

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

*Issued: May 23, 2024
Reissued: May 28, 2024
Work Session: May 28, 2024
Legislative Day No. 11: June 3, 2024*

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



OFFICE OF THE COUNTY AUDITOR

BALTIMORE COUNTY COUNCIL

June 3, 2024

NOTES TO THE AGENDA

TABLE OF CONTENTS

	PAGE
LEGISLATIVE SESSION	
Witnesses	ii
 <u>BILLS – FINAL READING</u>	
Bill 31-24.....	1
Bill 36-24.....	9
Bill 37-24.....	12
Bill 38-24.....	16
Bill 39-24.....	17
Bill 40-24.....	19
 <u>BILLS – FOR FIRST CONSIDERATION</u>	
Bill 41-24.....	21
Bill 42-24.....	22
Bill 43-24.....	23
 <u>FISCAL MATTERS</u>	
FM-1	25
FM-2	29
FM-3	36
FM-4	39
FM-6	42
FM-7	46
FM-8	50
FM-9	54
FM-10	*58
FM-11	*58
FM-12	62
FM-13	65

* Note included in reissued package

TABLE OF CONTENTS (cont.)

MISCELLANEOUS BUSINESS

MB-2 (Res. 30-24)68
MB-3 (Res. 31-24)71
MB-4 (Res. 32-24)72
MB-5 (Res. 33-24)74

APPENDIX

Correspondence (1) (a).....76

AGENDA
BALTIMORE COUNTY COUNCIL
LEGISLATIVE SESSION 2024, LEGISLATIVE DAY NO. 11
June 3, 2024 6:00 P.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

JOANNE RUND, CHIEF, FIRE DEPARTMENT

- 9 Bill 36-24 – Mr. Patoka(By Req.) – The 2023-2024 CEB – 001-A0161604-CC160400

BRAD KRONER, LEGISLATIVE OFFICER, EXECUTIVE OFFICE

- 12 Bill 37-24 – Mr. Patoka(By Req.) – Community Reinvestment and Repair Commission: and Community Reinvestment and Repair Special Revenue Fund

COUNCIL

- 16 Bill 38-24 – Mr. Patoka – Comprehensive Zoning Map Process (CZMP) – Withdrawal of Issues
17 Bill 39-24 – Councilmembers Kach & Marks – Zoning Regulations – Elderly and Senior Housing Overlay District
19 Bill 40-24 – Mr. Kach – Employees’ Retirement System – County Council Members

BILLS FOR FIRST CONSIDERATION

COUNCIL

- 21 Bill 41-24 – Mr. Patoka – Zoning Regs. – Uses Permitted in the B.L.R. Zone – Animal Boarding Place – Class B, Commercial Kennel Veterinarian’s Office, Veterinarian, or Combinations Thereof
22 Bill 42-24 – Mr. Crandell – Zoning Regs. – Uses Permitted in the B.M. and B.R. Zones – Industrial Uses in the Back River Area
23 Bill 43-24 – Mr. Marks – Zoning Regs. – Eco Park Overlay District

APPROVAL OF FISCAL MATTERS/CONTRACTS

DEBRA SHINDLE, CHIEF, PROPERTY MANAGEMENT

- 25 1. Contract of Sale – The Harford Building, LLC – Sale of Perry Hall Mansion – 3930 Perry Hall Road, 21128 – PM

JOANNE RUND, CHIEF, FIRE DEPARTMENT

- 29 2. BAT – Fire Department

WALT PESTERFIELD, DIRECTOR, DEPARTMENT OF CORRECTIONS

- 36 3. BAT – Department of Corrections

KEVIN REED, DIRECTOR, OFFICE OF BUDGET & FINANCE

- 39 4. BAT – Office of Budget and Finance

APPROVAL OF FISCAL MATTERS/CONTRACTS (continued)

WHIT TANTLEFF, BALTIMORE COUNTY PUBLIC SCHOOLS

~~WITHDRAWN 5. BAT – Baltimore County Public Schools~~

LAWRENCE RICHARDSON, DEPUTY DIRECTOR, DEPARTMENT OF HEALTH & HUMAN SERVICES

42 6. Contract – Abilities Network, Inc. – Healthy Home Visiting Program – HHS

LAUREN BUCKLER, ACTING DIRECTOR, DEPARTMENT OF PUBLIC WORKS & TRANSPORTATION

46 7. BAT – Department of Public Works and Transportation

50 8. Contracts – (2) – Minor mowing/Environmental Site Feature Clearance (ESF) services – DPWT

54 9. Purchase Order – Itron, Inc. – Professional meter repair and inspection services – DPWT

SAMEER SIDH, DEPUTY COUNTY ADMINISTRATIVE OFFICER,

58 10. Amendment to Agreement – TR Development Corporation – Towson Row

58 11. Amendment to Contract – Towson Row Statutory Trust – Towson Row

BOB SMITH, DIRECTOR, DEPARTMENT OF RECREATION & PARKS

62 12. Contract of Sale – Norman Anderson and Catherine Staszak – Acquisition of parcel – Cuckold Point Road, 21219 – RP

JAMES BENJAMIN, COUNTY ATTORNEY, OFFICE OF LAW

65 13. Contract – Grant & Eisenhofer, P.A/ Bekman Marder Hopper Malarkey & Perlin – Legal representation – Francis Scott Key Bridge collision

MISCELLANEOUS BUSINESS

COUNCIL

76 1. Correspondence - (a) (1) - Non-Competitive Awards (April 29, 2024)

WHIT TANTLEFF, BALTIMORE COUNTY PUBLIC SCHOOLS

CHRIS HARTLOVE, BALTIMORE COUNTY PUBLIC SCHOOLS

68 2. Res. 30-24 – Mr. Patoka(By Req.) – Baltimore County Board of Education – Authorization for expenditure of non-local funds

COUNCIL

71 3. Res. 31-24 – Mr. Ertel – Properties in Design Review Area – Historic East Towson – Comprehensive Manual of Development Policies

72 4. Res. 32-24 – Mr. Ertel – Approval of Planned Unit Development - Loch Raven Overlook

74 5. Res. 33-24 – Mr. Marks - Reclassify county-owned land as public park land – Perry Hall and Carney areas

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 was extended at the legislative session on May 23, 2024. Proposed amendments have been posted to the bill by Councilmembers for consideration.

Bill 31-24 will take effect 45 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. See Exhibit A.

Fiscal Summary

<u>Program</u>	<u>Supplemental Appropriation</u>	<u>Current Appropriation</u>	<u>Total Appropriation</u>
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

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 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

Bill 38-24

Council District(s) All

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.

Bill 39-24

Council District(s) All

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.

The bill's sponsor will be offering an amendment to clarify that the legislation is prospective only – limiting its applicability to Councilmembers who retire on or after January 1, 2025. The actuarial impact of Bill 40-24, as amended, is yet to be determined.

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

Bill 41-24

Council District(s) All

Mr. Patoka

**Zoning Regs. – Uses Permitted in the B.L.R. Zone – Animal Boarding Place –
Class B, Commercial Kennel Veterinarian’s Office Veterinarian, or
Combinations Thereof**

Bill 41-24 adds a new by-right use to the Business Local Restricted (B.L.R.) Zone. Specifically, the bill would permit as a matter of right an Animal Boarding Place – Class B, Commercial Kennel, Veterinarian’s Office, Veterinarian, or combinations thereof that are located within a single building with direct vehicular access to an arterial street. However, such use must be part of a contiguous area of land zoned B.L.R. that is adjacent to a Business Local (B.L.) Zone. In addition, Section 421 of the Zoning Regulations regarding such uses shall not apply.

With the affirmative vote of five members of the County Council, Bill 41-24 will take effect 14 days from the date of its enactment.

Mr. Crandell

**Zoning Regs. – Uses Permitted in the B.M. and B.R. Zones –
Industrial Uses in the Back River Area**

Bill 42-24 permits certain industrial uses under certain conditions in the Business, Major (B.M.) and Business, Roadside (B.R.) Zones in certain locations in the Back River area. Specifically, the bill permits as of right all uses permitted under Sections 253.1.A and 253.1.B of the Zoning Regulations, except that grain processing is prohibited. In addition, a contractor’s equipment storage yard is permitted by right and a car wash is permitted by special exception. However, there are significant locational requirements for such uses to apply to a property.

The uses must be located on a development tract, which may include one or more lots under common ownership or control, which:

- is at least 30 acres in size;
- has either a Commercial, Town Center Core (C.T.) or Commercial, Community Core (C.C.C.) overlay district; and
- is located within:
 - the Chesapeake Enterprise Zone as of January 1, 2024; and
 - 4,000 feet of Back River Wastewater Treatment Plant, as measured from the plant’s external tract boundary.

With the affirmative vote of five members of the County Council, Bill 42-24 will take effect 14 days from the date of its enactment.

Bill 43-24

Council District(s) All

Mr. Marks

Zoning Regs. – Eco Park Overlay District

Bill 43-24 establishes an Eco Park (E.P.) Overlay District. The E.P. district may be applied to a tract, which may include one or more lots under common ownership, the majority of which must be located inside the URDL, for nonresidential uses which shall designate a minimum of 60% of the tract acreage as an Eco Park Green Restoration Area.

Bill 43-24 sets several special definitions for terms regarding the E.P. district. Specifically, “Eco Park” means the development of a tract, which may include one or more lots under common ownership, for nonresidential uses which shall designate a minimum of 60% of the tract acreage as an Eco Park Green Restoration Area. “Eco Park Green Restoration Area” means a delineated area, and includes the following restorative environmental features or green energy initiatives:

- Restorative environmental features, including: wetland mitigation banks; forest mitigation or forest conservation banks; forest conservation easements; forest mitigation easements; and conservation easements held by the Maryland Environmental Trust; the Land Preservation Trust; NeighborSpace of Baltimore County, or a similar entity.
- Green energy initiatives, including: eco park solar facilities; wind renewable energy facilities; energy storage devices, including battery storage; hydro-electric facilities; thermal biomass systems; and solar water heating systems.

The term “Eco Park Solar Facility” is also defined in the bill and means a ground-mounted and/or rooftop solar that includes a series of one or more solar collector panels or solar energy systems that are placed in an area on a tract of land for the purpose of generating photovoltaic power for commercial use and does not constitute a solar facility.

Nonresidential uses permitted in the E.P. District shall be those uses permitted in Sections 253.1, 253.2 (Manufacturing Light (M.L.)) by right and by special exception, respectively), 256.1, and 256.2 (Manufacturing Heavy (M.H.)) by right and by special exception, respectively) of the Zoning Regulations. Eco Park Green Restoration Area uses are permitted as a matter of right.

Eco Park uses in the E.P. District shall not be subject to any other bulk, height, area, shared yard space or other special regulations applicable to the underlying zoning classification or those contained in the Comprehensive Manual of Development Policies (“CMDP”). In addition, Eco Park uses shall not be subject to any special regulations relating to plans and permits, natural resources and scenic views applicable to the underlying zoning classification or those contained in the CMDP. As noted, an Eco Park shall designate a minimum of 60% of the tract acreage as an Eco Park Green Restoration Area.

The bill also sets forth green design standards, including the following:

- Any building in an Eco Park shall be designed to achieve green building standards equivalent to the silver standard of either the Leadership in Energy and Environmental Design (LEED) or the National Green Building Standard (NGBS).
- Any building in an Eco Park with a roof area of 100,000 square feet or greater shall be designed to incorporate rooftop solar on at least 50% of the roof area.
- The provisions of Article 4F of the Zoning Regulations (related to Solar Facilities) do not apply to an Eco Park Solar Facility.

As to density, Bill 43-24 states that the buildings in the tract outside of the designated Eco Park Green Restoration Area shall be limited to a maximum floor area ratio of .4. The minimum number of off-street parking spaces provided shall be one space per employee on the largest shift.

With the affirmative vote of five members of the County Council, Bill 43-24 will take effect 14 days from the date of its enactment.

FM-1 (Contract)

Council District(s) 5

Property Management

Sale of Perry Hall Mansion – 3930 Perry Hall Road, 21128

The Administration is requesting approval of a contract to sell the surplus 3.911 acre County-owned property known as the Perry Hall Mansion to The Harford Building, LLC for \$5,000. The property, which is located at 3930 Perry Hall Road in Perry Hall, is zoned DR-1 (Density Residential – 1 dwelling unit per acre). See Exhibit A.

Fiscal Summary

<u>Sale Price</u>	<u>Notes</u>
\$5,000	Revenue from sale of the property to The Harford Building, LLC.
<u>Grant Amount</u>	
\$250,000	County grant to The Harford Building, LLC for renovations to the property.

Analysis

Property Management advised that in 2001, the County purchased the Perry Hall Mansion, which was built in 1773, for \$335,000. In 2003, a Maryland Historical Trust (MHT) Easement was placed on the property, bringing a number of perpetual restrictions and requirements to the property. As a result of the MHT Easement, the County received a \$400,000 grant from the State to assist with the repairs necessary to stabilize the property. The County completed an exterior stabilization of the property as well as several other repairs and renovations between 2004 and 2010; however, Property Management advised that the property has never been utilized by any County department or agency and remains in need of extensive maintenance and repair before any type of use would be feasible. Property Management further advised that the options for County use are very limited because present-day permitting standards, particularly those related to ADA compliance, are not compatible with the MHT Easement requirements.

Property Management advised that it routinely inspects the mansion and has completed more than 100 building-related work orders over the last 10 years in an effort to continue to stabilize the structure. The Administration further advised that the County has declared the property surplus and has made multiple attempts to initiate the sale or leasing of the property through the RFP process; however, these efforts have not resulted in any proposals. The Administration also advised that it has determined that it is in the best interest of the County to convey the Perry Hall Mansion property to a party that will make the needed repairs in accordance with the MHT Easement and return the property to the tax rolls.

On September 5, 2023, the Council approved three agenda items related to the Perry Hall Mansion: a contract with Atlantic Auctions, Inc. to provide auctioneering services related to the property sale; a resolution authorizing the sale to the highest bidder; and a resolution approving a grant of \$250,000 to the future purchaser for use toward the costs of renovating the Mansion. Property Management advised that the County decided not to proceed with the auction after being contacted directly by The Harford Building, LLC.

Property Management advised that The Harford Building LLC submitted an offer of \$5,000 in consideration of the future financial investment the property requires, and the County accepted the \$5,000 purchase price. The contract provides that The Harford Building, LLC will rectify the property's failed septic system by entering into a Holding Tank Agreement with the County, obtaining a plumbing permit to install sewage holding tanks sized in accordance with regulation, and then connecting the property to public sewer when it becomes available, the cost of which will be amortized on the property tax bill over 40 years. The contract also states that The Harford Building, LLC's proposed use of the property is for a bed and breakfast facility with a small-scale event venue, which is required to be open to the public on certain occasions throughout the year. The contract is contingent upon The Harford Building, LLC obtaining zoning approval and/or variances for the intended use; Property Management advised that The Harford Building, LLC will begin this process after Council approval of the contract. The contract further states that the County agrees to provide The Harford Building, LLC with a grant of \$250,000 to be used for hard costs related to renovation of the property. The Harford Building, LLC must continue to comply with the terms and conditions of the MHT Easement. Finally, the County agrees to leave the currently positioned exterior fencing on the property for use by The Harford Building, LLC during the renovations.

County Code, Section 3-9-104(d), authorizes the County to convey property by public sale; Property Management advised that the County's prior attempts to sell/lease the property via the RFP process fulfill the public sale requirement. County Code, Section 3-9-105(d) requires Council approval of any public sale of property where the purchase price is below the appraised value of the property; Property Management advised that the property was not appraised in light of the major repairs to the building and large financial investment that are necessary.

Executive Summary

The Administration is currently requesting the approval of a \$5,000 contract with The Harford Building LLC for the sale of the Perry Hall Mansion.

The Perry Hall Mansion is currently owned by Baltimore County. Although the county has done some work to stabilize this home, it has never been utilized by any department and is in need of extensive maintenance and repair before any type of use could be considered. In addition, the opportunity for county use is very limited, if not unrealistic, since meeting current day permitting standards including ADA would be difficult with the current MHT requirements.

Perry Hall Mansion was acquired by the county in 2001 from Thomas W. Mele at a price of \$335,000. It is an old home that was built in 1773. A Maryland Historic Trust (MHT) Easement was placed on the property in 2003. The entire 3.9-acre site and its buildings are subject to the easement.

The MTE Easement placed a number of perpetual restrictions and requirements on the building and property. Among these are: requirements and improvements, renovations and major repairs to be reviewed and approved by MHT; the property be open to the public a minimum of 5 days per year; archeological resources be preserved and that any excavation greater than 12" be approved by MHT; that MHT may periodically inspect the property for compliance with the easement.

As a result of placing this easement on the property, the County received a \$400,000 grant from the state to assist in the stabilization of the property. The County completed an exterior stabilization of the mansion in 2004. In 2007 the County, through DPW, commissioned an Interior Restoration Feasibility Study. Following this study, the County installed a new HVAC and fire alarm system in 2009 with the approval of MHT. In 2010, the County completed renovations to the porch without prior approval from MHT for which it was cited by the State and which the County has since corrected. The Capital costs of all these projects was well over \$1 million.

To date (from 2013 to now), Property Management routinely inspects the facility and has completed over 100 building related work orders to continue to stabilize the structure. The site is currently not on public water or septic.

The property has a dirt lane off of Perry Hall Road that is used to access the site located in between the neighboring houses. There may be a possibility to bring the access to the house from another point of the property where it fronts Meeting House Road. There is no paved parking area. The 3.9-acre site is all grass and would be hard to accommodate significant parking.

In 2021, the Purchasing Department and Law attempted twice through the RFP process, to lease the site out for two years with an option to purchase. During the bidding process, some interest was expressed, but when the bid closed, no actual bids were received.

Prepared by: Property Management

FM-2 (Budget Appropriation Transfer)

Council District(s) All

Fire Department

BAT – Fire Department

The Administration is requesting approval of a General Fund budget appropriation transfer (BAT) totaling \$5,835,000 to the Fire Department’s Field Operations program utilizing funding from within the Department (\$785,000), 8 other Departments/Offices (\$3,850,000), as well as the Reserve for Contingencies program (\$1.2 million) (see below). The Department advised that the funds will be used to cover higher-than-anticipated callback expenses to ensure necessary station coverage. Bill 36-24 on the June 3, 2024 agenda is a supplemental appropriation of Unassigned General Fund Balance (Surplus) funds totaling \$1.8 million to the Fire Department’s Field Operations program to cover higher-than-anticipated callback and overtime expenses. See Exhibit A.

Fiscal Summary

Transfer From	Program	Current Appropriation	Transfer Amount	Adjusted Appropriation
011-1101	Office of Law – General Legal Services	\$ 6,536,497	\$ (500,000)	\$ 6,036,497
013-1301	Office of Human Resources – Personnel Administration	6,308,148	(500,000)	5,808,148
015-1501	Police Department – Office of the Chief	2,088,563	(250,000)	1,838,563

015-1504	Police Department – Vice/Narcotics Section	10,454,548	(100,000)	10,354,548
015-1506	Police Department – Operations Bureau	144,780,870	(400,000)	144,380,870 ⁽¹⁾
015-1508	Police Department – Community Resources Bureau	20,802,047	(100,000)	20,702,047
016-1602	Fire Department – Investigative Services	2,020,428	(295,000)	1,725,428
016-1603	Fire Department – Alarm and Communication System	772,069	(90,000)	682,069
016-1605	Fire Department – Office of Homeland Security/Emergency Mgmt.	682,324	(210,000)	472,324
016-1607	Fire Department – Fire/Rescue Academy	1,487,404	(190,000)	1,297,404
017-1701	Department of Permits, Approvals and Inspections – General Administration	2,247,624	(80,000)	2,167,624
017-1715	Department of Permits, Approvals and Inspections – Inspections & Enforcement	6,282,674	(90,000)	6,192,674

017-1716	Department of Permits, Approvals and Inspections – Permits & Licenses	1,044,616	(80,000)	964,616
030-3003	Department of Health – Center Based Services	3,765,117	(310,000)	3,455,117
030-3005	Department of Health – Environment Health Services	3,548,685	(250,000)	3,298,685
030-3013	Department of Health – Home Health Services	473,392	(50,000)	423,392
030-3014	Department of Health – Eval. & Long Term Care Case Mgmt.	3,289,713	(100,000)	3,189,713
030-3015	Department of Health – Community Medical Assistance	1,939,868	(35,000)	1,904,868
030-3016	Department of Health – Dental Health Services	981,776	(75,000)	906,776
031-3103	Department of Social Services – Welfare to Work	400,000	(100,000)	300,000
031-3111	Department of Social Services – Emergency Funds	800,179	(30,000)	770,179

031-3114	Department of Social Services – In-Home Care	376,228	(100,000)	276,228
031-3120	Department of Social Services – Family Investment Division	1,437,325	(100,000)	1,337,325
031-3121	Department of Social Services – Family Services	1,890,778	(100,000)	1,790,778
034-3403	Department of Aging – Senior Centers Network	2,791,169	(125,000)	2,666,169
034-3404	Department of Aging – Special Geriatric Services	213,533	(45,000)	168,533
034-3405	Department of Aging – Facilities	261,409	(55,000)	206,409
034-3408	Department of Aging – Program & Volunteer Services	419,231	(25,000)	394,231
042-4201	Department of Environmental Protection & Sustainability – Administration & Operations	7,519,451	(250,000)	7,269,451
047-4701	Reserve for Contingencies	2,500,000	<u>(1,200,000)</u>	1,300,000 ⁽²⁾
			<u>\$ (5,835,000)</u>	

**Transfer
To**

016-1604	Fire Department – Field Operations	\$ 106,007,966	\$ 5,835,000	\$ 111,842,966 ⁽³⁾
-----------------	------------------------------------	----------------	--------------	-------------------------------

- (1) FM-3 on the Council's June 3, 2024 legislative agenda is a BAT transferring \$988,000 from the Police Department– Operations Bureau program to the Department of Corrections. Should the Council also approve that BAT, the Police Department – Operations Bureau program appropriation would decrease to \$143,392,870.
- (2) FM-4 on the Council's June 3, 2024 legislative agenda is a BAT transferring \$1.3 million from the Reserve for Contingencies program to the Contributions – Social Security program. Should the Council also approve that BAT, the Reserve for Contingencies program appropriation would decrease to \$0.
- (3) Bill 36-24 on the Council's June 3, 2024 legislative agenda is a supplemental appropriation of Unassigned General Fund Balance (Surplus) funds totaling \$1.8 million to the Field Operations program. Should the Council also approve the proposed bill, the Field Operations program appropriation will increase to \$113,642,966.

Analysis

Source of Funds

The Department advised that funds totaling \$785,000 are available within various Fire Department programs due to turnover savings as well as savings in motor pool and utilities costs, \$3,850,000 within other Departments/Offices primarily due to higher-than-expected turnover savings, and \$1.2 million from the Reserve for Contingencies program. FM-4 on the Council's June 3, 2024 legislative agenda is a BAT transferring \$1.3 million from the Reserve for Contingencies program to the Contributions – Social Security program. Should the Council also approve that BAT, the Reserve for Contingencies program appropriation would decrease to \$0.

Use of Funds

The Department advised that the \$5,835,000 will be used within its Field Operations program to provide for higher-than-anticipated callback expenses necessary to maintain minimum staffing levels. Bill 36-24 on the June 3, 2024 agenda is a supplemental appropriation of Unassigned General Fund Balance (Surplus) funds totaling \$1.8 million to the Fire Department's Field Operations program to cover higher-than-anticipated callback and overtime expenses.

This BAT would result in an increase of up to \$1.2 million in the amount subject to the Spending Affordability Committee's FY 2024 spending guideline. Following approval of this BAT, the FY 2024 budget will be \$3.1 million under the guideline. (Bill 36-24 and FM-4 on this 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.)

County Charter, Section 711(b), provides that “[i]nter-agency transfers in a current expense budget between offices, departments, institutions, boards, commissions, or other agencies of the county government may be made during the last quarter of the fiscal year and then only on the recommendation of the county executive and with the approval of not less than a majority of the total number of county council members established by this Charter.” In addition, County Charter, Section 712, provides that “[i]nter-program transfers in excess of ten per cent of appropriations in a current expense budget between general classifications of expenditures within the same office, department, institution, board, commission, or other agency may be made by the county administrative officer only with the approval of the county executive and a majority of the total number of county council members established by this Charter.” Finally, County Charter, Section 712, provides that “[d]uring any fiscal year, the county council, upon the recommendation of the county executive on the advice of the county administrative officer, may make additional or supplementary appropriations from unexpended and unencumbered funds set aside for contingencies in the county budget...provided that the director of finance shall certify in writing that such funds are available for such appropriation.”

Executive Summary

BUDG-FIRE-2024-1067

Fire

Budget Appropriation Transfer

The Fire Department is requesting Council approval for a Budget Appropriation Transfer in the amount of \$5,835,000. 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. Internal funds are available from savings in salary, utilities – voice & data, and motor pool-trucks to partially cover these expenses.

Prepared by: Fire Department

FM-3 (Budget Appropriation Transfer)

Council District(s) All

Department of Corrections

BAT – Department of Corrections

The Administration is requesting approval of a General Fund budget appropriation transfer (BAT) totaling \$988,000 from the Police Department, Operations Bureau program to the Department of Corrections. The Department advised that the funds will be used for increased costs for meals for incarcerated individuals, personnel expenses, equipment and vehicle repairs, uniforms, and operational supplies. See Exhibit A.

Fiscal Summary

<u>Transfer From</u>	<u>Program</u>	<u>Current Appropriation</u>	<u>Transfer Amount</u>	<u>Adjusted Appropriation</u>
015-1506	Police Department – Operations Bureau	\$ 144,780,870	\$ (988,000)	\$ 143,792,870 ⁽¹⁾
Transfer To				
008-0801	Corrections	\$ 50,966,216	\$ 988,000	\$ 51,954,216

⁽¹⁾ FM-2 on the Council's June 3, 2024 legislative agenda is a BAT transferring \$400,000 from the Police Department– Operations Bureau program to the Fire Department – Field Operations program. Should the Council also approve that BAT, the Police Department – Operations Bureau program appropriation would decrease to \$143,392,870.

Analysis

Source of Funds

The Department advised that \$988,000 is available from the Police Department, Operations Bureau program due to higher-than-anticipated turnover savings.

Use of Funds

The Department advised that the \$988,000 will be used for increased expenditures under the Aramark contract for the provision of meals for incarcerated individuals (\$400,000); personnel costs (overtime, signing and referral bonuses, standby and substitution pay) (\$175,000); equipment and vehicle repairs (\$163,000); uniforms (\$150,000); and operational supplies (e.g., for general building maintenance, uniforms) (\$100,000).

This BAT would not result in an increase to the amount subject to the Spending Affordability Committee's FY 2024 spending guideline.

County Charter, Section 711(b), provides that "[i]nter-agency transfers in a current expense budget between offices, departments, institutions, boards, commissions, or other agencies of the county government may be made during the last quarter of the fiscal year and then only on the recommendation of the county executive and with the approval of not less than a majority of the total number of county council members established by this Charter."

Executive Summary

The Department of Corrections is requesting Council approval for a Budget Appropriation Transfer in the amount of \$988,000. These funds are necessary to cover overages for Aramark food service increases as a result of increased food pricing and contract negotiation. Increased personnel costs resulting from more signing and referral bonuses due to increased recruitment, increased standby pay for maintenance staff, substitution pay and increased overtime for Correctional Officers due to new recruitment training. Likewise, increases were essential in areas of equipment/vehicle repairs, operational expenses, office supplies and uniform costs for additional staff. Funds from the Police Department will be utilized to assist Corrections in meeting these obligations.

Prepared by: Department of Corrections

FM-4 (Budget Appropriation Transfer)

Council District(s) All

Office of Budget and Finance

BAT – Office of Budget and Finance

The Administration is requesting approval of a General Fund budget appropriation transfer (BAT) totaling \$1,300,000 from the Reserve for Contingencies program to Retirement & Social Security’s Contributions – Social Security program. The Office advised that the funds will be used to cover a shortage in the County’s share of the Social Security budget. See Exhibit A.

Fiscal Summary

<u>Transfer From</u>	<u>Program</u>	<u>Current Appropriation</u>	<u>Transfer Amount</u>	<u>Adjusted Appropriation</u>
047-4701	Reserve for Contingencies	\$ 2,500,000	\$ (1,300,000)	\$ 1,200,000 ⁽¹⁾
<u>Transfer To</u>				
041-4107	Retirement & Social Security – Contributions – Social Security	\$ 22,895,000	\$ 1,300,000	\$ 24,195,000

⁽¹⁾ FM-2 on the Council’s June 3, 2024 legislative agenda is a BAT transferring \$1.2 million from the Reserve for Contingencies program to the Fire Department – Field Operations program. Should the Council also approve that BAT, the Reserve for Contingencies program appropriation would decrease to \$0.

Analysis

Source of Funds

The Office of Budget and Finance advised that funds totaling \$1,300,000 are available from the Reserve for Contingencies program. FM-2 on the agenda is a BAT transferring \$1.2 million from the Reserve for Contingencies program; should the Council approve both BATs, the program appropriation would decrease to \$0.

Use of Funds

The Office of Budget and Finance advised that the \$1,300,000 will be used within Retirement & Social Security's Contributions – Social Security program to cover a shortage in the County's share of the Social Security budget due to higher-than-anticipated expenditures. The Office further advised that the shortage is due to higher-than-anticipated salary costs.

This BAT would result in an increase of up to \$1.3 million in the amount subject to the Spending Affordability Committee's FY 2024 spending guideline. Following approval of this BAT, the FY 2024 budget will be \$3.0 million under the guideline. (Bill 36-24 and FM- 2 on this 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.)

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

Executive Summary

The Office of Budget and Finance is requesting Council approval for a Budget Appropriation Transfer (BAT) in the amount of \$1,300,000. These funds are necessary to cover the shortage in the County's share of the Social Security budget. Shortage is due to retroactive postings in the FY 2023 budget which reduced the FY 2024 projected base. Funds from the County's Contingency Fund will be utilized to assist the Office of Budget and Finance in meeting these obligations.

Prepared by: Office of Budget and Finance

FM-6 (Contract)

Council District(s) All

Department of Health and Human Services

Healthy Home Visiting Program

The Administration is requesting approval of a contract with Abilities Network, Inc. to provide comprehensive home visitation services through the Healthy Families Program. The contract commences July 1, 2024, continues for 1 year, and will renew automatically for four additional 1-year periods with the option to extend the initial term or any renewal term an additional 90 days. The contract provides that compensation may not exceed \$1,085,000 for FY 2025 and may not exceed the amount of grant funds appropriated for these services for any renewal term. Estimated compensation totals \$5,425,000 for the entire 5-year and 3-month term, including the renewal and extension periods. See Exhibit A.

Fiscal Summary

Funding Source	Initial Term	Total Compensation
County ⁽¹⁾	\$ 350,000	\$ 1,750,000
State ⁽²⁾	407,778	2,038,890
Federal ⁽³⁾	327,222	1,636,110
Other	--	--
Total	<u>\$ 1,085,000</u> ⁽⁴⁾	<u>\$ 5,425,000</u> ⁽⁵⁾

⁽¹⁾ General Fund Operating Budget.

⁽²⁾ Maryland State Department of Education and the Governor's Office for Children.

⁽³⁾ U.S. Department of Health and Human Services, Health Resources and Services Administration funds passed through the Maryland Department of Health.

⁽⁴⁾ Maximum compensation for FY 2025.

⁽⁵⁾ Estimated compensation for the entire 5-year and 3-month term, assuming the same level of appropriation each year.

Analysis

The Department advised that Healthy Families is a home visiting program designed to reduce the risk of child maltreatment by strengthening parent-child relationships, promoting healthy childhood growth, and enhancing family functioning. The Department further advised that the program uses three focused interventions: family service planning based on each family's individual goals; promoting positive attachments with children through education and screening; and promoting community connections through referral to community-based services. Families enroll in the program voluntarily and meet regularly with the contractor's Family Support Specialist to receive tailored services in addition to in-home support from a County Public Health Nurse. The contractor will provide in-home visitation services, including ongoing health screenings and assessments; provide information on child development and parent-child activities; provide referrals to community resources and interactive and educational family group meetings; and provide assistance with finding a medical provider.

The Department advised that the target population is pregnant women and newly parenting families facing challenges such as low income; single parenthood; current or past issues related to mental health, substance use, and/or domestic violence; or a childhood history of abuse or any other adverse experiences. Families are primarily referred to the program by the Health Department; other referral sources include Franklin Square Hospital and Baltimore County Public Schools. The Department estimates that the contractor will serve 129 families annually.

The contract commences July 1, 2024, continues for 1 year, and will renew automatically for four additional 1-year periods with the option to 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. Compensation may not exceed \$1,085,000 for FY 2025. Compensation for each renewal period may not exceed the amount of grant funds appropriated for these services. Estimated compensation totals \$5,425,000 for the entire 5-year and 3-month term, including the renewal and extension periods. The County may terminate the agreement by providing 30 days prior written notice.

The County awarded the contract through a competitive procurement process; no other proposals were received. Abilities Network, Inc. has been providing these services since 1999. According to the procurement documents, there is a 10% M/WBE participation requirement.

On July 1, 2019, the Council approved a similar 5-year and 3-month contract with Abilities Network, Inc. The County's financial system indicated that as of May 17, 2024, \$5,532,791 has been expended/encumbered 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

Healthy Families Home Visiting Program

The Administration is requesting Council approval of a contract with Abilities Network, Inc., for the delivery of the Healthy Families Home Visiting Program. The initial term for this contract is 1 year for \$1,085,000 with 4 one year renewals. The total compensation amount including all renewals is not to exceed \$5,425,000.

The contract commences on July 1, 2024, continues for one year, and will renew automatically for four additional one-year terms.

The Healthy Families program aims to reduce child maltreatment through 3 focused interventions:

- Family service planning based on each family's individual goals;
- Promoting positive attachments with children through education and screening; and,
- Promoting community connections through referral to community-based services.

The target number of families to be served annually is **129**.

*Contract Braided Funding Breakdown:

Agency:	Funding Amount:
MD Governor's Office for Children	\$154,423
MD State Department of Education	\$253,355 (additional \$28,150 goes to LMB admin)
MD Department of Health	\$327,222
Baltimore County General Funding	\$350,000
ANNUAL TOTAL	\$1,085,000
CONTRACT TOTAL	\$5,425,000

FM-7 (Budget Appropriation Transfer)

Council District(s) All

Department of Public Works & Transportation

BAT – Department of Public Works & Transportation

The Administration is requesting approval of a General Fund budget appropriation transfer (BAT) of \$3,346,750 between various Department of Public Works & Transportation programs (see below); \$8,250 in Metropolitan District funds which the Council does not appropriate are also being transferred, for a total of \$3,355,000. The Department advised that the funds will be used for salaries and refuse collection expenses. See Exhibit A.

Fiscal Summary

<u>Transfer From</u>	<u>Program</u>	<u>Current General Fund Appropriation</u>	<u>General Fund Transfer Amount ⁽¹⁾</u>	<u>Adjusted General Fund Appropriation</u>
070-7001	Office of the Director – General Administration	\$ 751,065	\$ (10,000)	\$741,065
070-7007	Office of the Director – Safety Office	762,197	(40,000)	722,197
070-7205	Bureau of Engineering and Construction – Structural, Storm Drain, and Highway Design	1,654,529	(113,696)	1,540,833
070-7213	Bureau of Engineering and Construction – Data Management	436,829	(80,000)	356,829

070-7501	Bureau of Highways and Equipment Maintenance – General Administration	659,464	(160,000)	499,464
070-7503	Bureau of Highways and Equipment Maintenance – Equipment Maintenance	8,908,951	(200,000)	8,708,951
070-7505	Bureau of Highways and Equipment Maintenance – Storm Emergencies	8,513,714	(1,800,000)	6,713,714
070-7604	Bureau of Solid Waste Management – Recycling	2,312,490	(60,000)	2,252,490
070-7704	Bureau of Transportation – Transportation Services	1,350,087	<u>(883,054)</u>	467,033
			<u>\$ (3,346,750)</u>	
Transfer To				
070-7215	Bureau of Engineering and Construction – Green Infrastructure	\$ 255,192	\$ 46,750	\$ 301,942
070-7502	Bureau of Highways and Equipment Maintenance – General Operations and Maintenance	14,937,388	1,200,000	16,137,388
070-7602	Bureau of Solid Waste Management – Refuse Collection	44,753,343	1,500,000	46,253,343

070-7603	Bureau of Solid Waste Management – Refuse Disposal	24,451,468	400,000	24,851,468
070-7605	Bureau of Solid Waste Management – MRF Operations	7,286,886	200,000	7,486,886
			\$ 3,346,750	

⁽¹⁾ \$8,250 of Metropolitan District Funds, which the Council does not appropriate, will also be transferred from the Bureau of Engineering and Construction – Structural, Storm Drain, and Highway Design program to the Bureau of Engineering and Construction – Green Infrastructure program.

Analysis

Source of Funds

The Department advised that funds totaling \$3,355,000 are available in certain programs due to turnover savings.

Use of Funds

The Department advised that the \$3,355,000 will be used for salaries in certain programs not meeting budgeted turnover rates, salaries related to vacant positions that were filled higher than the budgeted amounts, and salaries for employees who were promoted to higher positions than budgeted (\$1,267,000), and for solid waste management refuse collection costs (\$2,088,000).

This BAT would not result in an increase to the amount subject to the Spending Affordability Committee’s FY 2024 spending guideline.

County Charter, Section 711(b), provides that “[i]nter-program transfers in excess of ten per cent of appropriations in a current expense budget between general classifications of expenditures within the same office, department, institution, board, commission, or other agency may be made by the county administrative officer only with the approval of the county executive and a majority of the total number of county council members established by this Charter.”

Executive Summary

The Department of Public Works and Transportation (DPWT) is requesting Council Approval for a Budget Appropriation Transfer in the amount of \$3,346,750 within DPWT, these are funds already within DPWT and are just being reallocated within the Department. These funds are necessary for DPWT Salaries for vacancies filled above the Step 3 budgeted and Solid Waste Management refuse collection. We are requesting transferring more than 10% of an appropriation within The Department of Public Works and Transportation to meet these obligations.

Prepared by: Department of Public Works & Transportation

FM-8 (2 Contracts)

Council District(s) 1, 3, & 4

Department of Public Works & Transportation

Minor Mowing/Environmental Site Feature Clearance (ESF) Services

The Administration is requesting approval of two contracts, with Classic Lawn and Landscape, Inc. and Lorenz Lawn and Landscape, Inc. t/a Lorenz, Inc., to provide minor mowing and Environmental Site Feature Clearance (ESF) services at areas within County-owned and/or operated solid waste management facilities. Each contract commences upon Council approval, continues for 1 year, and will renew automatically for four additional 1-year periods with the option to extend the initial term or any renewal term an additional 120 days. The contracts provide that compensation may not exceed the amount appropriated for these services for the entire contract term. The Office of Budget and Finance, Purchasing Division advised that estimated compensation for both contractors combined totals \$75,000 for the entire 5-year and 4-month term, including the renewal and extension periods. See Exhibit A.

Fiscal Summary

Funding Source	Combined Total Compensation	Notes
County ⁽¹⁾	\$ 75,000	⁽¹⁾ General Fund Operating Budget. ⁽²⁾ Estimate for the entire 5-year and 4-month term.
State	--	
Federal	--	
Other	--	
Total	<u>\$ 75,000</u> ⁽²⁾	

Analysis

The contractors will provide minor mowing and Environmental Site Feature Clearance (ESF) services (e.g., removal of light vegetation and fallen branches, application of herbicides and pesticides) at areas within County-owned and/or operated solid waste management facilities. Specifically, Classic Lawn and Landscape, Inc. will provide services at the closed Parkton and

Hernwood Sanitary Landfills, and Lorenz, Inc. will provide services at the Western and Central Acceptance Facilities. The contractors will provide all labor, materials, supervision, equipment, services, herbicides, insecticides, and related items necessary to perform the work. According to the bid documents, the mowing season will begin in early May and end in November for a total of approximately 10 mowing events for each site.

Hourly labor rates range from \$35 to \$57, depending on the contractor and staff/skill level (i.e., Unskilled or Skilled Laborer); the mark-up for materials is 14% for Classic Lawn and Landscape, Inc. and 18% for Lorenz Lawn and Landscape, Inc. t/a Lorenz, Inc. The cost of mowing services per site is as follows:

Site	Cost per Mowing
Hernwood	\$132
Parkton	\$115
Western	\$210
Central	\$280

Each contract commences upon Council approval, continues for 1 year, and will renew automatically for four additional 1-year periods with the option to 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 provide that compensation may not exceed the amount appropriated for these services for the entire contract term. The Purchasing Division advised that estimated compensation for both contractors combined totals \$75,000 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.

The County awarded the contracts through a competitive procurement process based on low bid from seven bids received; the Purchasing Division advised that one bid was deemed non-responsive. According to the bid documents, there is not an M/WBE participation requirement.

The Department advised that historically, minor mowing services have been performed through contracts with a maximum 2-year term with annual expenditures totaling approximately \$8,000. The Purchasing Division advised that most recently, services totaling \$12,713 were provided by A&A Services LLC from April 15, 2021 through April 14, 2023; services totaling \$5,645 were provided by Bry's Lawn Care from July 1, 2023 through December 31, 2023; and services totaling \$11,161 were provided by Bry's Lawn Care and Landscaping LLC from August 18, 2022 through August 14, 2023.

The County currently has 7 other contracts with Lorenz, Inc. and 7 other contracts with Classic Lawn and Landscape, 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

Vendor Names – Classic Lawn & Landscape, Inc., and Lorenz Lawn and Landscape, Inc. t/a Lorenz Inc.

Scope of Contract – The contract states the vendor hereunder shall furnish and Baltimore County shall purchase minor mowing and Environmental Site Feature Clearance (ESF) services at areas within Baltimore County owned and operated solid waste management facilities. The quantities shown are approximate and are for the purpose of bid evaluation. The County reserves the right to order such services as may be required during said period.

The work to be done under this Contract includes, but is not limited to, providing of all labor, materials, supervision, equipment, services, herbicides, insecticides, fuel, oil, incidentals, mobilization, demobilization and related items necessary to complete the work in accordance with these specifications and scope. All work shall conform to all applicable Baltimore County, State of Maryland, and Federal rules and regulations, including but not limited to safety.

Term – One (1) year from Council Approval (Initial Term) with Four (4) successive One (1) Year Renewal Options

Vendor Selection Method – Best Qualified, Best Value, Competitive Bid, Experience, Low Bid

MBE/WBE – 0%

Prepared by: Department of Public Works and Transportation

FM-9 (Contract)

Council District(s) All

Department of Public Works and Transportation

Professional Meter Repair and Inspection Services

The Administration is requesting approval of a contract with Itron, Inc. to provide water meter inspection and repair services throughout the County. The contract commences upon Council approval and continues through November 20, 2026. The contract also provides that it shall remain in effect until the required services are completed. Compensation may not exceed \$1,119,970 for the entire 2-year and 5-plus month term. See Exhibit A.

Fiscal Summary

Funding Source	Maximum Compensation	Notes
County ⁽¹⁾	\$ 1,119,970	⁽¹⁾ Capital Projects Fund (Metropolitan District).
State	--	⁽²⁾ For the entire 2-year and 5-plus month term.
Federal	--	
Other	--	
Total	\$ 1,119,970 ⁽²⁾	

Analysis

The Department advised that the contractor will provide water meter inspection and repair services, including services related to encoder receiver transmitter (ERT) devices (transmit meter data), meter troubleshooting, and meter replacement throughout the County. The Department further advised that the contractor specializes in mobile data collection and troubleshooting field utility meters to ensure that data collection devices are able to read the data stored on the meters. The Department also advised that the contractor owns the utility metering data collection software and hardware systems, which the City uses to collect water usage data in order to bill County water customers (on the City’s water bill), and the County uses to bill annual sewer service charges (on the County’s property tax bill). The Department further advised that meter inspection

and repair services are the City's responsibility, but due to staffing shortages, the City is unable to perform this work nor coordinate the procurement of a contract for these services.

The Department advised that approximately 5,200 meters are not communicating consumption data; these meters will be repaired under the proposed contract in order to accurately bill customers for water and sewer service. These customers are currently billed minimum charges for both sewer and water consumption. The Department advised that customers who experience a large increase in sewer charges from the prior year are notified prior to the July 1 billing period.

Unit prices for meter inspection, repair, and replacement range from \$109.98 to \$359.15, depending on the size of the meter. Additional fees apply, ranging from \$93.33 to \$239.17, for troubleshooting in the case of unsuccessful repairs, working in confined spaces, and performing work outside the contract's scope.

The contract commences upon Council approval and continues through November 20, 2026. The contract also provides that it shall remain in effect until the required services are completed. Compensation may not exceed \$1,119,970 for the entire contract term.

The contract provides that unit prices may be subject to an inflation increase should the project extend into 2026 or later. The County may terminate the agreement by providing written notice. The Department advised that there is not an M/WBE participation requirement.

On December 19, 2022, the Council approved a similar contract with Itron, Inc. not to exceed \$380,324 for the inspection and repair of 1,320 meters. The contract provided that the term may be extended through the earlier of the date upon which the required services were completed or the County terminated the agreement. The County's financial system indicates that the contract expired December 31, 2023, and that as of May 13, 2024, expenditures/encumbrances under the contract totaled \$352,003. The Department advised that of the 1,320 meters inspected, 1,194 were repaired. The County also had previously contracted with Itron, Inc. to provide meter reading and field investigation services as a result of the City being unable to conduct utility meter reads due to a reduced workforce during the pandemic. The Council was notified of this 3-year contract, which totaled \$782,999, through Correspondence on the October 5, 2020 legislative agenda.

The Department requested that the proposed contract be designated as a noncompetitive 902(f) award secured in the best interest of the County since Itron, Inc. is familiar with the City-County data; is experienced with the process and protocols between the City and County for the metering

and billing operations of County customers; previously provided similar services for the County; currently provides similar services for the City; and owns and specializes in the software and hardware used in the ERT devices.

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

REQ-10014124: ITRON Inc., \$1,119,969.90

DPWT requests approval of a contract with Itron, Inc. to provide professional services for meter inspection and repair services to include, but not limited to encoder receiver transmitter (ERT) devices, meter troubleshooting, and meter replacements for various sized meters up to and including 2" meters throughout the County. The term for this agreement will be effective upon Council approval. This is supposed to be a function of the City Bureau of Water and Waste Water within the Department of Public Works. The City has acknowledged that due staffing shortages the City cannot perform this work.

Concerning the proposed contract, approximately a total of 5,200 meters have been identified that are not currently communicating any consumption data. As a result, these meters are being underbilled; they are only billed minimum amounts for both water and sewer service charges.

Under the previous \$380,324 contract, from December 19, 2022 through December 31, 2023, 1,194 meters were repaired of 1,320 identified and inspected. More importantly, repairing these meters so their usage data can be collected will accurately charge system users for actual services used, which will help maintain lower costs in the future to all system users. All work orders created by the County for Itron work have been flagged as such in the City's City Works ticketing system. The Reconciliation team including the City DPW CFO, Raftelis and our team are committed to properly allocating costs based on these tickets.

Itron specializes in mobile data collection and troubleshooting field utility meters to ensure the data stored on the meters can be read by data collection devices. Itron owns the utility metering data collection software and hardware systems which the City utilizes for the field data collection system to collect the usage data from the water meters in order to bill water to County customers. The County then uses that data to bill annual sewer service charges to County property owners.

Itron currently supports the City-County meter data, and is experienced with the processes and protocols between the two jurisdictions for the metering and billing operations for County customers. Selecting Itron to perform these services is in the best interest of the County as the contractor previously performed work of a similar nature for the County, currently performs similar work for the City, and owns and specializes in the technology software and hardware used in the ERT devices utilized by the City to collect consumption data from the water meters within the County.

Prepared by: Department of Public Works and Transportation

**FM-10 & FM-11
(Amendments to Funding and Development Agreements)**

Council District(s) 6

Administrative Office

Towson Row

The Administration is requesting approval of amendments to a development agreement with Towson Row Statutory Trust (the “developer”) (FM-11) and a related funding agreement with TR Development Corporation (FM-10) to provide additional support for the mixed-use development plan known as Towson Row. The proposed amendments extend the project’s substantial completion date by three years, to June 30, 2027, to accommodate delays in construction of the project’s office component. Absent the execution of the proposed extension, the project’s office component would be in default of the current funding agreement as of July 1, 2024. The development and funding agreements commenced December 18, 2017. See Exhibit A.

Fiscal Summary

Funding Source	Foregone Property Tax Revenue
County	\$ 673,000 ⁽¹⁾
State	--
Federal	--
Other	--
Total	<u>\$ 673,000</u>

⁽¹⁾ Estimated net present value of foregone property tax revenue associated with the project’s office component over the three-year extension period.

Analysis

The developer received approval of a development plan known as “Towson Row,” a mixed-use development to include the following components: residential apartments; student housing; an office building; a hotel; retail; and parking. The development agreement, which was effective

December 18, 2017, continues through the later of the termination of the incorporated funding agreement, or should a default occur, the first business day following final resolution of the default. The development agreement states that the developer shall endeavor to complete all components for which County funds have been advanced by June 30, 2023 (the “substantial completion date”); however, the developer may request an extension of the substantial completion date to June 30, 2024. The Office advised that the developer exercised the extension.

The development agreement stated that the project is entitled to receive Revitalization and High Performance Buildings County property tax credits in accordance with the provisions set forth in the County Code, and that the developer and County sought the advancement of the tax credits to assist in financing the project. The development agreement also stated that the hotel portion of the project would generate a transient occupancy tax (referred to as “hotel tax”) and that the developer and County sought the “advancement of the Hotel tax to be repaid through subsequent Hotel Tax collection.” The development agreement incorporates a County funding agreement, which states the terms of the County financial assistance; the development agreement states that the funding agreement shall provide for a maximum advance of \$26,582,570 in tax credits (including the present value of the Revitalization and High Performance Buildings tax credits) and \$16,434,215, which represents the present value of the hotel tax anticipated over the first 30 years of the hotel component. According to the agreement, the funds are to be provided according to specific schedules over a period of years and are subject to reduction if the developer reduces the overall size or scope of the project. As a condition of the tax credit advance, the developer (or successors/assigns) would waive the tax credits to which it is entitled and pay 100% of all property taxes levied on the land following project completion. The development agreement states that the funding agreement will require repayment of all or some of the funds if particular project components are not completed before the required substantial (or extended) completion date, and providing for the ability of the owner(s) for which total funds have been repaid to obtain tax credits, if available.

The funding agreement was effective December 18, 2017 and continues through the later of: final certification (the date upon which substantial project completion and the High Performance qualification are achieved); 90 days after the County is required to make a final disbursement of funds under the agreement; or in the event that a default alleviates the obligation for the County to make all disbursements and/or requires the repayment of a portion of the funds, the date that the default is resolved. The Funding Agreement defined a substantial completion date of June

30, 2023; however, the agreement allowed the developer to request an extension of the substantial completion date to June 30, 2024. The Office of Law advised that the developer exercised the extension.

The Administration advised that all Towson Row components have been completed, with the exception of the office component, which was delayed and impacted by the COVID-19 pandemic. The proposed amendments would extend the project's substantial completion date in the development and funding agreements by three years, to June 30, 2027, to accommodate construction of the office component. The Administration further advised that no advance funding for the office component (high performance tax credits and revitalization tax credits in the amounts of \$463,588 and \$2,147,598, respectively) has been provided, nor will it be provided until a building permit is issued. The Administration advised that the County provided \$38,454,568 in advance tax credits related to the other components.

According to State Department of Assessments and Taxation (SDAT) records as of May 20, 2024, TR Development Corporation is not in good standing and has a "forfeited" status. An entity is deemed to be in good standing if all reports, filings, and penalties due to SDAT are up-to-date and paid and the entity has a valid, active resident agent. Forfeiture means that the entity has forfeited its right to conduct business in Maryland and for domestic corporations, the business has no existence under Maryland laws. The Office of Law advised that TR Development Corporation is in the process of resolving the issue that caused the loss of its good standing status and forfeiture with SDAT.

Executive Summary

In December, 2017 the County entered into a Development Agreement with Towson Row Statutory Trust (the “Developer”) which dictated certain aspects of the Towson Row Project that was being undertaken by the Developer. Among the aspects of the Towson Row Project governed by the Agreement was certain forward funding of the present value of certain by-right property tax credits to which the Project would be entitled post-construction, and this funding was also governed by a separate County Funding Agreement, dated December 18, 2017 between the County and TR Development Corporation (the “Funding Agreement”).

The Project, as approved, is comprised of several Components, including a Residential Component, a Student Housing Component, an Office Component, a Hotel Component, a Retail Component, and an Onsite Parking Component. Funding under the Agreement and Funding Agreement was computed for each of the Components, and the Funding Agreement facilitated the distribution of funds on a Component-by-Component basis. To date, all of the Components have been completed, except for the Office Component, and funding has been distributed for each of the completed Components. If the Office Component is completed, and contains 134,000 sq. ft., TR Development Corporation would be entitled to receive advance tax credits - high performance tax credits in the amount of \$463,588, and revitalization tax credits in the amount of \$2,147,598. No funding has been distributed for the Office Component to date, and none will be disbursed until a building permit has been issued.

Both the Development Agreement and the Funding Agreement included a Substantial Completion Date for the Project (inclusive of all Components) of June 30, 2023, but it allowed for a one-time extension of that date to June 30, 2024, which was exercised.

Following the execution of the Agreements, the unexpected onset of the Covid-19 global pandemic hit, which altered numerous facets of day-to-day life, including acute and lasting effects on various sectors of the real estate market. The commercial office market was, and remains, one of the most heavily impacted sectors experiencing lasting effects. To that end, the Developer has advised that it will not be able to complete the Office Component prior to the Substantial Completion Date, and has requested a three-year extension of both the Development Agreement until June 30, 2027.

Prepared by: Administration

FM-12 (Contract)

Council District(s) 7

Department of Recreation and Parks

Acquisition of Parcel – Cuckold Point Road, 21219

The Administration is requesting approval of a contract to acquire approximately 8.57 acres of land (21 tax parcels) and 0.62 acres of roadbeds for \$2,247,150 to serve as a waterfront park in the Millers Island community. (The contract currently reflects 8.6069 acres of land and 0.623 acres of road bed; however, the Office of Law – Real Estate Compliance Division advised that the contract is being revised.) Norman T. Anderson, Sr. and Catherine Staszak currently own the property, which is located on the southeast side of Cuckold Point Road between 6th Street and 8th Street in Millers Island. The property is zoned DR-5.5 (Density Residential – 5.5 lots per acre) and RC-2 (Resource Conservation – Agricultural). See Exhibit A.

Fiscal Summary

Funding Source	Purchase Price	Notes
County ⁽¹⁾	\$ 2,247,150	⁽¹⁾ Capital Projects Fund.
State	--	
Federal	--	
Other	--	
Total	<u>\$ 2,247,150</u>	

Analysis

The Office advised that the County obtained two appraisals: one by Everett Benfield Advisors, effective May 12, 2022, recommending a value of \$2,150,000, and one by Associated Appraisers, LLC, effective October 21, 2022, recommending a value of \$2,326,000 (not including the road beds). The Office further advised that the purchase price was determined by averaging the two appraised values and including an adjustment of \$9,150 for the owners' costs related to preparing

road closure proceedings for paper roads that lie in between the land areas being acquired; the total purchase price is \$2,247,150.

The total 9.19-acre property to be acquired is unimproved, wooded land with water views. The Office advised that the County has not prepared a site concept or design but it anticipates that much of the wooded area will be preserved.

The contract states that the County has 80 days from the contract's effective date to conduct a feasibility study; if the outcome of the feasibility study is not acceptable to the County, the contract will be declared null and void. The contract also states that the final settlement must occur within 45 days of the Road Closure Order (dated April 2, 2024); the Office advised that the contract is being revised to reflect that final settlement must occur by June 30, 2024.

The Department advised that this is the only acquisition needed for this project.

According to the County's financial system, as of May 17, 2024, of the \$2,315,000 total project budget for the acquisition, approximately \$3,324 has been expended/encumbered for this project, excluding the amount for this acquisition. The Office advised that the FY 2025 capital budget includes \$450,000 for park planning and design in a separate project.

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

Executive Summary

PROGRAM TITLE: Anderson Property

PROJECT NO.: 126010971

FISCAL MATTER: Contract of Sale

PROPERTY OWNERS: Norman T. Anderson, Sr.
Catherine Staszak

LOCATION: Cuckold Point Road and 6th Street
Edgemere, Maryland 21219

CONSIDERATION: \$2,247,150.00

PURPOSE OF PROJECT: This contract is for the purchase of Cuckold Point Rd. and 6th Street, Edgemere, Maryland 21219, on tax map 112, comprising 8.57 acres of land in the lots and .062 acres of roadbeds for a total of 9.19 acres, more or less (the "Property"). The property will be used for a waterfront park through the Department of Recreation and Parks.

LIMITS OF PROJECT: Comprised of 21 tax parcels and the roadbeds for 7th Street and Swan Ave. consisting of 9.19 m/l acres. Properties are located on the SE side of Cuckold Point Rd. between 6th Street and 8th St. The property is raw, wooded land with water views

Prepared by: Office of Law – Real Estate Compliance Division

FM-13 (Contract)

Council District(s) All

Office of Law

Legal Representation – Francis Scott Key Bridge Collision

The Administration is requesting approval of a contract with two firms, Grant & Eisenhofer P.A. and Bekman, Marder, Hopper, Malarkey & Perlin, LLC (the Attorneys), to provide legal services to recover damages related to the Francis Scott Key Bridge collapse. The contract commences upon Council approval and does not specify a termination date. The Attorneys will advance all necessary fees, costs, and expenses; costs and expenses will be paid only out of a recovery. Legal fees are limited to 15% of gross recovery. See Exhibit A.

Fiscal Summary

The Attorneys will advance all necessary fees, costs, and expenses; costs and expenses will be paid only out of a recovery. Legal fees are limited to 15% of gross recovery. The Office advised that the total recovery amount and fees are not estimable at this time. If the court awards Attorneys' fees and/or costs to the County, the fees and costs are excluded from the gross recovery calculation, and any court-awarded fees shall be applied as a credit against the Attorneys' fee. If the court-awarded fees exceed the fees to which the Attorneys are entitled, the excess amount shall offset reimbursable costs.

In the event that the legal fees are deemed unenforceable or if the Attorneys are discharged prior to any recovery, the County will pay a fee for services rendered based upon the Attorneys' hourly rates and time expended.

Analysis

The Attorneys will represent the County in litigation to be filed against the owners and/or operators of the Dali vessel that collided with the Francis Scott Key Bridge on March 26, 2024. In addition, the Attorneys will file a response to the shipping company's pleading in the U.S. District Court for Maryland seeking to cap liability.

The contract commences upon Council approval and does not specify a termination date. The Attorneys will advance all necessary fees, costs, and expenses; costs and expenses will be paid only out of a recovery. Legal fees are limited to 15% of gross recovery. The contract defines gross recovery as the then-present value of any monetary payments to be made to the County and the fair market value of any non-monetary property and services to be transferred and/or rendered for the County's benefit. The Office advised that the total recovery amount and fees are not estimable at this time. If the court awards Attorneys' fees and/or costs to the County, the fees and costs are excluded from the gross recovery calculation, and any court-awarded fees shall be applied as a credit against the Attorneys' fee. If the court-awarded fees exceed the fees to which the Attorneys are entitled, the excess amount shall offset reimbursable costs. In the event that the legal fees are deemed unenforceable or if the Attorneys are discharged prior to any recovery, the County will pay a fee for services rendered based upon the Attorneys' hourly rates (\$125 (paralegal); \$300 (associate), or \$600 (senior/partner)) and time expended. The County may terminate the agreement at any time by providing written notice.

The Office requested that the proposed contract be designated as a noncompetitive 902(f) award secured in the best interest of the County due to the Attorneys' experience in complex plaintiff advocacy and admiralty/maritime law. The Office also noted that Grant & Eisenhofer P.A. previously secured a favorable result in the PCB/Monsanto litigation.

County Charter, Section 510, states that "nothing in this article shall be construed as preventing the county executive, with the approval of the county council, from engaging the services for a temporary period of any attorney or attorneys for legal work of an extraordinary nature when the work to be done is of such character or magnitude as to require legal services in addition to those provided by the regular staff of the Office of Law."

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

Grant & Eisenhofer is a mission-driven legal powerhouse that has over 25 years of experience and has evolved into a global leader in complex, high-stakes plaintiff advocacy. The firm has been a pacesetter in U.S. and international securities litigation and corporate governance, while significantly expanding to encompass environmental, mass torts, antitrust, bankruptcy, birth injury, civil rights and consumer protection litigation. Bekman Marder Hopper Malarkey & Perlin has significant expertise in admiralty and Maritime law, and Paul Bekman is recognized as a top lawyer in the field of maritime law (among others) in Best Lawyers in America. He is a Member of the Admiralty Advisory Committee to the United States District Court for the District of Maryland. He is also certified as a Proctor in Admiralty with the Maritime Law Association of the United States.

The County needs to file a response to the shipping company's pleading in the United States District Court for Maryland seeking to cap liability (our damages will well exceed the amount they are seeking to cap liability), as well as file affirmative litigation to recoup revenue loss as well as other unknown damages as a result of the March 26, 2024 collapse of the Francis Scott Key Bridge. The County used this Grant & Eisenhofer in the PCB/Monsanto litigation and got an excellent result. The firm also has strong connections with firms that handle maritime law.

The Office of Law does not have attorneys with expertise in maritime law, and due to the need to quickly file a response to the complaint, there is insufficient time to seek bids.

The contingent fee of 15% of gross recovery is comparable to the contingent fees charged by other law firms in similar matters.

Prepared by: Office of Law

MB-2 (Res. 30-24)

Council District(s) All

Mr. Patoka (By Req.)

Baltimore County Public Schools

Baltimore County Board of Education –
Authorization for Expenditure of Non-Local Funds

The Administration is requesting authorization for Baltimore County Public Schools (BCPS) to expend non-local funds totaling \$4,684,977 through the use of BCPS's fund balance. BCPS advised that it will use the funds to provide for the first year of a 5-year contract for an enterprise resource planning system that includes all general ledger, budgeting, payroll, purchasing, inventory, and human resources processes. See Exhibit A.

Fiscal Summary

<u>Funding Source</u>	<u>Amount</u>
County	--
State	--
Federal	--
Other ⁽¹⁾	\$ 4,684,977
Total	\$ 4,684,977

⁽¹⁾ Available prior-year fund balance within BCPS's General Fund. BCPS projects its fund balance will total \$103.9 million as of June 30, 2024.

Analysis

BCPS advised that it will use the funds to provide for the first year of a 5-year contract for an enterprise resource planning system that includes all general ledger, budgeting, payroll, purchasing, inventory, and human resources processes. BCPS further advised that an additional \$2.1 million annual subscription cost not reflected in this supplemental appropriation will bring the

total FY 2024 cost to \$6.8 million. BCPS advised that contract costs, including annual subscription costs, total an estimated \$28.8 million over the entire 5-year term. (BCPS further advised that the FY 2025 budget includes the \$2.1 million subscription cost and that a future supplemental appropriation will be needed to cover the remaining \$7.3 million FY 2025 expense.) BCPS further advised that the Board of Education approved the contract on July 11, 2023.

The additional funds will increase BCPS’s FY 2024 spending authorization in the following program:

<u>Program</u>	<u>Current Authorization ⁽¹⁾</u>	<u>Res. 30-24</u>	<u>Amended Authorization</u>
3501 – Administration	\$ 63,636,620	\$ 4,684,977	\$ 68,321,597

This funding authorization will not affect spending subject to the FY 2024 Spending Affordability guideline nor the County’s FY 2025 maintenance of effort requirement since a component unit’s use of prior-year fund balance is considered a non-County revenue source.

The Annotated Code of Maryland, Education Article, §5-105(c), requires the County Council to authorize the source, amount, and manner of spending of non-local funds used by BCPS.

Resolution 30-24 shall take effect from the date of its passage by the County Council.

Executive Summary

- This supplemental appropriation from fund balance is being requested to provide funding which aligns with and supports the July 11, 2023 Board Approved contract for an enterprise resource planning (ERP) system. The system includes all General Ledger, Budgeting, Payroll, Purchasing, Inventory, and Human Resources processes.

- This funding will provide for the implementation services for FY2024.

- The requested supplemental appropriation will cover the initial first year term of the contract.

- Pricing Breakdown:

o Oracle Core Human Capital Management, AST, LLC	\$2,750,723
o Contractors	\$1,887,084
o Temporary Employees	<u>\$47,170</u>
o Grand Total	<u>\$4,684,977</u>

Prepared by: Office of Budget and Finance/BCPS

Mr. Ertel

**Properties in Design Review Area – Historic East Towson –
Comprehensive Manual of Development Policies**

Resolution 31-24 subjects the properties in the Design Review Area for Historic East Towson (as designated by Resolution 111-20) to all applicable standards and guidelines in the Comprehensive Manual of Development Policies (CMDP), including those identified for Historic East Towson in Division IV, Section G (Special Areas & Procedures).

With the approval of Resolution 111-20, the County Council designated Historic East Towson as a Design Review Area for residential and non-residential development and designated the boundaries of that area. The County Council believes that properties in the Design Review Area for Historic East Towson should be subject to all applicable standards and guidelines in the CMDP.

Therefore, Resolution 31-24 states that properties in the Design Review Area for Historic East Towson (as designated by Resolution 111-20) are hereby subject to all applicable standards and guidelines in the CMDP, including those identified for Historic East Towson in Division IV, Section G (Special Areas & Procedures). In addition, a map is attached to the resolution that shall in all respects supersede and replace all maps in the CMDP for East Towson, including the map at page 3 of the East Design Standards, to make clear, among other things, that Historic East Towson is subject to the East Towson Design Standards and subject to review, under those standards, by the Design Review Panel.

This resolution shall take effect from the date of its passage by the County Council and shall apply to any development for which a building permit has not been issued and appeals in the Courts are still pending. Copies of the resolution shall be sent to the Department of Planning, the Design Review Panel, and the Department of Permits, Approvals and Inspections.

Mr. Ertel

Approval of Planned Unit Development – Loch Raven Overlook

Resolution 32-24 approves the review of a proposed Planned Unit Development (“PUD”) in the Sixth Councilmanic District.

The first step in the PUD review and approval process requires that a PUD application be submitted to the Councilmember in whose District the proposed PUD is to be located. Next, the applicant must hold a post-submission community meeting. This meeting is similar to the community input meeting that is required during the development review and approval process, except the post-submission community meeting is required at the beginning of the process, prior to the adoption of a resolution approving the further review of the PUD. The applicant must give three weeks’ notice of the meeting and post the property. Notice must be mailed to adjoining property owners and community associations that represent the area.

At the meeting, the applicant must provide information about the plan, allow questions and comments, maintain a record, compile minutes of the meeting, and forward the minutes to the Councilmember and to the Department of Permits, Approvals and Inspections (“PAI”). Community residents and organizations may also provide written comments to the Councilmember. In addition, the Councilmember may require the applicant to hold another post-submission meeting. The applicant must also send copies of the PUD application to PAI, which must then transmit copies of the application to the appropriate reviewing agencies, which, in turn, must provide a preliminary written evaluation of the PUD proposal to the Councilmember.

Once these procedures are completed to the satisfaction of the Councilmember, and if the Council finds that the proposed site is eligible for review, the Council, by adoption of a resolution that has additional advertising and posting requirements, may approve the continued review of the PUD according to the County’s development review and approval process. Only after all of the aforementioned steps have concluded may the adopting resolution be introduced.

Resolution 32-24 avers that the applicant has complied with all of these procedural steps. In the proposed PUD project known as “Loch Raven Overlook,” an application was filed by Osprey Property Company II LLC (“Osprey”) and Pax Development LLC (“Pax”) (the “Applicants”) for review and approval of a 3.041± acre site within the Urban Rural Demarcation Line zoned Business Roadside (B.R.) and Business Major (B.M.), located at 8712 Loch Raven Boulevard in the Loch Raven area of the 6th Councilmanic District.

The property is currently improved with a large building that was used as the Days Inn by Wyndham Towson, a hotel/motel, since approximately 1962. Applicants propose to redevelop the site, which has fallen into disrepair and ill repute, with a state-of-the-art workforce housing facility consisting of 122 apartments. Applicants propose a mix of studio (apartment with no separate bedroom/efficiency apartment), one-bedroom, two-bedroom, and three-bedroom units. The facility would offer a variety of indoor and outdoor amenities and services to its residents. Because the property’s current underlying zoning classification would not permit the proposed density, the applicant is proposing to utilize the PUD process under § 430 of the Baltimore County Zoning Regulations and is requesting a modification of uses and/or densities under § 32-4-242(d)(2) of the Baltimore County Code.

The applicant proposes to provide the following community benefits in accordance with § 32-4-242(b)(6)(iii) of the Baltimore County Code.

- An environmental benefit by proposing to achieve at least a silver rating according to the U.S. Green Building Council’s LEED Green Building Rating System or proposing residential structures that achieve at least a silver rating according to the American National Standards Institute (“ANSI”) National Green Building Standard (“NGBS”);
- A land use benefit by proposing a higher quality architectural design or use of higher quality building materials that enhance the development for its residents; and
- A public policy benefit promoting economic development opportunities by providing workforce housing.

Upon its passage by the County Council, Resolution 32-24 will be forwarded to the Departments of Planning and PAI for further processing.

MB-5 (Res. 33-24)

Council District(s) 5

Mr. Marks

**Reclassify County-Owned Land as Public Park Land –
Perry Hall and Carney Areas**

Resolution 33-24 reclassifies County-owned land in the Perry Hall and Carney areas as public parkland in order to extend existing public parks and create new public parks. Specifically, the resolution reclassifies and designates the following parcels of County-owned land as either an extension of an existing park or as a new park.


- Add 28 acres of County-owned land to Honeygo Run Regional Park (parcels 2300005525, 2300005527, 2300006050, 2300006051, 2300006052, and 2300006060);
- Extend Indian Rock Park by 23 acres by adding all County-owned land north of Ebenezer Road (parcels 2300001969, 1900004966, and unnamed property) and south of Silver Spring Road extending along Perry Hall Boulevard (parcels 1700002067 and 2000001823);
- Create a Seven Oaks Park by reclassifying 14 acres of land to the north and east of the Seven Oaks Senior Center and elementary school (parcels 1102019006, 230006464, and 2300006465); and
- Create a Jennifer Run Park in the vicinity of 2915 Jomat Avenue (parcels 0913206562 and 0913206561, excluding the Carney Park and Ride).

It is a priority of Baltimore County to create new pocket parks for communities around the County and support the creation of new public open space. Reclassifying County-owned land is a cost-effective way to protect open space. The resolution also encourages the County to implement signage at each location.

This resolution shall take effect from the date of its passage by the County Council and copies of the resolution shall be sent to the Department of Recreation and Parks and the Department of Planning.

BALTIMORE COUNTY COUNCIL
NOTES TO THE AGENDA
APPENDIX A

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

TO: Administrative Officer **DATE:** 4/29/24
FROM: Kevin D. Reed, Director  **COUNCIL MEETING**
Office of Budget & Finance **DATE:** 6/3/24
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 10002248 Comcast Holdings Corporation

This Supplier Contract is a Grant Disbursement Agreement by and between Comcast Cable Communications, LLC and Baltimore County Office of Information Technology for the Maryland Department of Housing and Community Development FY22 and FY23 Broadband Infrastructure Grant Program.

The Maryland Department of Housing and Community Development issued a Request for Proposal on October 22, 2021 through its FY22 Maryland Broadband Infrastructure Grant Program and a Request for Proposal on October 7, 2022 through its FY23 Maryland Broadband Infrastructure Grant Program. Internet Service will be provided to a pre-determined list of households identified by Comcast as "unserved" per the States definition and approved by the State in their award of the Broadband Infrastructure Grants to Comcast.

As part of Baltimore County's Digital Equity Initiative, in partnership with Comcast, applications were submitted pursuant to the program guidelines and statutory authority to deploy broadband within various unserved areas of the County.

The Grant Disbursement Agreements outlined the roles of the Maryland Department of Housing and Community Development grant award. The Grant Disbursement Agreements shall be effective when executed by the County and shall remain in effect until project completion.

Total Cost of Initial Five Agreements: \$2,213,060.00
Award Date: 4/26/24

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