

**BALTIMORE COUNTY COUNCIL
NOTES TO THE AGENDA
LEGISLATIVE SESSION 2024**

*Issued: May 9, 2024
Reissued: May 13, 2024
Work Session: May 14, 2024
Legislative Day No. 10: May 23, 2024*

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



OFFICE OF THE COUNTY AUDITOR

BALTIMORE COUNTY COUNCIL

May 23, 2024

NOTES TO THE AGENDA

TABLE OF CONTENTS

	PAGE
LEGISLATIVE SESSION	
Witnesses	ii
<u>BILLS – FINAL READING</u>	
Bill 31-24	1
Bill 32-24	9
Bill 33-24	10
Bill 34-24	11
Bill 35-24	12
<u>BILLS – FOR FIRST CONSIDERATION</u>	
Bill 36-24	13*
Bill 37-24	16
Bill 38-24	20
Bill 39-24	21
Bill 40-24	23
<u>FISCAL MATTERS</u>	
FM-1	25
FM-2	29*
<u>MISCELLANEOUS BUSINESS</u>	
MB-2 (Res. 28-24)	33*
APPENDIX	
Correspondence (1) (a)	37

* Note included in reissued package

AGENDA
BALTIMORE COUNTY COUNCIL
LEGISLATIVE SESSION 2024, LEGISLATIVE DAY NO. 10
MAY 23, 2024 10:00 A.M.

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

Page

CALL OF BILLS FOR FINAL READING AND VOTE

- COUNCIL**
- 1 Bill 31-24 – Cnclmbrs. Patoka, Ertel, Kach & Marks – Adequate Public Facilities – Overcrowded School Districts
- 9 Bill 32-24 – Mr. Patoka – Zoning Regs. – R.A.E. 1 Zone – Location Requirement Relative to Business Zones
- 10 Bill 33-24 – Cnclmbrs. Marks, Crandell, Kach, Ertel & Patoka – County Charter – Baltimore County Planning Board – Confirmation of Appointees by County Council
- 11 Bill 34-24 – Councilmembers Crandell & Ertel – Loitering on or About Commercial Premises
- 12 Bill 35-24 – Mr. Crandell – Parking – Obstruction of Alleys and Streets

BILLS FOR FIRST CONSIDERATION

- JOANNE RUND, CHIEF, FIRE DEPARTMENT**
- 13 Bill 36-24 – Mr. Patoka(By Req.) – The 2023-2024 CEB – 001-A0161604-CC160400
- BRAD KRONER, LEGISLATIVE OFFICER, EXECUTIVE OFFICE**
- 16 Bill 37-24 – Mr. Patoka(By Req.) – Community Reinvestment and Repair Commission: and Community Reinvestment and Repair Special Revenue Fund
- COUNCIL**
- 20 Bill 38-24 – Mr. Patoka – Comprehensive Zoning Map Process (CZMP) – Withdrawal of Issues
- 21 Bill 39-24 – Councilmembers Kach & Marks – Zoning Regulations – Elderly and Senior Housing Overlay District
- 23 Bill 40-24 – Mr. Kach – Employees’ Retirement System – County Council Members

APPROVAL OF FISCAL MATTERS/CONTRACTS

- SETH BLUMEN, ENERGY & SUSTAINABILITY COORDINATOR, DEPS**
- 25 1. Contract – Siemens Industry, Inc. – Planning and design services – Support adoption of electric vehicles – effective charging infrastructure-DEPS
- FAITH THOMAS, CHIEF, REAL ESTATE COMPLIANCE**
- 29 2. Contract of Sale – Threadneedle Baltimore LLP, Threadneedle Baltimore II LLP, & Liberty Road Holdings LP – 8212 Liberty Road, 21244 – New Randallstown Library and Recreation Center Facility

MISCELLANEOUS BUSINESS

- COUNCIL**
- 37 1. Correspondence - (a) (3) - Non-Competitive Awards (April 17, 2024)
- LAUREN BUCKLER, ACTING DIRECTOR, DEPARTMENT OF PUBLIC WORKS & TRANSPORTATION**
- 33 2. Res. 28-24 – Mr. Patoka(By Req.) – 2023 Triennial Review – Baltimore County Water Supply & Sewerage Plan

Mr. Patoka, Ertel, Kach & Marks

Adequate Public Facilities – Overcrowded School Districts

Bill 31-24 significantly reforms the County’s Adequate Public Facilities Ordinance (APFO) regarding school capacity to create a comprehensive process led by a new interdepartmental committee for evaluating and approving developments that could impact the school system. Bill 31-24 adopts substantially all of the recommendations from the December 31, 2020 final report of the Baltimore County APFO Task Force.

Current APFO-School Capacity Evaluation

The County’s current process for evaluating school capacity under the APFO was put in place in 1999 with the enactment of Bill 110-99. Under the current law, the impact on school capacity of a residential development is evaluated when a development plan is approved by the Administrative Law Judge at the Hearing Officer’s Hearing. Prior to that hearing, the Department of Planning (the “Department”) must submit a recommendation of whether any school district where the proposed development is located is currently overcrowded (meaning at the time the developer filed their development plan) or would become overcrowded as a result of the development. The current definition of an overcrowded school district is 115% of the State-Rated Capacity.

Planning Department Analysis and Recommendation

Currently, the Department prepares an annual APFO report containing maps of each overcrowded school district using the school enrollment numbers from the State-mandated September 30 survey annually conducted by Baltimore County Public Schools (“BCPS”). In order to assess whether school districts are overcrowded, the Department must review the developer-submitted school impact analysis for each proposed residential development plan.

Administrative Law Judge Consideration at the Hearing Officer’s Hearing

Currently, the Administrative Law Judge determines whether a proposed development meets the APFO school capacity standards alongside other departmental recommendations (such as environmental impacts, building design standards, and zoning compliance) for development plan approval at the Hearing Officer’s Hearing. In general, approval may not be granted if the proposed

development is projected to generate additional school population that would result in the school district becoming overcrowded as of the development plan filing date.

Current APFO-School Capacity Exceptions

The current law provides three exceptions, originally enacted in 1999, that are eliminated by Bill 31-24. The first exception is generally referred to as the “adjacency rule.” This rule states that “development approval may be granted in overcrowded school districts if any school in a district adjacent to the overcrowded school district has sufficient capacity to render the overcrowded school less than 115% of the State-Rated Capacity.” This exception is a signal to the School Board that enrollments in adjacent school districts could be re-balanced through redistricting.

The second exception is the capital budget rule, which allows development approval in overcrowded school districts if the capital budget contains a capital project that has appropriations or authorizations sufficient to fund the construction of a new school, a school addition, or a renovation which would result in the district not being an overcrowded school district. The final exception is the educational program change rule. This rule allows development approval if the School Board has approved a plan that implements, within one school year, educationally sound programs or initiatives that will provide adequate capacity in an overcrowded school district.

Bill 31-24 re-works the existing “educational program change” rule and requires the Department of Education to provide annual reports that would give similar information. The bill does not permit a development to move forward based on educational program changes; rather, the Committee (as described below) may recommend “potential educational options, redistricting, and programming changes” that the County and the School Board could consider to alleviate school overcrowding.

2020 APFO Task Force

On August 3, 2020, the Council established the APFO Task Force with the enactment of Resolution 76-20. The Task Force was formed to study and evaluate methods to make improvements to the Baltimore County APFO as it relates to development and the need for adequate infrastructure, particularly public school facilities. The Task Force reviewed: the structure and efficacy of APFOs in other Maryland jurisdictions; the Baltimore County Master Plan 2020; census data and population projections; and reports from the Maryland Department of Planning.

The eight-member Task Force consisted of various stakeholders, including education advocates from the community and County Government, BCPS, and building industry representatives.

The Task Force convened virtually six times from September 9, 2020 through November 18, 2020 and once virtually on December 16, 2020 for a public hearing on the subject of school overcrowding (in-person meetings were not permitted under the COVID-19 public gathering restrictions at that time). The Task Force's comprehensive final report and minutes from all meetings are available for review on the County Council's website.

As noted above, Bill 31-24 adopts substantially all of the recommendations of the Task Force. Accordingly, the detailed summary below of the bill's contents serves as both an explanation of the bill and a summary of the Task Force recommendations.

Bill 31-24 Generally

Bill 31-24 enacts several structural changes to the current APFO law regarding school capacity.

Overcrowded School Definition

The bill reduces the current overcrowded threshold of 115% of State-Rated Capacity to 100%. Starting on September 30, 2025, the bill phases down the threshold in 5% increments until it reaches 100% beginning on October 1, 2030. In addition, the bill amends the County's definition of State-Rated Capacity to match the most recent State law definition.

Types of Developments Subject to School Capacity APFO

The bill also clarifies the types of development that are subject to the school capacity APFO. Under current law, the APFO regarding school capacity applies only to residential development. Bill 31-24 expands the applicability to include development that results in the creation of residential dwelling units on any type of property, including commercially zoned property. The bill also eliminates the exemption for "minor subdivisions," replacing it with a more specific exemption for subdivisions of three or fewer units. The bill also makes it clear that the elderly housing exemption applies to any age-restricted housing. Last, the bill clarifies that only redevelopment projects that do not increase the number of dwelling units or the average square footage per unit are exempt.

Interdepartmental Committee on School Overcrowding

Bill 31-24 transfers the school capacity evaluation for new development and redevelopment from County agencies and the Administrative Law Judge to a new Interdepartmental Committee on

School Overcrowding (the “Committee”). The purpose of the Committee is to coordinate with County officials, BCPS, the School Board, and the public in order to address and prevent public school overcrowding.

Committee Membership and Meetings

The Committee consists of 11 members as follows.

- one member appointed by each Councilmember that is a resident of the appointing Councilmember’s district;
- one member appointed by the County Executive that is a County resident;
- one member appointed by the County Executive from the Planning Department on the recommendation of the Planning Director and confirmed by the County Council;
- one member appointed by the BCPS superintendent that is a County resident; and
- one member appointed by the School Board that is a County resident.

Committee members may not be:

- a candidate for public office in the current election cycle in which they serve;
- a chair or treasurer of an open campaign account;
- an elected or appointed member of a local or state central committee of a political party; or
- a lobbyist registered with the County.

Committee members serve four-year terms with a limit of two full terms. The Committee will be headed by a Chair and Vice Chair that the Committee annually selects from among its members on July 1 of each year. The Committee must meet at least quarterly, but may meet more often. Staffing for the Committee will be provided by the Planning Department with additional support by other County agencies as necessary.

School Capacity Approval Certificates

The primary responsibility of the Committee will be to evaluate applications and issue School Capacity Approval Certificates (“Certificates”) for approved developments. Building permits may not be issued for an approved development unless the development holds an active Certificate issued by the Committee. The Committee replaces the current process of Planning Department recommendation and school capacity evaluation by the Administrative Law Judge at the Hearing Officer’s Hearing, such that school capacity is no longer considered at the plan approval stage. Instead, a developer may request that the Committee evaluate the approved plan for school capacity at any time after approval but before building permit issuance; hence, school capacity evaluations will occur at a later – and more relevant – stage in the development process.

To receive a Certificate, an approved development must pass the school capacity adequacy test (discussed below) or reach the five-year limitation on school capacity adequacy wait time. In other words, a project may be eligible for the issuance of building permits for an approved development five years after applying for a Certificate if the Committee has not issued the Certificate in that time due to failing the school capacity test. Once issued, a Certificate expires three years from its date of issuance. Upon the expiration of a Certificate, an approved development may not be eligible to receive building permits until it passes the school capacity test again.

School Capacity Adequacy Test

An approved development **passes** the school capacity adequacy test and the Committee must issue a Certificate for an approved development if:

- the school districts serving the development are not currently overcrowded and are not projected to be overcrowded at any point during the upcoming three years, (taking into consideration the projected enrollment yield associated with all vested and unvested developments with active Certificates); and
- the issuance of the proposed building permits would not result in any such school district becoming overcrowded during the current school year or during the upcoming three years.

An approved development **fails** the school capacity adequacy test and the Committee cannot issue a Certificate for the approved development if:

- the school districts serving the approved development are currently overcrowded and are projected to be overcrowded at any point during the upcoming three years, (taking into consideration the projected enrollment yield associated with all vested and unvested developments with Certificates); or
- the issuance of the proposed building permits would result in any such school district becoming overcrowded during the current school year or during the upcoming three years.

Mitigation Opportunities

The Committee may endorse requests from an approved development to mitigate overcrowding through construction of additional capacity or through redistricting to zone students yielded by the development to nearby schools that are not overcrowded. Upon endorsement of such a request, the Committee will forward its rationale to the School Board for consideration.

If the School Board enters into an agreement for such construction or approves such a redistricting, the Committee shall issue a Certificate for the approved development, effective as

of the date of the School Board action. Put simply, the Committee may only issue a Certificate after the School Board completes a redistricting process or contracts with the developer to build a school facility.

Last, if a developer constructs additional capacity, upon providing an accounting to the Director of the Department of Permits, Approvals and Inspections (PAI) for the costs associated with such construction, the County shall reduce the impact fee assessed to the developer.

Certificate Waiting List

If an approved development fails the school capacity adequacy test and is not issued a Certificate, the approved development is placed at the bottom of a waiting list queue for future consideration of a Certificate. Nonetheless, an approved development that does not pass the school capacity adequacy test must be issued a Certificate after five years on the waiting list queue.

Committee Review

At each of its meetings, the Committee must review newly received data, as well as existing waiting lists for Certificates to determine if any wait-listed approved developments are eligible to receive a Certificate based on newly received data and waiting list placements, or if the time elapsed since an approved development was placed on a waiting list reaches or exceeds five years.

Bill 31-24 requires that “on or before June 30, 2025 and each year thereafter, the Committee shall recommend to the County Council data-driven enrollment yield factors tied to square footage of living space and uniformly applicable to developments throughout the County” and to utilize such recommended yield factors in its analysis of the impact of approved developments.

In general, a pupil yield factor is an estimate of how many students are likely to live in a new development; that is, how many students will live in a given property that is still in the planning or development stage? This is critical to evaluating the impact of a new development on school capacity. The bill requires the Committee to use a “county-wide averages of square footage” model rather than the current “location-and-housing-type” model. A number of other jurisdictions, including Anne Arundel, Harford, Howard, Montgomery, and Prince George’s counties, use the location-and-housing-type model currently used by BCPS. The APFO Task Force recommended the “square footage” model as a more conservative approach to determining pupil yield that would utilize publicly available data and be uniformly applicable to developments throughout the County.

The Committee must also issue an annual report to the County Executive and the County Council outlining its activities related to school overcrowding and development for the school year just ended by July 31 of each year.

Other Committee Duties

In addition to issuing Certificates, the Committee will be responsible for:

- reviewing and evaluating information related to public school capacities, public school enrollments, public school facilities, and growth trends including the specialized needs of individual communities;
- assessing whether the process of requesting adjustments to State-Rated Capacity is sufficient to accommodate the varied needs of magnet and other specialized programs;
- recommending potential educational options, redistricting, and programming changes that the County and Board of Education could consider to alleviate school overcrowding; and
- collecting, analyzing, and disseminating other information as necessary to inform the public about the County's overcrowding determinations, and efforts to alleviate and prevent school overcrowding.

School System Reporting

Bill 31-24 requires the "Department of Education" to provide several annual reports to the Committee, which provide information on public school enrollments and student interest in and need for specialized programs, including:

- an annual report for each receiving school, showing the total number of students enrolled, by home school, for each grade level;
- an annual report for each receiving school, showing the total number of special permission transfer students enrolled, by special permission status, including magnet, medical, and childcare, for each grade level;
- an annual report for each program, including but not limited to ESL, SLS, CTE programs, magnet programs, virtual school, home and hospital, showing the total number of students enrolled in each program, and for programs requiring application, the total number of applications to each program, by home school and receiving school, for each grade level;
- an annual report for each residential development approved in the past ten years, for which use and occupancy permits have been issued, showing the total enrollments yielded by home school and receiving school, for each grade level; and
- timely utilization impact analyses disclosing the enrollment effects of proposed and adopted program changes projected to affect a school's enrollment by more than 1%.

In addition to these reports, Bill 31-24 requires the Department of Education to annually disclose detail on specific assumptions underlying each school enrollment projection and self-audit prior enrollment projections to explain deviations of more than 1% at the school level.

Finally, Bill 31-24 requires the Departments of Planning and PAI to update their respective regulations within 180 days following the date of enactment, consistent with the changes to the County's APFO.

Bill 31-24 will take effect 45 days after its enactment.

Mr. Patoka

Zoning Regs. – R.A.E. 1 Zone – Location Requirement Relative to Business Zones

Bill 32-24 expands a relative location requirement for the Residential, Apartment, Elevator (R.A.E.) 1 Zone. Under current law, the R.A.E. 1 Zone must be entirely located within 1,000 feet of a C.C.C. District or within a town center, as defined in Section 101 of the Zoning Regulations. Generally, the term “town center” is obsolete and has been replaced by overlay districts. Specifically, the Commercial, Town-Center Core (C.T.) and Downtown Towson (D.T.) overlay districts now represent town centers.

Bill 32-24 expands this relative location requirement of the R.A.E. 1 Zone to be either within a town center or inside the URDL and within 2,640 feet of a Business Zone, including only the Business Local (B.L.), Business Roadside (B.R.), Business Major (B.M.), Community Business (C.B.), or Business Local Restricted (B.L.R.) zones, that abuts a state highway.

With the affirmative vote of five members of the County Council, Bill 32-24 will take effect 14 days after its enactment.

Mr. Marks, Crandell, Kach, Ertel & Patoka

**County Charter – Baltimore County Planning Board –
Confirmation of Appointees by County Council**

Bill 33-24 amends the Baltimore County Charter section related to appointments to the Baltimore County Planning Board.

Currently, Charter Section 522 states that the Planning Board shall consist of 15 members serving three-year terms with no term limits. Those terms are staggered so that only five terms expire in a given year. Eight of the 15 members are direct appointments made by the County Executive. Seven of the 15 members are appointments of the County Council, with each Councilmember directly appointing one member that must be a resident of the Councilmember’s district. The Chair and Vice Chair are appointed by the County Executive and confirmed by the County Council.

Bill 33-24 would add a requirement that all appointments to the Planning Board be subject to confirmation by the County Council. This would apply to both Executive and Council appointments. A similar appointment and Council confirmation process is utilized for the County Board of Appeals, the Baltimore County Fair Election Fund Commission, and the County Police Accountability Board.

Last, Bill 33-24 updates gendered terms such as “Councilman” or “Chairman” to be gender-neutral.

As a potential amendment to the County Charter, Bill 33-24 requires the affirmative vote of five members of the County Council, which shall be exempt from Executive veto. If passed by the voters on November 5, 2024, the amendment shall stand adopted and become a part of the Charter from and after the thirtieth day following said election.

Councilmembers Crandell & Ertel

Loitering on or About Commercial Premises

Bill 34-24 prohibits a person from loitering within 50 feet of a commercial premises during ordinary business hours and establishes an effective period for a warning from a police officer.

Loitering is defined as idling, standing, remaining, or tarrying, alone or as part of a group of individuals, on a commercial premises without conducting any lawful business with the owner or operator of the commercial premises. This includes remaining on a commercial premises for an unreasonable amount of time after conducting lawful business with the owner or operator.

Currently, a person may not “loiter on or about a commercial premises during ordinary business hours if the owner, operator, or authorized agent of the commercial premises has requested the person to leave the commercial premises and a police officer has directed the person to leave the commercial premises.” While this prohibition clearly prohibits loitering “on” commercial premises, the boundaries of loitering “about” a commercial premises are not well defined. This prohibition also does not state how long a directive from a police officer to leave is effective.

To address these issues, Bill 34-24 replaces the use of “about” with a boundary of “within 50 feet” of a commercial premises. The bill also states that a police officer’s directive to leave the commercial premises shall be in effect for 48 hours.

With the affirmative vote of five members of the County Council, Bill 34-24 will take effect 14 days after its enactment.

Mr. Crandell

Parking – Obstruction of Alleys and Streets

Bill 35-24 amends the definition of “private property used by the public in general” and prohibits a person from stopping or parking on such property.

Currently “private property used by the public in general” means a parking lot of a shopping center, condominium building, apartment building or development, or townhouse development where official county parking signs or fire hydrants have been situated. Bill 35-24 amends this definition to include a private alley or driveway that is regularly used for trash pick-up, emergency services, or other public health, safety, or welfare vehicular uses.

Under the County’s current parking laws, a person may not stop, park, or leave standing a vehicle on any road or alley in a manner that prevents free passage of vehicles or the movement of a lawfully parked vehicle to or from a driveway or parking area. Bill 35-24 states that, in addition to applying to any road or alley, this parking prohibition applies to private property used by the public in general.

Last, Bill 35-24 clarifies that the owner of a vehicle that is towed for violating this parking prohibition shall pay all fees associated with the towing, including storage, towing, or winching fees.

With the affirmative vote of five members of the County Council, Bill 35-24 will take effect 14 days after its enactment.

Bill 36-24 (Supplemental Appropriation)

Council District(s) All

Mr. Patoka (By Req.)

Fire Department

The 2023-2024 CEB – 001-A0161604 – CC160400

The Administration is requesting a supplemental appropriation of Unassigned General Fund Balance (Surplus) funds totaling \$1.8 million to the Field Operations program to provide for higher-than-anticipated callback and overtime expenses due to higher-than-anticipated turnover. See Exhibit A.

Fiscal Summary

Program	Supplemental Appropriation	Current Appropriation	Total Appropriation
Field Operations	\$ 1,800,000 ⁽¹⁾	\$ 106,007,966	\$ 107,807,966 ⁽²⁾

⁽¹⁾ Unassigned General Fund Balance (Surplus).

⁽²⁾ FM-2 on the Council’s June 3, 2024 legislative agenda is a budget appropriation transfer (BAT) of \$5,835,000 to the Department’s Field Operations program for higher-than-anticipated callback expenses. Should the Council approve the proposed BAT in addition to the proposed supplemental appropriation, the Field Operations program appropriation will increase to \$113,642,966.

Analysis

This proposed bill appropriates \$1.8 million from Surplus to the Field Operations program. The Department advised that the supplemental appropriation is necessary to provide for higher-than-anticipated callback and overtime expenses necessary to maintain minimum staffing levels due to higher-than-anticipated vacancies

As of June 30, 2023, the County’s budgetary Surplus totaled \$431.6 million. In addition, the County maintains a separate Revenue Stabilization Reserve Account (“Rainy Day Fund”) which totaled \$249.6 million as of June 30, 2023. The expected Surplus balance and Rainy Day

amounts together total \$681.2 million, less the amount of the proposed General Fund supplemental appropriation, and the net effect of any unrealized FY 2024 revenues and unexpended FY 2024 appropriations.

This proposed supplemental appropriation will affect ongoing spending subject to the Spending Affordability Committee's FY 2024 guideline; following approval of this agenda item, the FY 2024 budget will be approximately \$2.5 million under the guideline. (FM-2 and FM-4 on the June 3, 2024 agenda will also affect ongoing spending subject to the guideline; following the approval of all three agenda items, the FY 2024 budget will be approximately \$39,078 under the guideline.)

FM-2 on the Council's June 3, 2024 legislative agenda is a budget appropriation transfer (BAT) of \$5,835,000 to the Department's Field Operations program for higher-than-anticipated callback expenses. Should the Council approve the proposed BAT, in addition to the proposed supplemental appropriation, the Field Operations program appropriation will increase to \$113,642,966.

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

With the affirmative vote of five members of the County Council, Bill 36-24 will take effect June 17, 2024.

EXECUTIVE SUMMARY

SUPP-FIR-2024-1311

Fire

Supplemental Appropriation

The Fire Department is requesting a supplemental appropriation in the amount of \$1,800,000 to cover higher than anticipated callback and overtime expense due to higher than anticipated vacancies, which incurs callbacks and overtime costs in order to maintain minimum staffing levels.

These funds are necessary to cover higher than anticipated callback expenses.

During FY24, the Department has experienced a high number of vacancies which required increased callback to ensure necessary station coverage. Baltimore County Surplus funds are available to cover these expenses.

Prepared by: Fire Department

Bill 37-24

Council District(s) All

Mr. Patoka (By Req.)

Executive Office

**Community Reinvestment and Repair Commission and
Community Reinvestment and Repair Special Revenue Fund**

Bill 37-24 establishes the Baltimore County Community Reinvestment and Repair Commission (the “Commission”) and the Community Reinvestment and Repair Special Revenue Fund (the “Fund”). The purpose of the Fund is to receive money generated by the sale of cannabis in the State of Maryland and disbursed to the County from the Maryland Community Reinvestment and Repair Fund (the “State Fund”). State law requires a County may only receive such disbursements if the County establishes a local fund to receive the disbursements and a local commission to recommend uses for the money in the local fund. See Exhibit A.

The State Fund is intended to support initiatives that benefit low-income communities and communities that have been disproportionately impacted by the enforcement of cannabis prohibition. The amount provided to each jurisdiction by the State is based on the total number of cannabis possession charges in that jurisdiction – between July 1, 2002 and January 1, 2023 – compared to the total number of cannabis possession charges in the State.

Commission Membership

The Commission will consist of 9 voting members appointed by the County Executive to serve terms of 3 years. Voting Commission members must have experience in relevant categories, such as: workforce or economic development; reentry services; health, including public health; education; justice, equity, and diversity; housing and homelessness services; community organization; and social work.

In addition to the voting members, the Commission shall include one representative of each of the following as non-voting ex officio members:

- Baltimore County Department of Economic and Workforce Development;
- Baltimore County Department of Housing and Community Development;
- Baltimore County Department of Health and Human Services;
- Baltimore County Board of Education;
- Community College of Baltimore County; and
- The Division of Diversity, Equity, and Inclusion within the Baltimore County Office of Human Resources.

Commission Procedure

The Commission may adopt a set of rules to govern its meetings and procedures. Commission members shall annually elect a chairperson to serve in that capacity for a one-year term. The Commission shall meet at the call of the chairperson as frequently as required to perform its duties, but no less than 4 times per year. A majority of the voting members of the Commission shall constitute a quorum for the transaction of business. An affirmative vote by a majority of the voting members present at a meeting where a quorum exists is sufficient for an official action of the Commission.

Annual Commission Recommendations

The Commission must hold at least one public input meeting each year, prior to making its recommendations. By March 1 of each year, the Commission must deliver its recommendations on the use of money in the Fund to the County Executive and County Administrative Officer. The recommendations also must be posted on the County's website. The recommendations will be advisory in nature and not binding.

Bi-Annual Commission Report

Additionally, the Commission will create and publish a report required by State law detailing how monies in the Fund were spent during the immediately preceding 2 fiscal years. The report shall be distributed to the County Executive, County Administrative Officer, the County Council, the Governor, and relevant Maryland General Assembly Committees.

The Fund

All funds distributed to the County from the State Fund pursuant to the Annotated Code of Maryland, Alcoholic Beverages and Cannabis Article, § 1-322 shall be paid into the Fund. As required under State law, the Fund may only be used for:

- funding community-based initiatives intended to benefit low-income communities;
- funding community-based initiatives that serve disproportionately impacted areas, as defined in the Annotated Code of Maryland, Alcoholic Beverages and Cannabis article, § 36-101; and
- any related administrative expenses.

The Fund may not be used to fund any law enforcement agencies or activities, and money expended from the Fund is supplemental to and may not supplant funding that otherwise would be appropriated for pre-existing County programs.

The proposed FY 2025 budget includes an Office of Budget and Finance Gifts and Grants Fund appropriation of \$9,873,181 for the Fund.

Bill 37-24 will take effect 45 days after its enactment.

Executive Summary

This legislation establishes the Baltimore County Community Reinvestment and Repair Commission, which will make recommendations for the use of funds in the Community Reinvestment and Repair Special Revenue fund generated by the sale of cannabis in the State of Maryland.

The establishment of this commission is required to receive the CRRF funds distributed by the State. The State fund is intended to support initiatives that benefit low-income communities and communities that have been disproportionately impacted by the enforcement of cannabis prohibition. The amount provided to each jurisdiction by the State is based on the total number of cannabis possession charges in that jurisdiction – between July 1, 2002 and January 1, 2023 – compared to the total number of cannabis possession charges in the State.

The recommendations made by the commission will be advisory in nature and not binding. The Commission will consist of 9 voting members appointed by the County Executive. Commission members will have experience in relevant categories and will hold at least one public input meeting each year, prior to making recommendation to the County Executive. Additionally, the Commission will create and publish a report required by State law detailing how CRRF funds were spent during the immediately preceding 2 fiscal years distributed to the County Executive, County Administrative Officer, the County Council, the Governor, and relevant Maryland General Assembly Committees.

Prepared by: Executive Office

Mr. Patoka

Comprehensive Zoning Map Process (CZMP) – Withdrawal of Issues

Bill 38-24 permits a Councilmember to withdraw certain Comprehensive Zoning Map Process (CZMP) issues under specific criteria.

Under current law, there are three periods in which a CZMP issue may be filed. The first period, which runs from September 1 through October 15, permits any member of the public or the Planning Director to file a CZMP issue. During the second period, which lasts from October 1 through October 31, only members of the Planning Board or the Planning Director may file CZMP issues. Finally, in the third period, which runs from November 1 through November 30, only members of the County Council may file CZMP issues. The current law states that a CZMP issue may not be withdrawn or modified after it is accepted for filing.

Bill 38-24 permits a member of the County Council to withdraw all, or any portion of, a CZMP issue that was filed by either the Councilmember who is withdrawing the issue or the Planning Board member who is appointed for the same district as the Councilmember who is withdrawing the issue. The withdrawal must occur no later than 5:00 p.m. on the third full weekday after enactment of this Act.

With the affirmative vote of five members of the County Council, Bill 38-24 will take effect 14 days after its enactment.

Councilmembers Kach and Marks

Zoning Regulations – Elderly and Senior Housing Overlay District

Bill 39-24 establishes an Elderly and Senior Housing (E.S.H.) Overlay District and amends the definitions of “Housing for the Elderly” and “Senior Housing Facility”.

Purpose

The purpose of the E.S.H. district is to provide suitable sites for housing opportunities for elderly and senior persons within certain areas of the County, while encouraging a more creative approach in the development of land for housing for the elderly and seniors, a thoughtful perspective to open space that recognizes the unique needs of the elderly and seniors, a variety in the physical development patterns of such housing, and the overall creation of an independent, self-reliant, and pleasant living experience for elderly and senior persons.

Application of the E.S.H. District

The E.S.H. district may be applied to any property or portion of a property in which single-family or multi-family residential uses are permitted in the underlying zone, regardless of whether it is also assigned another district. A property or portion of a property assigned the E.S.H. district shall be permitted 55 or older age-restricted dwelling units only, which may include: multi-family housing, including apartments and assisted living facilities, or single-family attached, duplex, group homes, and alternative site design dwellings.

Occupancy Restrictions for Dwellings in the E.S.H. District

The occupancy of dwelling units in the E.S.H. district is restricted to households with at least one occupant who is 55 years of age or older; provided that in the event of the death or departure by reason of incapacity of the occupant who is 55 years of age or older, the surviving spouse or domestic partner who is at least 40 years old of such occupant may continue to live in the dwelling unit for up to 5 years from the date of the death or departure.

No person under the age of 55 years old is permitted to occupy a dwelling unit unless such person is necessary to provide a reasonable accommodation to a handicapped resident or is a handicapped dependent of the resident. No guests, including children and grandchildren of the occupants, shall reside in a dwelling unit for more than a total of 45 days per calendar year.

Building Requirements

A property or portion of a property assigned the E.S.H. district shall consist of a minimum of 5 acres. All property within the district must comply with the requirements of the "55 or older" housing exemption under the Housing for Older Persons Act of 1995, § 807(b)(2)(c) of the Fair Housing Act (42 U.S.C. 3607(b)(2)(c)), and § 20-704(c)(1)(i) of the State Government Article of the Maryland Annotated Code, as may be amended from time to time. In addition, a building in the E.S.H. district must comply with all bulk, height, area, performance standards, signage, parking, and open space regulations for the underlying zone.

Community and recreational buildings and accessory buildings are permitted as accessory to the principal elderly and senior housing use, if included in an approved development plan wherein it has been deemed that the structures are beneficial to the purpose of serving and complementing the development.

Last, the E.S.H. district shall not apply to non-residential uses and shall not prohibit permitted non-residential uses in the underlying zone or another assigned district.

Modification of Existing Elderly or Senior Housing Definitions

Under the current definitions set forth in the Zoning Regulations, "Housing for the Elderly" and "Senior Housing Facility" are age-restricted for persons 60 years of age or older or to couples where either spouse is 60 years of age or older. Bill 39-24 amends this age restriction to 55 to maintain consistency with the E.S.H. district. In addition, the definitions are updated to reflect other requirements in the E.S.H. district.

With the affirmative vote of five members of the County Council, Bill 39-24 will take effect 14 days after its enactment.

Bill 40-24**Council District(s) All**

Mr. Kach

Employees' Retirement System – County Council Members

Bill 40-24 amends the calculation process for retired members of the County Council.

Under current law, a Councilmember's annual retirement allowance is calculated by: (1) multiplying the member's average final compensation by the number of years of the member's service (i.e., years as a member of the County Council); and (2) dividing that result by 20. However, no member may receive an annual retirement allowance in excess of 60% of the member's average final compensation after 12 years of service, and no member may receive a retirement allowance in excess of 70% of the member's average final compensation after 16 or more years of service.

Under § 5-1-215(a)(1) of the County Code, the "average final compensation" for elected officials means the average earnable compensation of such person during the 12 consecutive full calendar months of service affording the highest average, or if the person has had less than 12 months of service, then the member's annual earnable compensation projected over 12 months.

Bill 40-24 modifies this definition to state that if the compensation paid to current members of the County Council is changed in accordance with § 2-1-102 of the Code, any former member who receives a retirement allowance shall within 30 days of the change have their retirement allowance recalculated as follows:

(1) for a former member of the County Council who was a Chair during their tenure, the member's service retirement benefit shall be recalculated based on the change in compensation paid to the Chair of the County Council; and

(2) for a former member of the County Council who was not a Chair during their tenure, the member's service retirement benefit shall be recalculated based on the change in compensation paid to a member of the County Council.

Last, Bill 40-24 states that a member who receives a retirement allowance or a recalculation of their benefit under this subsection shall not be eligible for any cost-of-living adjustments to their retirement allowance.

Bill 40-24 will take effect 45 days after its enactment.

Department of Environmental Protection & Sustainability

Planning and Design Services – Support Adoption of Electric Vehicles – Effective Charging Infrastructure

The Administration is requesting approval of a contract between the Maryland Clean Energy Center (MCEC) and Siemens Industry, Inc. to conduct an assessment of the County’s electric vehicle infrastructure. MCEC is a corporate instrumentality of the State whose mission is to advance clean energy and energy efficiency products, services, and technologies as part of a specific economic development strategy. The Department advised that it is beneficial for MCEC to procure the contract because MCEC will provide project management services and legal protection (e.g., contract was developed with State oversight, and MCEC would be responsible for curing any default). The contract commences upon Council approval and continues until the agreed upon services are completed, but no later than December 31, 2024. The contract provides that compensation may not exceed \$145,835, and that the County will provide the funding to MCEC, which will then compensate Siemens Industry, Inc. See Exhibit A.

Fiscal Summary

Funding Source	Maximum Compensation
County ⁽¹⁾	\$ 145,835
State	--
Federal	--
Other	--
Total	\$ 145,835

⁽¹⁾ Capital Projects Fund. The contract provides that the County will provide the funding to MCEC, which will then compensate Siemens Industry, Inc.

Analysis

The Department advised that the County will convert at least 10% of its government passenger fleet to electric vehicles and install charging infrastructure to support the fleet by 2030.

The Department advised that Siemens Industry, Inc. will conduct a five-phase assessment of the County's electric vehicle infrastructure, as follows:

- Phase 1 – Project Kickoff (\$8,132) – The contractor will establish project foundations and direction, develop a plan and schedule, hold a kickoff meeting, and identify goals and objectives.
- Phase 2 – Current Ecosystem (\$16,423) – The contractor will identify and assess the County's current vehicle fleet (electric and non-electric) and charging infrastructure, existing policies and programs (e.g., procurement), and best practices.
- Phase 3 – Future Ecosystem (\$25,070) – The contractor will forecast the County's electric vehicle infrastructure, services, and program needs, including charging locations, vehicle conversions (i.e., identify fleet vehicle replacement alternatives and costs), electric grid impacts/charging demands, and potential necessary changes to County policies (e.g., zoning, parking, codes, permitting). The contractor will also develop a phased fleet electrification replacement plan in line with the County's FY 2024, FY 2025, FY 2026, and FY 2030 targets.
- Phase 4 – Costs and Ownership (\$23,753) – The contractor will identify electric vehicle, charging infrastructure, and electric utility upgrade costs and identify financing and ownership options (e.g., federal grants).
- Phase 5 – Strategy and Roadmap (\$18,174) – The contractor will develop an electric vehicle transition strategy and plan, including identifying charging hardware specifications, recommending operations and maintenance polices, and identifying an emissions calculator.

Other costs include project management (\$11,457), an M/WBE fee (\$41,625), and travel (\$1,200). Hourly rates range from \$191 to \$345, depending on the staff.

The contract commences upon Council approval and continues until the agreed upon services are completed, but no later than December 31, 2024. The contract provides that compensation may not exceed \$145,835, and that MCEC will pay the contractor directly from funds provided by the County. MCEC may terminate the agreement.

The Department advised that MCEC issued a Request for Proposals and the County and MCEC awarded the contract based on qualifications and experience from eight proposals received. According to the procurement documents, there is a 30% M/WBE participation requirement.

The County's financial system indicates that as of April 27, 2024, the County currently has two other contracts with Siemens Industry, Inc.

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

Executive Summary: Proposed Procurement Contract between Maryland Clean Energy Center and Siemens Industry, Inc. for Client Services to Baltimore County for Electric Vehicle Infrastructure Assessment

On September 7, 2023, Maryland Clean Energy Center “MCEC” released a Request for Proposals for an Electric Vehicle Infrastructure Assessment for Baltimore County, and MCEC and the County selected Siemens Industry, Inc for a contract award based on technical qualifications and competitive price proposal.

MCEC shall purchase the contractor’s services, and the contractor shall provide planning and design services for Baltimore County to support the adoption of electric vehicles through effective charging infrastructure. Performance under this agreement commences on the date on which the Baltimore County Council approves this agreement, and continues until agreed upon services are completed, but in any case no later than December 31, 2024. Payments under any project documents will be made by MCEC to the contractor only from corresponding funds received by MCEC from the County for that purpose. A budget allocation has been made from County funding to provide funds for the project.

The contract must be reviewed and approved by the Baltimore County Council and the County Administrative Officer.

Prepared by: Department of Environmental Protection and Sustainability

FM-2 (Contract)

Council District(s) 4

Office of Law – Real Estate Compliance Division

**8212 Liberty Road, 21244 –
New Randallstown Library and Recreation Center Facility**

The Administration is requesting approval of a contract to acquire approximately 7.187 acres of land zoned BL (Business Local – Small Scale Commercial) and BL-AS (Business Local – Automotive Service) for \$10,000,000. Threadneedle Baltimore LP, Threadneedle Baltimore II LP, and Liberty Road Holdings LP (“the sellers”) currently own the property, which is located at 8212 Liberty Road in Windsor Mill. The Office advised that upon acquisition of the parcel, the County will begin a subdivision process, through which the County ultimately will retain a 5.772-acre parcel for a new Randallstown Library and Recreation Center and convey two parcels (0.762 and 0.653 acre) back to the sellers for no consideration. During this subdivision process, the County will ground lease the two parcels to the sellers for \$1 per year per parcel; the ground leases provide for an initial 5-year term with 19 automatic 5-year renewals. See Exhibit A.

Fiscal Summary

Funding Source	Purchase Price	Notes
County ⁽¹⁾	\$ 10,000,000	⁽¹⁾ Capital Projects Fund.
State	--	
Federal	--	
Other	--	
Total	<u>\$ 10,000,000</u>	

Analysis

The Office advised that after the County acquires the 7.187-acre property, the process of subdividing the property into three tracts will begin. The Office further advised that the County will retain a 5.772-acre parcel improved with a vacant 90,450 sq. ft. building (most recently

occupied by Shoppers Food Warehouse and Ollie's Bargain Outlet). The County will ground lease Parcels A and B, consisting of 0.762 acre and 0.653 acre, respectively, to the sellers (\$1 per year per parcel; initial 5-year term with 19 automatic 5-year renewals) during the subdivision process and convey the parcels to the sellers for no consideration upon completion of the process. (Sonic restaurant occupies one of the two parcels.) The Office advised that the subdivision process should conclude within a few months.

The 5.772-acre parcel to be retained by the County will be used for a new Randallstown Library (50,000 sq. ft.) and Recreation Center (30,000 sq. ft.). The Office advised that the Library spaces will include public meeting rooms, study rooms, and technology; recreation use will include an open gymnasium area with a versatile flooring system and an indoor walking track. The Office further advised that the County will receive over \$31 million in State grant funding to be utilized toward the project.

The County's appraisal consultant, Associated Appraisers, LLC, completed an appraisal of the property (less the parcel with the Sonic restaurant) effective May 31, 2023, recommending a value of \$5,270,000. The seller's appraisal consultant, Newmark Valuation & Advisory, completed an appraisal of the entire property effective December 8, 2023, recommending a value of \$11,700,000. The Office advised that following negotiations, the County and the property owner accepted a negotiated price of \$10,000,000.

The Office advised that this is the only acquisition needed for this project. The Office further advised that construction is expected to begin in fall 2026 and be completed in spring 2028; construction costs are estimated to total \$31,525,000.

The FY 2024 Capital Budget included \$3.0 million in State funding for this project, along with \$550,000 that was previously authorized. The proposed FY 2025 Capital Budget reappropriates the previously appropriated amounts and includes an additional \$27,975,000 in State funding for this project, bringing the total project budget to \$31,525,000. The Administration advised that as of May 3, 2024, approximately \$4,748 had been expended/encumbered for this project, excluding the amount for this acquisition.

County Charter, Section 715, requires Council approval of real property acquisitions where the purchase price exceeds \$5,000. County Code, Section 3-9-110, permits the County to lease County-owned property.

Executive Summary

PROGRAM TITLE: New Randallstown Library and Recreation Center
PROJECT NO.: 210P604
FISCAL MATTER: Contract of Sale
PROPERTY OWNERS: Threadneedle Baltimore LP
Threadneedle Baltimore II LP
Liberty Road Holdings LP
LOCATION: 8212 Liberty Rd.
Baltimore, MD 21244
CONSIDERATION: \$10,000,000.00

PURPOSE OF PROJECT:

The purpose of the New Randallstown Library and Recreation Center is to deliver a shared 21st-century facility that supports the surrounding community with dedicated spaces for both the Baltimore County Public Library and the Baltimore County Department of Recreation and Parks. The nearly 5.8 acre sale property to be retained at 8212 Liberty Road holds an over 90,000 SF building that has been vacant for several years.

A new shared facility at this site would include 50,000 SF for Library purposes and over 30,000 SF for Recreation and Park purposes. Library spaces will serve residents of all ages, and include public meeting rooms, study rooms, technology and collaborative spaces. Recreation use will include an open gymnasium area with a versatile flooring system that will allow for a variety of recreational activities, potentially including pickle ball, basketball, volleyball, futsal and indoor soccer.

This project will fill a critical need in this area. The existing 2-floor Randallstown Library was constructed nearly 60 years ago (1967) and is below 30,000 SF, failing to meet the Maryland library facilities standard of one square foot of library space per capita. The current Randallstown branch location usage has grown post-COVID, serving a population of over 49,000 residents, serving over 100,000 visitors last year and having the highest number of computer users per square foot of all BCPL facilities. The branch serves an area of Baltimore County that ranks as “high” on the CDC/ATSDR Social Vulnerability Index.

Providing safe, conveniently located, and easily accessible recreational opportunities is a key factor in serving and enhancing communities. The addition of an indoor recreation facility at this location will advance the County’s Diversity, Equity and Inclusion (DEI) objectives by serving six census tracts with Social Vulnerability Indexes (based on the Baltimore Metropolitan Council’s data model) of 6 or higher, including the two highest scoring in the entire County (ratings of 8). Plans to install a perimeter walking track inside the facility would help address an area that received the lowest rating for “Availability of Safe Places to Walk” by the Regional Planning District Group. Last, the proposed indoor pickle ball courts would provide year round space for one of the fastest growing sports in the nation, and the 5th most demanded recreation facility type for BCRP.

The New Randallstown Library and Recreation Center has the potential to serve as an anchor facility for a priority corridor for Baltimore County. In November 2022, a plan to launch the Greater Randallstown Community Development Organization was launched due to the opportunities that Liberty Road has for broad community revitalization and redevelopment. The presence of a 21st century facility with designated community gathering space has the opportunity to serve as a catalyst for broad revitalization activity throughout the Liberty Road corridor.

From a fiscal perspective, County investment in acquiring this property leverages State funding at more than a 3:1 ratio. The County is acquiring the property for a \$10 million purchase price. Securing a designated property for the New Randallstown Library and Recreation Center allows the County to receive and begin making productive use of the over \$31 million in State funding provided for the acquisition, planning, design, construction, repair, renovation, site improvement and capital equipping of this project, including nearly \$28 million in the State's most recently passed budget.

Additionally, the transaction structure is designed to allow the County to secure the property in the quickest possible fashion so that planning efforts can begin on an expedited timeline. The County will initially acquire the entire 7.2 acre property at 8212 Liberty Road ("Sale Property"), which includes two pad sites (Parcel A and Parcel B). Parcel A and Parcel B will be subdivided from the Sale Property after the County closes on the site, and will be ground leased back to the Seller during the subdivision process. Following the completion of the subdivision process, Parcel A and Parcel B will be conveyed back to the Seller.

In a typical County transaction, subdivision would occur prior to the County closing on the Sale Property. Due to the Seller's interest in a quick closing, and the County's interest in securing the site as quickly as possible to expedite the beginning of site work, a ground lease structure has been established to allow subdivision of Parcels A and B after the County closes on the Sale Property.

LIMITS OF PROJECT:

8212 Liberty Road
Baltimore, MD 21244

Prepared by: Office of Law – Real Estate Compliance Division

MB-2 (Res. 28-24)**Council District(s) All**

Mr. Patoka (By Req.)

Department of Public Works & Transportation

2023 Triennial Review - Baltimore County Water Supply & Sewerage Plan

Resolution 28-24 adopts the report of the 2023 Triennial Review of the Baltimore County Water Supply and Sewerage Plan. See Exhibits A and B.

Title 9, Subtitle 5 of the Environment Article of the Annotated Code of Maryland requires the County to adopt a comprehensive 10-year water supply and sewerage plan. State law also requires the County to review its plan every three years and submit a report of the review to the Maryland Department of the Environment (MDE).

The last separate (2020) triennial review report was approved by the County Council, following the recommendation of the Planning Board, in 2021 (Resolution 99-21).

The new Triennial Review was due for submission in 2023. The review includes updated population projections and reports on the status of the public water and sewer infrastructure and private on-site well and septic system issues, and demonstrates consistency with Master Plan 2030 and all applicable County and State requirements for water and sewer planning.

The Planning Board held a public hearing on the report on October 5, 2023 and voted at its regular meeting of October 19, 2023 to adopt the 2023 Triennial Review and recommend that it be forwarded to the County Council for further action.

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

Executive Summary

Title of Project:

2023 Triennial Review Baltimore County Water Supply & Sewerage Plan

Project Scope:

To adopt the report of the 2023 Triennial Review of the Baltimore County Water Supply and Sewerage Plan.

Purpose:

The Environmental Article of the Annotated Code of Maryland (Section 9-503) requires Baltimore County to adopt a Plan for the provision of adequate water supply and sewerage throughout the County that is consistent with the County comprehensive land use plan. This Plan is to be reviewed by the County governing body at least once every three years.

Maryland Department of the Environment gave tentative approval of the 2023 Triennial review on March 12, 2024.

A copy of the 2023 Triennial Review was originally submitted to the Maryland Department of the Environment by the PublicShare website on October 24, 2023. The revised 2023 Triennial Review (per MDE comments) was submitted to MDE on March 11, 2024.

The Baltimore County Planning Board held a public hearing on October 5, 2023 and voted to adopt the 2023 Triennial Review on October 20, 2023.

Term:

N/A

Contract Value:

N/A. This resolution creates no additional cost to the County.

Prepared by: Department of Public Works and Transportation


The Department advised that when comparing the 2020 Triennial Review to the 2023 Triennial Review, the following main items have been updated/revise


- Maps have been updated to reflect Cycle Amendments and population projections. Appendices remain unchanged.
- Chapter 1: No major revisions.
- Chapter 2: Round 10 Population Forecasts from the Department of Planning through 2050
 - Population Forecasts, Population Density, Land Use, Zoning, and Institutions (revised using Round 10 forecasts).
- Chapter 3: Water Plan Construction Projects
 - Current Construction Projects
 - Catonsville Pumping Station Renovation
 - Sparks Water Tower & Pumping Station Renovation
 - Falls Road 16" water main replacement
 - Recently Completed Construction Projects
 - Seven Courts Drive & Proctor Lane 12" water main replacement
 - St. Helena area 12" water main replacement
 - Johnnycake Road 12" water main replacement
 - Fullerton Reservoir
 - Future Budget Information (FY 2025-FY 2029)
 - Neighborhood Infrastructure = \$234,500,000
 - Major County Projects = \$84,160,000
 - Joint City-County Projects = \$252,382,000
 - Future Projects
 - Eleven planned projects to start construction from 2024 to 2028.
- Chapter 4: Sewerage Plan *Selected* Construction Projects
 - Current Construction Projects (21 Projects in total)
 - Glen Echo Interceptor Relief Sewer (Delmar Sewershed)
 - Gwynns Falls Montbel Relief Sewer (Gwynns Falls Sewershed)
 - Dundalk Sewershed Sewer Rehabilitation (Dundalk Sewershed)
 - Stemmers Run Pumping Station Electrical Upgrades (Stemmers Run Sewershed)
 - Herring Run Relief Sewer, Basins 17 & 13 (Herring Run Sewershed)
 - Recently Completed Construction Projects
 - Bauers Farm Road Health Project (Delmar Sewershed)
 - Brien Run & Orems Road Rehabilitation (Stemmers Run Sewershed)
 - Bengies and Bird River Structural Rehabilitation (Bengies Sewershed & Bird River Sewershed)
 - Cockeysville & Texas Structural Repairs (Cockeysville Sewershed & Texas Sewershed)
 - Dundalk Pumping Station Improvements (Dundalk Sewershed)
 - Cedar Branch North Fork Relief Sewer (Patapsco Sewershed)
 - Future Sewerage Plan
 - The Back River and Patapsco WWTP has the capacity to treat sewerage demand through 2025.
 - Budget Information
 - *Neighborhood Petition Infrastructure = \$7,500,000*
 - *Rehabilitation & Relief Projects = \$316,900,000*
 - *Joint City-County Projects = \$300,000,000*
 - There are 20 planned projects to start construction from 2024 to 2028.

Prepared by: Department of Public Works and Transportation

BALTIMORE COUNTY COUNCIL
NOTES TO THE AGENDA
APPENDIX A

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

TO: Administrative Officer  **DATE:** 4/17/24

FROM: Kevin D. Reed, Director 
Office of Budget & Finance **COUNCIL MEETING**
DATE: 5/23/24

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:

Award Document

SCON 10002289 Fluid Solutions, Inc.

This Supplier Contract provides for the purchase of HOMA Brand and Pump Parts through Fluid Solutions, Inc. As detailed in the Sole Source Justification signed by D'Andrea Walker, Fluid Solutions, Inc. is the sole supplier of HOMA Pumps and Pump Parts for the State of Maryland and seventeen HOMA pumps are currently in use at eight of Baltimore County's Sewage Pumping Stations. No other pump will fit in the existing infrastructure of those stations without re-engineering. No other parts will work in a HOMA pump besides parts produced by HOMA Pump Technology. If a replacement pump of the same model were not available, the Pumping Station would need extensive redesign for piping, controls, and electrical services. This would also require re-engineering of the pump system. While awaiting design and construction work, the pumping station would run at reduced capacity, increasing the potential for overflows during high flow times like storms or flooding. This is a health and safety hazard for the public as well as County employees, and incurs a fine from the State of Maryland per the Consent Decree.

5 Year Estimated Award Total: \$100,000.00
Award Date: 4/8/24

PO 10015011 Xylem Water Solutions USA, Inc.

This Purchase Order provides for the repair and FM Approved Explosion-Proof Recertification of the Flygt Pumps through Xylem Water Solutions USA, Inc. As detailed in the Sole Source Justification signed by D'Andrea Walker, Xylem Water Solutions USA Inc. is the sole manufacturer of Flygt Pumps and is the only vendor that can perform repair service and provide certification. The longer the pumps run without being repaired the higher the risk of pump failures causing leachate overflows that are a health and safety hazard to the public and Baltimore County employees.

Award Total: \$41,276.20
Award Date: 4/8/24

PO 10015551

UserTesting Technologies, Inc.

This Purchase Order provides for the annual software subscription of UserTesting Insight Core Premium Edition through UserTesting Technologies, Inc. As detailed in the 902f Justification signed by Mike Fried, the software is subscription-based, and provides user testing for County websites. Participants in these tests consist of a pool of volunteers, selected to mirror the demographics of Baltimore County constituents, who review the overall functionality of the County's websites and feasibility of those websites for our constituents. Use of this subscription allows for the identification and recruiting of test participants, streamlined data gathering/reporting and early identification and remediation of design defects for websites and applications across the development lifecycle.

Award Total: \$45,796.00

Award Date: 4/15/24

c: J. Benjamin Jr.,
T. Bostwick
L. Smelkinson