300,000
Total Uses of Funds	\$10,000,000	\$10,000,000

Amount of Tax-Exempt Bonds: \$10,000,000 Amount of Taxable bonds: \$0

Current interest rate: Variable

Projected interest rate:
 Variable or Fixed Rate: Fixed
 Term of the Bonds: 25 year amortization, with a 10 year balloon.
 Estimated Interest Rate: 3.00%
 Estimated Settlement Date : August 10, 2016

Bond Counsel: Timothy E. Dixon, The Law Office of Timothy E. Dixon, PA

Bank Counsel: Miles & Stockbridge

Borrower Counsel: To be determined

Underwriter: None

Lender: M&T Bank

Publication of notice of public hearing: Name: Baltimore Sun Date: July 4, 2016

Public Hearing Date: July 21, 2016

Prepared by: Department of Economic and Workforce Development

MB-3 (Res. 79-16)**Council District(s) 4**

Mr. Jones

Maryland Faith Community Network

Resolution 79-16 commends the local faith community, Northwest Hospital and LifeBridge Health, and the Maryland Citizens' Health Initiative Education Fund for their commitment to improving public health throughout Baltimore County through the Maryland Faith Community Health Network and encourages the participation of other County hospitals and faith communities.

The resolution recites that churches and faith communities have always helped their congregations in times of need, especially when one is admitted to a hospital. The Maryland Faith Community Health Network brings together hospitals and faith congregations throughout Baltimore County to improve the health of the community.

The purpose of this Network is to support formal collaboration between faith communities and hospitals in order to achieve mutual goals. These goals include decreasing the amount of potentially avoidable hospitalizations, improving a congregant's overall wellness, and cutting down on the cost of medical services.

MB-4 (Res. 80-16)

Council District(s) 5

Mr. Marks

Planned Unit Development – The Villages of White Marsh

Resolution 80-16 approves the review of a proposed Planned Unit Development (PUD) in the 5th Councilmanic District.

Bill 5-10 substantially revised the process for the review and approval of a Planned Unit Development. However, the first step in the process was not changed. As the first step in the review process, an application for a PUD must be submitted to the Council member in whose district the PUD is proposed to be located.

Bill 36-11 further amended the PUD process to require that, after submission of the PUD application to the Council member, the applicant must hold a post-submission community meeting. The applicant must give 3 weeks' notice of the meeting and post the property. Notice must be mailed to adjoining property owners and community associations that represent the area. The applicant must provide information about the plan, allow questions and comments, maintain a record, compile minutes, and forward the minutes to the Council member and to the Department of Permits, Approvals and Inspections (PAI). Community residents and organizations may provide written comment to the Council member. The Council member may require the applicant to hold another post-submission meeting.

The applicant must also send copies of the PUD application to PAI; PAI must then transmit copies to the appropriate review agencies, and these agencies must provide a preliminary written evaluation of the PUD proposal to the Council member.

Once these procedures are completed to the satisfaction of the Council member, and if the Council finds that the proposed site is eligible for review, the Council, by adoption of a resolution, may approve the continued review of the PUD, subject to additional advertising and posting requirements. The adopting resolution is introduced only after all of the steps required by Bill 36-11 have been concluded.

In this case, an application was filed by Village Development Group for approval of a 110-acre site on White Marsh Boulevard to be developed as a general development PUD to be known as The Villages of White Marsh. The PUD proposes the development of a residential community featuring a variety of dwelling types with a maximum of 844 units.

The community benefit provided by the Applicant will consist of a dedication of 8± acres to Baltimore County within the Villages of White Marsh development for an athletic field and a park to be identified as White Marsh Park; the construction of a bicycle/pedestrian pathway within that park from the northern end of the development to Bucks Schoolhouse Road, which would be available for future connection to the County's proposed trail system; the construction of part of the Northeast Trail, as identified in Resolution 17-11, along the section of Perry Hall Boulevard bordering or including the development, as well as the publicly-owned part of Perry Hall Boulevard from Honeygo Boulevard to Silver Spring Road, to be constructed in consultation with the Department of Public Works and within 1 year of the approval of the project by the Administrative Law Judge; the prohibition of access to White Marsh Road except for emergency access regulated by Baltimore County government; and a contribution of up to \$100,000 towards the installation of a traffic signal at Perry Hall Boulevard and Bucks Schoolhouse Road.

Resolution 80-16 will be forwarded to the Departments of Planning and PAI.

BALTIMORE COUNTY COUNCIL
NOTES TO THE AGENDA
APPENDIX A

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

TO: Fred Homan
Administrative Officer **DATE:** 6/10/16

FROM: Keith Dorsey, Director *KAD* **COUNCIL MEETING**
Office of Budget & Finance **DATE:** 8/1/16

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

MA 3194 Physio Control Inc. – Electrodes and Supplies, Physio Controls

This Master Agreement for Physio-Control, Inc. is for the purchase of electrodes, accessories, parts and supplies for cardiac monitors and AED's on all career and volunteer medic units in the Fire Department.

As indicated in the March 4, 2016 memorandum from Fire Chief John Hohman, Physio-Control, Inc. is the sole manufacturer and distributor of parts and supplies for this equipment. The use of other parts and supplies would void our service agreement(s).

Estimated Total 5 year: \$800,000.00
Award Date: 6/10/16

c: M. Field
T. Peddicord
L. Smelkinson

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

TO: Fred Homan
Administrative Officer

DATE: 6/24/16

FROM: Keith Dorsey, Director
Office of Budget & Finance

**COUNCIL MEETING
DATE:** 8/1/16

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 9260 Med-Eng LLC – Police Protection Equipment, Bomb Suit Ensemble/HDT

This Order is to purchase two (2) bomb suits from Med-Eng LLC for use by the BCPD Hazardous Devices Team (HDT).

The HDT is replacing two (2) Med-Eng bomb suits that are beyond the 7 to 10 year life span of the suits (Kevlar material breaks down over time).

As stated in Police Chief James W. Johnson's memo dated May 13, 2016, the County technicians train at the FBI's Hazardous Devices School which is used by every accredited bomb squad in the United States. Technicians receive basic training, are certified and recertified in these suits. Med-Eng bomb suits are recognized as the standard and are the suits currently used in the recertification courses.

Estimated Total: \$52,254.00
Award Date: 6/24/16

c: M. Field
 T. Peddicord
 L. Smelkinson