

FM-5 (Contract)

Council District(s) 5

Office of Law – Real Estate Compliance Division

Acquisition of Drainage/Utility Easement – Lodge Road, Parkville

The Administration is requesting approval of a contract to acquire easement access spanning approximately 1.014 acre for \$58,070 for the Jennifer Branch Relief Sewer project along Lodge Road in Parkville. Sharon Ortman currently owns the property, which is located east of Harford Road and south of Northwind Road. The property is primarily zoned DR-1 (Density Residential – 1 lot per acre). The easements will be used for drainage and utility easements and temporary construction areas. See Exhibit A.

Fiscal Summary

Funding Source	Purchase Price	Notes
County ⁽¹⁾	\$ 58,070	⁽¹⁾ Capital Projects Fund – Metropolitan District.
State	--	
Federal	--	
Other	--	
Total	<u>\$ 58,070</u>	

Analysis

The County’s appraisal consultant, Everett Benfield Advisors, completed an appraisal of the property effective February 14, 2024, recommending a value of \$58,070. The Office advised that the County’s real estate acquisition consultant, Johnson, Mirmiran & Thompson (JMT), completed the appraisal review, recommending a value of \$57,410 as just compensation for the acquisition. The Office further advised that JMT offered the property owner \$58,070 on behalf of the County, which was accepted. The purchase price includes \$36,442 to compensate for adverse impacts to site improvements, including portions of the fence, the gate, and 12 to 14 walnut trees that will need to be removed.

The total 1.013-acre property to be acquired, including the drainage and utility easements (0.498 acre) and the temporary construction area (0.515 acre), is part of a larger 13.21-acre parcel that is improved with a residential dwelling, a barn, a bridge, and fencing.

The Office advised that the Jennifer Branch Relief Sewer project includes the construction of approximately 6,000 feet of relief sewer along Jennifer Branch stream between Harford Road and Northwind Road. The Office further advised that a total of 24 acquisitions are needed for this project, and following approval of the proposed acquisition, 7 additional acquisitions will require Council approval; the proposed contract is the first item requiring Council approval. As of the adoption of the FY 2025 Capital Budget, appropriations earmarked for the project total \$6.0 million. The Department of Public Works and Transportation advised that as of July 25, 2024, the County had expended \$733,404 for design, permitting, and property acquisition.

County Charter, Section 715, requires Council approval of real property acquisitions where the purchase price exceeds \$5,000.

Executive Summary

PROGRAM TITLE: Jennifer Branch Relief Sewer Project

PROJECT NO.: 010777250

FISCAL MATTER: Contract of Sale

PROPERTY OWNERS: Sharon Ortman

LOCATION: Lodge Road
Parkville, MD 21234

CONSIDERATION: \$58,070.00

PURPOSE OF PROJECT: This contract is for the purchase of 21,720 sq. ft. of Drainage and Utility Easement and 22,452 sq. ft. of Temporary Construction Area.

LIMITS OF PROJECT: Lodge Road

Prepared by: Office of Law – Real Estate Compliance Division

FM-12 (Contract)

Council District(s) All

Department of Health and Human Services

Laboratory Testing

The Administration is requesting approval of a contract with the State of Maryland (Maryland Department of Health’s Laboratories Administration) to provide laboratory analysis for Health Department-administered chlamydia and gonorrhea tests for low-income County residents. The contract commenced July 1, 2024, continues for 1 year, and may be renewed for four additional 1-year periods. The contract provides that compensation may not exceed \$6,500 for the entire 5-year term, including the renewal periods. See Exhibit A.

Fiscal Summary

Funding Source	Maximum Compensation	Notes
County	--	(1) Maryland Department of Health. (2) For the entire 5-year term.
State ⁽¹⁾	\$ 6,500	
Federal	--	
Other	--	
Total	<u>\$ 6,500</u> ⁽²⁾	

Analysis

The contractor will provide laboratory analysis for chlamydia and gonorrhea tests administered by the Department at its reproductive and sexual health clinics to low-income County residents (i.e., uninsured, underinsured, undocumented individuals with income at or below the federal poverty level). The Department advised that the State provides over 2,500 free tests each year, and the proposed agreement will be used for additional tests; the Department estimates the contractor will provide 100 tests annually. The unit price per test is \$13.00.

The contract commenced July 1, 2024, continues for 1 year, and may be renewed for four additional 1-year periods. The contract provides that compensation may not exceed \$6,500 for

the entire 5-year term, including the renewal periods. The County may terminate the agreement by providing written notice.

The Department requested that the proposed contract be designated as a noncompetitive 902(f) award secured in the best interest of the County due to the prior working relationship with the contractor and lower pricing than the County's current contractor for general laboratory services.

County Charter, Section 902(f), states that "when... [competitive] bidding is not appropriate, a contract shall be awarded only by competitive negotiations, unless such negotiations are not feasible. When neither competitive bidding nor competitive negotiations are feasible, contracts may be awarded by noncompetitive negotiations."

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

The administration is seeking approval of an agreement between the State of Maryland Public Health Laboratory and Baltimore County Department of Health. The purpose of the agreement is for procurement of laboratory tests for chlamydia and gonorrhea. The agreement provides 100 test per year for a total of \$1,300. This agreement is for one year with four one-year renewals for the agreement amount will not exceed \$6,500.

The State provides over 2,500 free tests each year; this agreement will be for additional tests. Utilizing the State provides for savings of approximately \$300,000 since 2018. The State test cost of \$13 is lower than average private labs of \$22 per test

Prepared by: Department of Health & Human Services

FM-13 (Contract)

Council District(s) All

Department of Health and Human Services

Laboratory Analysis and Reporting of Water Samples – Recreational Waterways

The Administration is requesting approval of a contract with the State of Maryland (Maryland Department of Health’s Laboratories Administration) to provide laboratory analysis and reporting of water samples collected from the County’s recreational waterways. The contract commences August 5, 2024, continues for 1 year, and may be renewed for four additional 1-year periods. The contract provides that compensation may not exceed \$120,000 for the entire 5-year term, including the renewal periods. See Exhibit A.

Fiscal Summary

Funding Source	Maximum Compensation	Notes
County ⁽¹⁾	\$ 120,000	(1) General Fund Operating Budget.
State	--	(2) For the entire 5-year term.
Federal	--	
Other	--	
Total	<u>\$ 120,000</u> ⁽²⁾	

Analysis

The Department advised that the contractor will provide laboratory analysis and reporting (to Maryland Department of the Environment (MDE)) of the water samples collected as part of its recreational water sampling program. The Department further advised that since 2013, it has conducted routine testing of the County’s recreational waters in response to community requests. (The Department advised that the County is also required by the State to annually sample the County’s five beaches and uses the State’s lab for analysis and reporting of the water samples collected.) The sampling will consist of taking “single grab samples” along County waterways where navigable, with emphasis placed on sections that have heavy recreational use and/or public, sponsored access; the sampling season will run from mid-April through late November,

weather permitting. The unit price per tested sample is \$18.50. The Department estimates the contractor will provide approximately 1,250 lab tests annually.

The contract commences August 5, 2024, continues for 1 year, and may be renewed for four additional 1-year periods. The contract provides that compensation may not exceed \$120,000 for the entire 5-year term, including the renewal periods. The County may terminate the agreement by providing written notice.

The Department requested that the proposed contract be designated as a noncompetitive 902(f) award secured in the best interest of the County due to the prior working relationship with the contractor, its ability to provide results directly to MDE, and low pricing.

County Charter, Section 902(f), states that “when... [competitive] bidding is not appropriate, a contract shall be awarded only by competitive negotiations, unless such negotiations are not feasible. When neither competitive bidding nor competitive negotiations are feasible, contracts may be awarded by noncompetitive negotiations.”

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

Water Testing Program Contract

The Administration is seeking a contract with the Maryland Department of Health (MDH) Laboratories Administration for the analysis of water samples collected as part of the Department's recreational water sampling program. This will be a one-year contact with four one-year renewals.

Background

The Baltimore County Department of Health, Division of Environmental Health Services has been conducting routine testing of recreational waters since 2013 in response to community requests. This testing is not covered by the BEACH Act grant funding received by the Department each year, so the County assumes the cost of these water tests. Grant-funded and County-funded samples are collected during the same sampling event and delivered to the MDH lab together. Results for both grant-funded and County-funded tests are reported out in a timely manner, and the County receives an invoice for County-funded testing. The rate of \$18.50 per sample has not been increased since the program began and is well below the market average for testing at a private laboratory.

Purpose

The purpose of this contract is to continue the streamlined process for water testing by sending the samples through MDH lab.

Fiscal

\$23,125 per year

Prepared by: Department of Health & Human Services

Administrative Office

Acquisition of Parcel – 2101 Gwynn Oak Avenue, 21207 – Revitalization of Woodlawn Village Area

The Administration is requesting approval of a purchase agreement with Windsor Mill Realty, LLC to acquire the Woodlawn Village parking lot (approximately 0.7 acre of land), located at 2101 Gwynn Oak Ave in Woodlawn, for \$350,000. The Office advised that the County will improve and expand (from 48 to at least 98 spaces) the existing parking lot and make 74 of the spaces available for public parking (24 spaces will be reserved for the owner’s tenants who currently use the parking lot). The property is zoned BL-AS (Business Local-Automotive Services District) and DR-5.5 (Density Residential – 5.5 lots per acre). See Exhibit A.

Fiscal Summary

Funding Source	Purchase Price	Notes
County	--	(1) U.S. Department of the Treasury, American Rescue Plan Act (ARPA) funds.
State	--	
Federal ⁽¹⁾	\$ 350,000	(2) Reduction of approximately \$1,980 in property tax revenue annually. Other costs associated with this transaction are not readily estimable.
Other	--	
Total	<u>\$ 350,000</u> ⁽²⁾	

Analysis

The Office advised that in an effort to revitalize Woodlawn Village, the County is proposing to use ARPA funding to acquire a parking lot located at 2101 Gwynn Oak Avenue. The Office further advised that parking is the top priority of the business and residential community in Woodlawn Village, and converting the lot to a public asset would enhance public parking for small businesses and their customers while also preserving existing parking for commercial and residential tenants.

The County’s appraisal consultant, Peabody Associates, LLC, completed an appraisal of the property effective February 9, 2024, recommending a value of \$270,000. The Office advised that

it entered negotiations with the property owner, whose asking price was \$500,000. The Office further advised that the County and the property owner agreed to a negotiated price of \$350,000, which includes compensation for an anticipated negative impact on the sellers' properties at 6320–6326 Windsor Mill Road (tenants currently use 48 parking spaces in the proposed parking lot; upon the sale, 24 spaces will be reserved for the tenants).

The total 0.7-acre property to be acquired is improved with 0.39 acre of macadam surfacing, a former dwelling with attached shed and carport, and a small non-electric billboard. The Office advised that the former dwelling and carport will be demolished and removed; the County will improve and expand the existing parking from 48 to at least 98 spaces and make 74 of the spaces available for public parking; and the billboard and shed will be retained. The Office further advised that the Revenue Authority will manage and maintain the parking lot, and maintenance costs will be funded by revenue generated by the lot's parking meters. The Office also advised that estimates of the costs associated with managing and maintaining the parking lot, as well as the annual revenues to be generated from the parking meters, are unavailable.

The purchase agreement states that the deed will be updated to included parking space covenants for: (a) a temporary easement to allow the seller to continue to use the lot for parking prior to the new lot being constructed; (b) a covenant for the seller's free use in perpetuity of 24 reserved parking spaces; (c) a covenant for the installation of signage to this effect at cost to the County; and (d) a covenant to enforce the reserved nature of the parking spaces at cost to the County. The Office advised that an estimate of costs associated with the signage and parking enforcement is unavailable. The purchase agreement states that in the event the agreement and transaction are not approved by the Council on or before August 5, 2024, the agreement will automatically terminate.

The Office advised that this acquisition is part of a \$1.2 million Woodlawn Village place-based initiative, and the ultimate parking lot improvements will be funded under a separate, existing streetscaping project. The Office further advised that the streetscaping designs are expected to be completed by October 2025, with improvements to the acquired property to be made subsequent to the design completion; an estimate of costs associated with the improvements is unavailable.

County Charter, Section 715, requires Council approval of real property acquisitions where the purchase price exceeds \$5,000.

Executive Summary

PROGRAM TITLE: Woodlawn Village Parking Lot

PROJECT NO.: CC06000, GR-1265

FISCAL MATTER: Contract of Sale

PROPERTY OWNERS: Windsor Mill Realty, LLC

LOCATION: 2101 Gwynn Oak Ave.
Baltimore, Maryland 21207

CONSIDERATION: \$350,000.00

PURPOSE OF PROJECT:

In furtherance of efforts to revitalize Woodlawn Village, the Administration is seeking to use ARPA funding to acquire one (1) parcel totaling 0.7 +/- acres, located at 2101 Gwynn Oak Ave, Baltimore, MD 21207, currently owned by Windsor Mill Realty, LLC, and operated as a parking lot. It has a prominent location at the main, 5-way intersection of Gwynn Oak Ave, Englewood Ave, and Windsor Mill Dr. The proposed acquisition price is \$350,000.

Woodlawn is one of Baltimore County's 22 officially designated Commercial Revitalization Districts (CRD). The Districts are the "front doors" to our desired established communities. They offer a shopping and entertainment experience where family-owned businesses and national retail chains are neighbors. Furthermore, the Administration's Woodlawn place-based initiative (PBI) in the Woodlawn Village Community Equity District emphasizes cultivating local partnerships, beautifying public spaces, and enhancing public safety in order to spur local economic revitalization and improve quality of life in the area. The PBI target area is between Woodlawn Dr, Gwynn Oak Ave, and Windsor Mill Rd.

Parking is the top priority articulated by the business and residential community in Woodlawn Village. The lack of public parking is a major hindrance on businesses in the area because potential customers struggle to park nearby in order to visit and patronize the businesses. It is difficult for the public to visit Woodlawn Village, even for local residents in adjacent neighborhoods without sidewalks, which limits pedestrian activity in the commercial area.

