

**BALTIMORE COUNTY COUNCIL
NOTES TO THE AGENDA
LEGISLATIVE SESSION 2023**

*Issued: May 25, 2023
Reissued: May 30, 2023
Work Session: May 30, 2023
Legislative Day No. 13: June 5, 2023*

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



OFFICE OF THE COUNTY AUDITOR

BALTIMORE COUNTY COUNCIL

June 5, 2023

NOTES TO THE AGENDA

TABLE OF CONTENTS

	PAGE
LEGISLATIVE SESSION	
Witnesses	ii
 <u>BILLS – FINAL READING</u>	
Bill 32-23	1
Bill 34-23	4
Bill 35-23	7
Bill 36-23	11
 <u>FISCAL MATTERS</u>	
FM-1	12
FM-2	15
FM-3	19
FM-4	23
FM-5	26
FM-6	30
FM-7	34
FM-8	37
FM-9	40
FM-10	44
FM-11	49
FM-12	54
FM-13	58
FM-14	63
FM-15	63
FM-16	63
FM-17	69
FM-18	72
FM-19	75
FM-20	78*
 <u>MISCELLANEOUS BUSINESS</u>	
MB-2 (Res. 15-23)	82
MB-3 (Res. 16-23)	83
MB-4 (Res. 17-23)	85

* Note included in reissued package

**AGENDA
BALTIMORE COUNTY COUNCIL
LEGISLATIVE SESSION 2023, LEGISLATIVE DAY NO. 13
June 5, 2023 6:00 P.M.**

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

Page

CALL OF BILLS FOR FINAL READING AND VOTE

- 1 **STACY RODGERS, COUNTY ADMINISTRATIVE OFFICER, ADMINISTRATIVE OFFICE**
Bill 32-23 – Mr. Jones(By Req.) – Office of Diversity, Equity and Inclusion
- 4 **KEVIN REED, DIRECTOR, OFFICE OF BUDGET AND FINANCE**
Bill 34-23 – Mr. Jones(By Req.) – Employees’ Retirement System
- 7 **TERRY HICKEY, DIRECTOR, DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT**
Bill 35-23 – Mr. Jones(By Req.) – CEB – Emergency Rental Assistance Program 2
- 11 **PETE GUTWALD, DIRECTOR, DEPARTMENT OF PERMITS, APPROVALS & INSPECTIONS**
Bill 36-22 – Mr. Jones(By Req.) – Cannabis Facilities

APPROVAL OF FISCAL MATTERS/CONTRACTS

- 12 **D’ANDREA WALKER, DIRECTOR, DEPARTMENT OF PUBLIC WORKS & TRANSPORTATION**
1. Contract – Protiviti Government Services, Inc. – Temporary personnel services – DPWT
- 15 **MAJOR DAN KALISZAK, POLICE DEPARTMENT**
2. Contract – Atmos Solutions, Inc. – Lead abatement services and cleaning – Police Indoor Firing Range – PD
- 19 **JOANNE RUND, CHIEF, FIRE DEPARTMENT**
3. Budget Appropriation Transfer – Fire Department – FD
72 18. Contract – University of Maryland Emergency Medicine Associates, P.A. – Emergency Medical Services
Director
- 23 **WALT PESTERFIELD, DIRECTOR, DEPARTMENT OF CORRECTIONS**
78 4. Budget Appropriation Transfer – Department of Corrections – DOC
20. Amendment #3 to Contract – Aramark Correctional Services, LLC – Food services – Department of
Corrections - DOC
- 26 **DEBRA SHINDLE, CHIEF, PROPERTY MANAGEMENT**
75 5. Budget Appropriation Transfer – Property Management – PM
19. Contract – Ecotone, LLC – Wetland Mitigation Credits – Sparrows Point Park – PM
- 30 **WHIT TANTLEFF/CHRISTOPHER HARTLOVE, BCPS**
6. Budget Appropriation Transfer – Baltimore County Public Schools – BCPS
- 34 **STEVE LAFFERTY, DIRECTOR, DEPARTMENT OF PLANNING**
7. Contract of Sale – Jean R. Worthley, LLC – Acquisition of perpetual conservation easement – Greenspring
Avenue-DOP
- 37 **LAURA RILEY, DIRECTOR, DEPARTMENT OF AGING**
40 8. Contract – Golden Days East Adult Medical Day Center – Adult Medical Daycare – AGING
9. Contracts – (29) – Senior Care In Home Services - AGING

APPROVAL OF FISCAL MATTERS/CONTRACTS (cont.)

DR. JENNIFER LYNCH, ACTING DIRECTOR, DEPARTMENT OF ECONOMIC & WORKFORCE DEVELOPMENT

- 44 10. Sublease Agreement – Board of Trustees CCBC -Sublease-American Job Center-3637 Offutt Road, 21133-DEWD
49 11. 2nd Amendment-Sublease Agreement – Board of Trustees CCBC- American Job Center-11101 McCormick Rd., 21031-DEWD

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

- 54 12. Contract – Affiliated Sante Group, Inc. – Comprehensive system of behavioral health emergency services-HHS
58 13. Amendment #3 to Contract – Transdev Services, Inc. – Medical transportation services – HHS

FAITH THOMAS, CHIEF, REAL ESTATE COMPLIANCE

- 63 14. Contract of Sale – Sandra E. Kwiatkowski-Dattoli – Acquisition of parcel-1517 Old Eastern Avenue, 21221-REC
63 15. Contract of Sale – Mallard Properties, LLC – Acquisition of parcel-1519 Old Eastern Avenue, 21221-REC
63 16. Contract of Sale – Michael H. Smith, III – Acquisition of parcel-1513 Old Eastern Avenue, 21221-REC
69 17. Contract of Sale – David & Barbara Murray – Acquisition of parcel-6738 Windsor Mill Road, 21207-REC

MISCELLANEOUS BUSINESS

COUNCIL

- ~~WITHDRAWN~~ 1. ~~Res. 12-23 – Mr. Marks – Revocation of approval of resolution and PUD application – BC Middle River Park~~
82 2. Res. 15-23 – Mr. Marks – Revocation of approval of resolution and PUD application – BC Middle River Park

JOANNE RUND, CHIEF, FIRE DEPARTMENT

- 83 3. Res. 16-23 – Mr. Jones(By Req.) – Accept donation – Office chairs – Under Armour – Fire Department

COUNCIL

- 85 4. Res. 17-23 – Mr. Jones – Updates to the Patapsco/Granite Area Community Plan

Bill 32-23

Council District(s) All

Mr. Jones (By Req.)

Administrative Office

Office of Diversity, Equity and Inclusion

Bill 32-23 codifies the Office of Diversity, Equity and Inclusion. The Office currently exists through Executive Order 2019-002. See Exhibit A.

The purpose of the Office is to advance and advise on fair policies and practices by: making decisions, providing opportunities, and allocating resources and services through a diversity, equity, and inclusion lens; and ensuring engagement, growth, and prosperity for all County employees, residents, visitors, and stakeholders.

The Office shall be headed by a Chief of the Office of Diversity, Equity and Inclusion who is appointed by the County Executive and is directly responsible to the CAO. The Office shall have the personnel considered necessary to carry out its assigned functions.

The Office would be responsible for enriching the County's fair and equitable policies and practices by working in coordination with other Offices and Departments, locally and Statewide, to promote equity-informed planning, policy development, and decision-making. The Office will develop and implement programs, services, and trainings for County staff that support achievement of the County's diversity, equity, and inclusion goals; promote equitable procurement and contracting practices; and recommend goals for advancing diversity, equity, and inclusion and develop data-driven metrics to track progress.

The Office shall: establish policies, procedures, or regulations to guide its functions and processes; refer complaints or issues of discrimination to the Baltimore County Human Relations Commission and provide support to the Commission as requested; and manage the Baltimore County Small Business Program established under § 10-2-108 of the Code.

The Chief of the Office shall also serve as the Executive Director of the Human Relations Commission. The bill also adds a seat on the Human Relations Commission to be held by a youth member. This would bring the membership of the Commission to 16 members. Last, the bill states that a member of the Human Relations Commission may not serve more than 2 terms consecutively.

The Office of Budget and Finance advised that there is no fiscal impact associated with the proposed legislation.

At the request of the Administration, the Council voted at its May 25, 2023 legislative session to extend the vote on Bill 32-23 until its legislative session on June 5, 2023. The bill will be discussed at the work session on May 30, 2023.

With the affirmative vote of five members of the County Council, Bill 32-23 will take effect July 1, 2023.

Executive Summary

The Administration is requesting approval to establish the Office of Diversity, Equity and Inclusion within *Title 15* under *Article 3. Administration* of the County's Code. The Office currently exists through Executive Order 2019-002. The goal of this legislation is to ensure that all county resources, opportunities and services are administered in an equitable manner that values diversity and inclusion for all county employees, residents, visitors and stakeholders. This measure will strengthen and expand the authority of the Office by charging it to oversee the County's Human Relations Commission, as well as the County's Minority, Women, Disadvantaged, and Small Business Programs. The Office would also be responsible for enriching the County's fair and equitable policies and practices by working in coordination with other Offices and Departments to promote equity-informed planning, policy development and decision-making.

The legislation also outlines the addition of a seat on the Human Relations Commission to be held by a youth member. This would bring the membership of the Commission to sixteen members and would add a critical voice to the panel that has not been included before.

Prepared by: Administrative Office

Bill 34-23**Council District(s) All**

Mr. Jones (By Req.)

Office of Budget and Finance

Employees' Retirement System

Bill 34-23 amends several sections of the County Code related to the Employees' Retirement System. See Exhibit A.

First, the bill removes the requirement for new employees to undergo a physical in order to join the Employees' Retirement System. Public Safety positions and certain safety sensitive positions in the County, as determined by the Office of Human Resources, will continue to require physicals prior to employment. However, physicals will not be a requirement for all new employees prior to joining the Retirement System, particularly for those employees who hold positions that do not require substantial physical activity.

Next, the bill makes the following changes regarding Correctional Officers' Option 7 Spousal Benefit (the Administration advised that the changes were designed to be nearly cost-neutral, and were agreed upon by the Correctional Officers).

- The bill requires that all Pay Schedule 1-C members contribute an additional 1% contribution to the Employees' Retirement System, effective July 1, 2023.
- Effective July 1, 2026, all Pay Schedule 1-C members who have completed at least 25 years of creditable service will be entitled to the Option 7 benefit, a 50% spousal benefit at no cost to the employee in retirement, provided the member meets the 36-month contribution requirement to pay for the Option 7 benefit.
- A Pay Schedule 1-C member who retires between July 1, 2023 and June 30, 2026 may purchase the Option 7 benefit by paying a post-tax lump-sum equivalent of the additional 1% contributions for the period of time between their retirement effective date and July 1, 2026 based on the member's base salary at the time of retirement. The lump sum payment must be made on or before the member's retirement effective date.

- A Pay Schedule 1-C member who retires on or after July 1, 2023 and selects both the DROP and the Option 7 benefit may recoup some of the additional contributions for the Option 7 benefit in the member's DROP account. In order to meet the 36-month contribution requirement to pay for the Option 7 benefit, those members who select both the DROP and the Option 7 benefit must pay a post-tax lump-sum equivalent of the additional 1% contributions to cover the portion of the 36-month requirement that was included in the member's DROP benefit. The lump sum payment must be made prior to the member's retirement effective date and will not be included in the member's DROP account.

In accordance with County Code, § 5-1-105, the Office of Budget and Finance provided an actuarial analysis of the retirement-related fiscal impact of Bill 34-23. Specifically, the County's actuary estimated that the proposed changes are nearly cost-neutral (approximately \$10,000 in today's dollars), when considered over a 23-year projection period.

With the affirmative vote of five members of the County Council, Bill 34-23 will take effect July 1, 2023.

Executive Summary

Correctional Officers' Option 7 Spousal Benefit

The following agreement with the Correctional Officers was designed to be nearly cost neutral.

Effective July 1, 2023, all Pay Schedule 1-C members will contribute an additional 1% contribution to the Employees' Retirement System.

Effective July 1, 2026, all Pay Schedule 1-C members who have completed at least twenty-five (25) years of creditable service will be entitled to the Option 7 benefit, a 50% spousal benefit at no cost to the employee in retirement, provided the member meets the 36-month contribution requirement to pay for the Option 7 benefit.

A Pay Schedule 1-C member who retires between July 1, 2023 and June 30, 2026 may purchase the Option 7 benefit by paying a post-tax lump-sum equivalent of the additional 1% contributions for the period of time between their retirement effective date and July 1, 2026 based on the member's base salary at the time of retirement. The lump sum payment must be made on or before the member's retirement effective date.

A Pay Schedule 1-C member who retires on or after July 1, 2023 and selects both the DROP and the Option 7 benefit may recoup some of the additional contributions for the Option 7 benefit in the member's DROP account. In order to meet the 36-month contribution requirement to pay for the Option 7 benefit, those members who select both the DROP and the Option 7 benefit must pay a post-tax lump-sum equivalent of the additional 1% contributions to cover the portion of the 36-month requirement that was included in the member's DROP benefit. The lump sum payment must be made prior to the member's retirement effective date and will not be included in the member's DROP account.

Decoupling of Physicals from the Employees' Retirement System

This legislation removes the requirement for new employees to undergo a physical in order to join the Employees' Retirement System. Public Safety positions and certain safety sensitive positions in the County, as determined by the Office of Human Resources, will continue to require physicals prior to employment. However, physicals will not be a requirement for all new employees prior to joining the Retirement System, particularly for those employees who hold positions that do not require substantial physical activity.

Prepared by: Office of Budget and Finance

Bill 35-23 (Supplemental Appropriation)

Council District(s) All

Mr. Jones (By Req.)

Department of Housing and Community Development

CEB - Emergency Rental Assistance Program 2

The Administration is requesting a supplemental appropriation of federal funds totaling \$1,150,608 to the Emergency Rental Assistance Program 2 Gifts and Grants Fund program. The funds will be used primarily to provide rent and utility assistance payments for eligible County households impacted by the COVID-19 pandemic. The Department advised that it expects to serve approximately 90 County households with the proposed grant funds. See Exhibit A.

Fiscal Summary

<u>Funding Source</u>	<u>Supplemental Appropriation</u>	<u>Current Appropriation</u>	<u>Total Appropriation</u>
County	--	--	--
State	--	--	--
Federal ⁽¹⁾	\$ 1,150,608	\$ 26,228,112	\$ 27,378,720
Other	--	--	--
Total	<u>\$ 1,150,608</u>	<u>\$ 26,228,112</u>	<u>\$ 27,378,720</u>

⁽¹⁾ U.S. Department of the Treasury, American Rescue Plan (ARP) Act funds. No County matching funds are required.

Analysis

The \$1,150,608 supplemental appropriation will be used primarily to provide rent and utility assistance payments for eligible County households impacted by the COVID-19 pandemic. Funds may be used for direct financial assistance including rent, rental arrearages, utilities and home energy costs, and utilities and home energy arrearages. ERAP2 guidelines allow a total of 18 months of assistance be provided to an eligible household. That assistance can take the form of rental/utility arrearage payments as well as future (prospective) rent/utility payments, not to

exceed three months of future assistance at any given time. In total, all types of assistance combined cannot exceed 18 months. The Department advised that it expects to serve approximately 90 County households with the proposed grant funds (based on an average assistance of \$11,500 per household, with the knowledge that most households will not require the maximum of 18 months of assistance).

To be eligible for assistance, at least one individual in the household must meet the following criteria:

- Qualifies for unemployment or has experienced a reduction in household income, incurred significant costs, or experienced a financial hardship due to COVID-19;
- Demonstrates a risk of experiencing homelessness or housing instability; and
- Has a household income, or monthly income at time of application, at or below 80% of the area median income using HUD's income limits (e.g., \$89,400 for a family of four). Categorical eligibility will be granted if the household receives benefits through another government program (e.g., Supplemental Nutrition Assistance Program (SNAP), Temporary Assistance to Needy Families (TANF), VA disability pension) that has income limits at or below 80% of the area median income. However, the Department advised that the majority qualify based on income.

As directed by the U.S. Treasury guidance, the Department advised that it will prioritize households that include an individual who has been unemployed for the 90 days prior to the application for assistance and households with income at or below 50% of the area median income (e.g., \$58,050 for a family of four). The Department further advised that it anticipates the County will provide grants to experienced nonprofit service providers, which will be responsible for making payments on behalf of the eligible households to landlords and utility providers. The Department advised that the Council will be notified of the awards to nonprofit service providers via the 14-day grant review process. The Department also advised that rental assistance provided to a household through this grant program may not be duplicative of any other federally-funded rental assistance provided to the same household for the same period of assistance.

The Department advised that of the \$1,150,608 grant award, up to \$172,591 (15%) may be used for administrative costs, including staffing costs associated with determining eligibility and providing oversight of the funding, and for housing stability services, including case management.

The grant period continues through September 30, 2025. No County matching funds are required.

On September 7, 2021, the Council approved a \$7,109,350 supplemental appropriation of federal ERAP1 funds passed through the Maryland Department of Housing and Community Development (DHCD) to the State DHCD ERAP1 Program, and on August 1, 2022, the Council approved a \$6.0 million supplemental appropriation of federal ERAP2 funds passed through the Maryland Department of Housing and Community Development to the State DHCD ERAP2 Program. In addition to Maryland DHCD pass-through funding, the County has received approximately \$51.0 million in federal ERAP grant funding (including \$24.7 million, \$19.6 million, and \$6.7 million approved by the Council on February 16, 2021, August 2, 2021, and February 22, 2022, respectively). The Department advised that with the entirety of federal and federal pass-through ERAP awards, the County has distributed a total of \$55.6 million to benefit 5,757 families as of February 2023.

The Department advised that the State provided an additional \$11.5 million of ERAP2 funds directly to United Way of Central Maryland to provide rental assistance to County families.

With the affirmative vote of five members of the County Council, Bill 35-23 will take effect June 19, 2023.

Executive Summary

Baltimore County Council approval is being requested for a supplemental appropriation of \$1,150,607.79 from the U.S. Department of the Treasury, which will provide emergency rental assistance to County households negatively impacted by or during the Covid-19 pandemic.

The County applied for reallocated Treasury ERAP2 funds in February 2023, request \$5M. Although available reallocation funds were limited, on April 12, 2023, the County was notified of this award (one of only 3, and the largest reallocation in the State).

The County Council has previously approved supplemental appropriations of ERAP funds via Bill 9-21 - \$24,730,552, February 2021 (direct from Treasury), Bill 68-21 - \$19,568,129, August 2021 (direct from Treasury), and Bill 49-22 - \$6,000,000, August 2022 (state pass-through allocation of ERAP).

To date, utilizing a variety of pandemic-era funds, funds of approximately \$115M, through the tireless work of our non-profit partners and DSS, about 8,000 households have remained in houses and averted eviction as a result. The County estimates approximately 90 households will be assisted through the emergency rental assistance program with this supplemental appropriation funding.

Funds can be used for direct financial assistance, including rent, rental arrears, utilities, home energy costs, utilities and home energy costs arrears, and other expenses related to housing, housing stability services (including case management), and other services intended to keep households stably housed. Per Treasury guidelines, we must prioritize assistance to households with incomes less than 50 percent area median income and to households with one or more members that have been unemployed for at least 90 days.

Up to 15% of the funding can be used for administrative costs, although the County has historically utilized less than the 15% permitted for Admin costs so as to distribute more funds to families in need. The funds expire on September 30, 2025.

Prepared by: Department of Housing and Community Development

Bill 36-23

Council District(s) All

Mr. Jones (By Req.)

Department of Permits, Approvals & Inspections

Cannabis Facilities

Bill 36-23 amends existing provisions in the County Code and Zoning Regulations concerning medical cannabis facilities so as to make those provisions equally applicable to adult-use cannabis facilities in order to account for the Statewide legalization of adult-use cannabis.

Specifically, the bill strikes the word “medical” from references to a medical cannabis facility, dispensary, grower, and processor. The definitions of these terms are also updated to reflect recent changes in State regulations. Last, the bill adds specific COMAR cross references to relevant sections and definitions regarding adult-use cannabis.

With the affirmative vote of five members of the County Council, Bill 36-23 will take effect July 1, 2023.

FM-1 (Contract)

Council District(s) All

Department of Public Works and Transportation

Temporary Personnel Services

The Administration is requesting approval of contract with Protiviti Government Services, Inc. to provide temporary personnel services to assist with the County’s proactive pre-billing analysis processes to help reduce the total number of billing errors and associated customer service contacts generated after tax billing occurs. The contract commences upon Council approval and continues through March 10, 2026 with the option to extend the term an additional 180 days. The contract does not specify a maximum compensation for the entire approximate 3-year and 3-month term, including the extension period. Compensation may not exceed the amount appropriated for these services for the entire contract term. The Department advised that estimated compensation totals \$172,000 for the entire approximate 3-year and 3-month term, including the extension period. See Exhibit A.

Fiscal Summary

Funding Source	Total Compensation	Notes
County ⁽¹⁾	\$ 172,000	⁽¹⁾ Capital Projects Fund (Metropolitan District). ⁽²⁾ Estimated compensation for the entire approximate 3-year and 3-month term, including the extension period. The contract does not specify a maximum compensation for the entire term. Compensation may not exceed the amount appropriated for these services for the entire term.
State	--	
Federal	--	
Other	--	
Total	<u>\$ 172,000</u> ⁽²⁾	

Analysis

The Department advised that the contractor will provide two full-time temporary staff (Clerical/Office Automation Assistant II) for approximately 10 weeks per year to pre-scrub the Metropolitan District annual billing data, handle billing inquiries, and diminish customer complaints

and appeals through proactive data analysis to correct billing errors and flag the accounts for review. The contractor will bill the County at the hourly rate of \$57.51 for each temporary staff.

The contract commences upon Council approval and continues through March 10, 2026 with the option to extend the term an additional 180 days on the same terms and conditions, unless the County provides notice of non-renewal. The contract does not specify a maximum compensation for the entire approximate 3-year and 3-month term, including the extension period. Compensation may not exceed the amount appropriated for these services for the entire contract term. The Department advised that estimated compensation totals \$172,000 for the entire approximate 3-year and 3-month term, including the extension period. The County may terminate the agreement by providing 30 days prior written notice.

The County awarded the contract as a cooperative procurement of a competitively bid U.S. General Services Administration contract. The Department advised that there was not an M/WBE participation requirement.

The County contracted with Robert Half International, Inc. to provide similar services during the November 30, 2020 through June 30, 2021 and the July 2, 2021 through October 1, 2021 periods; the Council was notified of these contacts through Correspondence on the February 16, 2021 (\$79,433) and December 6, 2021 (\$55,692) legislative agendas, respectively. In addition, the Department advised that on June 3, 2022, the Administration approved a purchase order with Robert Half International, Inc. for similar services for the period June 13, 2022 through June 30, 2022 and that expenditures totaled \$11,670. On December 19, 2022, the Council retroactively approved a contract not to exceed \$36,678 with Robert Half International, Inc. for similar services for the period July 1, 2022 through August 31, 2022; the Department had advised that the transition of the financial system to Workday resulted in the oversight of not seeking prior Council approval of that 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

Protiviti Government Services

Protiviti Government Services specializes in providing temporary personnel services with the specific data/financial expertise required by the agency. The County currently has no contracts with vendors to provide such a specialized service with this required level of expertise. Protiviti and its independent and locally owned Member Firms provide clients with consulting and managed solutions in finance, technology, operations, data, digital, legal, governance, risk, and internal audit. Protiviti Government Services supplies experienced contractors that would assist with the pre-billing scrubbing of Metropolitan District annual billing data, handling high volume in-bound calls primarily around billing inquiries and customer service matters. These services will increase levels of customer service by reducing response times in addressing taxpayer requests. The contractors would primarily be proactively performing data analysis to detect billing errors while reviewing taxpayer accounts, assigning new cases to case managers to review taxpayer accounts for adjustments to diminish the number of taxpayer appeals, and providing other tier one customer services. The City has a known number of water billing inaccuracies that the County reviews and corrects to ensure billing accuracy for the County taxpayers for annual sewer service charges. Immediately following the issuance of the July 1 tax bills, a large volume of customer service contracts are initiated by County taxpayers to review their annual sewer service charges. In the future, the use of Protiviti Government Services personnel will help the County's proactive pre-billing analysis processes to help reduce the total number of the billing errors and the associated customer service contracts generated after billing occurs. This reduction will help reduce the timelines of the post-billing account review processes while also reducing the volume of administrative appeals and the associated court costs.

This Agreement shall be effective when executed by the County and shall continue through March 10, 2026 (the "Initial Term"), unless sooner terminated pursuant to this Agreement. In no event shall the compensation paid to the Contractor exceed the sum of the County Council approved appropriation during the entire term of this Agreement including renewals thereof.

Prepared by: Department of Public Works and Transportation

FM-2 (Contract)

Council District(s) 3

Police Department

Lead Abatement Services and Cleaning – Police Indoor Firing Range

The Administration is requesting approval of a contract with Atmos Solutions, Inc. to provide lead abatement and cleaning services at the Police Indoor Firing Range and adjacent spaces at the County Firearms Training Facility located at 2001 Dulaney Valley Road in Timonium. The 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 contract does not specify a maximum compensation for the initial 1-year term. Compensation may not exceed \$680,000 for the entire 5-year and 4-month term, including the renewal and extension periods. See Exhibit A.

Fiscal Summary

Funding Source	Maximum Compensation	Notes
County ⁽¹⁾	\$ 680,000	⁽¹⁾ General Fund Operating Budget. ⁽²⁾ Maximum compensation for the entire 5-year and 4-month term, including the renewal and extension periods. The contract does not specify a maximum compensation for the initial 1-year term.
State	--	
Federal	--	
Other	--	
Total	\$ 680,000 ⁽²⁾	

Analysis

The contractor will provide all labor, materials, supervision, equipment, and incidentals for lead abatement at the Police Indoor Firing Range and adjacent spaces at the County Firearms Training Facility located at 2001 Dulaney Valley Road in Timonium. Services will include, but are not limited to, the complete removal and disposal of lead shot, lead dust, lead dust waste residue, unburnt gunpowder and wadding from the range shooting booths and the bullet collection trap; a

complete cleaning and abatement of the tracks and carriers, cross braces, range walls, and range floor; and the HEPA vacuuming of the exhaust filter banks on a monthly or as-needed basis. The contractor will charge the County \$4,500 for each lead abatement service. The replacement cost for the installation of exhaust filters ranges from \$40 to \$595, depending on the type of filter.

The 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 contract does not specify a maximum compensation for the initial 1-year term. Compensation may not exceed \$680,000 for the entire 5-year and 4-month term, including the renewal and extension periods. The Office of Budget and Finance, Purchasing Division advised that the maximum compensation amount includes a 22% contingency.

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

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

On October 7, 2019, the Council approved a 5-year and 3-month contract (which commenced August 1, 2019) for similar services with SanDow Construction, Inc. not to exceed \$585,000. The Department advised that the County chose not to renew the contract beginning August 1, 2022. The County's financial system indicates that expenditures under the contract totaled \$200,957. The Department further advised that no services were performed during August 2022. On September 19, 2022, the Administration approved an emergency procurement with Maryland Cleaning & Abatement Services Corp. totaling \$128,200 to provide similar services for the period of September 2022 through April 2023; the Administration notified the Council of this procurement via Correspondence on the November 21, 2022 legislative agenda. The Department advised that Maryland Cleaning & Abatement Services Corp. also provided services in May 2023 totaling \$11,975.

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

Lead Abatement Services, Indoor Firearms Training Facility

The Project

The scope of services under the agreement is for Atmos Solutions, Inc. to provide lead abatement services and cleaning, including periodic replacement of the ventilation system exhaust filters, on a regular basis at the Police Indoor Firing Range. The frequency of the services shall be monthly or as directed by the Firearms Range Supervisor.

The agreement was awarded through competitive bid, to the low bidder. The term is for one (1) year with four (4) additional one-year renewal options.

The total compensation may not exceed \$680,000.00 during the entire term of the agreement including all renewals.

Prepared by: Police Department

FM-3 (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 \$2,896,000 from the Police Department – Administrative Support Bureau (\$2,200,000) as well as from the Fire Department’s Field Operation Administration (\$290,000), Investigative Services (\$230,000), Alarm and Communication System (\$60,000), Fire/Rescue Academy (\$50,000), Office of Homeland Security and Emergency Management (\$36,000), and General Administration (\$30,000) programs, to the Fire Department’s Field Operations program. The Department advised that the funds will be used to cover higher-than-anticipated callback expenses. See Exhibit A.

Fiscal Summary

<u>Transfer From</u>	<u>Program</u>	<u>Current Appropriation</u>	<u>Transfer Amount</u>	<u>Adjusted Appropriation</u>
015-1508	Police Department – Administrative Support Bureau	\$ 20,014,935	\$ (2,200,000)	\$ 17,814,935
016-1606	Fire Department – Field Operation Administration	2,851,908	(290,000)	2,561,908
016-1602	Fire Department – Investigative Services	1,865,565	(230,000)	1,635,565
016-1603	Fire Department – Alarm and Communication System	771,768	(60,000)	711,768
016-1607	Fire Department – Fire/Rescue Academy	1,361,077	(50,000)	1,311,077
016-1605	Fire Department – Office of Homeland Security and Emergency Management	274,890	(36,000)	238,890
016-1601	Fire Department – General Administration	2,061,268	<u>(30,000)</u> <u>\$ (2,896,000)</u>	2,031,268
Transfer To				
016-1604	Fire Department – Field Operations	\$ 98,891,642	\$ 2,896,000	\$ 101,787,642

Analysis

Source of Funds

The Department advised that funds totaling \$2,200,000 are available from the Police Department – Administrative Support Bureau due to higher-than-anticipated vacancies. The Department further advised that funds totaling \$696,000 are available internally due to lower-than-anticipated salary costs (\$642,000) in the General Administration, Investigative Services, Field Operation

Administration, Alarm and Communication System, Fire/Rescue Academy, and Office of Homeland Security and Emergency Management programs as well as savings in motor pool (\$34,000) and voice and data (\$20,000) costs.

Use of Funds

The Department advised that the \$2,896,000 will be used within the Field Operations program to cover higher-than-anticipated callback expenses. The Department further advised that during FY 2023, it has experienced a large number of vacancies, and that this has necessitated increased callback in order to maintain necessary station coverage.

This BAT would not result in an increase to the amount subject to the Spending Affordability Committee's FY 2023 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." 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."

Executive Summary

The Fire Department is requesting Council approval for a Budget Appropriation Transfer in the amount of \$2,896,000. These funds are necessary to cover higher than anticipated callback expenses. During FY23, 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. In addition, funds are available from the Police Department due to higher than anticipated vacancies in the Administrative Support Bureau.

Prepared by: Fire Department

FM-4 (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 \$600,000 from the Reserve for Contingencies program to the Department of Corrections. The Department advised that the funds will be used for overtime costs as well as to cover increased costs for inmate meals due to higher-than-anticipated inmate populations. 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	\$ (600,000)	\$ 1,900,000
<u>Transfer To</u>				
008-0801	Corrections	\$ 47,228,705	\$ 600,000	\$ 47,828,705

Analysis

Source of Funds

The source of funding for the transfer is the Reserve for Contingencies program. Specifically, \$600,000 is available from the \$2,500,000 that is presently unexpended and unencumbered within the Reserve for Contingencies program.

Use of Funds

The Department advised that the \$600,000 will be used for higher-than-anticipated overtime costs (\$375,000) as well as for increased expenditures under the Aramark contract for the provision of inmate meals (\$225,000). The Department further advised that it has experienced a high number

of vacancies in FY 2023, which has led to increased reliance on overtime in order to ensure necessary staff coverage. In addition, the Department advised that unanticipated increases in the inmate population have required additional expenditures for inmate meals.

This BAT would result in an increase of up to \$600,000 in the amount subject to the Spending Affordability Committee's FY 2023 spending guideline. Following approval of this BAT, the FY 2023 budget will be \$1.4 million under the guideline.

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

Executive Summary

The Department of Corrections is requesting Council Approval for a Budget Appropriation Transfer in the amount of \$600,000. These funds are necessary for the Department of Corrections' overtime and Aramark expenditures for inmate meals. During FY23, Corrections has experienced a high number of vacancies which required increased overtime to ensure necessary staff coverage for Correctional Officers. In addition, the Aramark food service meals will need additional funding due to unanticipated increases in the inmate population. Funds from Reserve for Contingencies will be utilized to assist Corrections in meeting these obligations.

Prepared by: Department of Corrections

FM-5 (Budget Appropriation Transfer)

Council District(s) All

Property Management

BAT – Property Management

The Administration is requesting approval of a General Fund budget appropriation transfer (BAT) totaling \$3,700,000 from the Department of Public Works & Transportation, Bureau of Highways and Equipment Maintenance – Storm Emergencies program to Property Management’s Building Operations and Management (\$3,290,000), Building Maintenance (\$250,000), and Maintenance of Grounds and Recreation Sites (\$160,000) programs. The Department advised that the funds will be used for utility costs, higher-than-anticipated salaries, equipment maintenance, and motor fuel. See Exhibit A.

Fiscal Summary

<u>Transfer From</u>	<u>Program</u>	<u>Current Appropriation</u>	<u>Transfer Amount</u>	<u>Adjusted Appropriation</u>
070-7505	DPWT - Bureau of Highways and Equipment Maintenance – Storm Emergencies	\$ 7,519,120	\$ (3,700,000)	\$ 3,819,120
Transfer To				
025-2503	Property Management - Building Operations and Management	\$ 19,190,509	\$ 3,290,000	\$ 22,480,509
025-2502	Property Management – Building Maintenance	10,505,065	250,000	10,755,065
025-2504	Property Management – Maintenance of Grounds and Recreation Sites	8,750,402	160,000	8,910,402
			<u>\$ 3,700,000</u>	

Analysis

Source of Funds

Property Management advised that funds totaling \$3,700,000 are available from the Department of Public Works & Transportation, Bureau of Highways and Equipment Maintenance – Storm Emergencies program. These funds are available due to the mild winter that the mid-Atlantic region experienced in FY 2023, which Property Management advised resulted in excess funding in both service contracts and supplies and materials.

Use of Funds

Property Management advised that the \$3,700,000 will be used within the Building Operations and Management program for additional utility costs (\$3,150,000) due to both energy supply cost increases and an increase in large building square footage (e.g., former Sears building at Security Square, Cheverly Road property) being assumed by the County in FY 2023. Additionally, Property Management advised that funding will be used within the Building Maintenance program for equipment maintenance costs (\$50,000) due to unforeseen emergency repairs and within the

Maintenance of Grounds and Recreation Sites program for motor fuel costs (\$40,000) due to fuel price increases. Property Management further advised that funding will be used for higher-than-anticipated salary costs (\$460,000) across the three aforementioned programs.

This BAT would not result in an increase to the amount subject to the Spending Affordability Committee's FY 2023 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 Property Management Division of the Office of Budget and Finance requires a Budget Appropriation Transfer (BAT) for FY 2023. The transferred funds will cover additional expenditures for salaries, utilities for facilities, equipment maintenance and motor fuel. The BAT total is \$3,700,000.

The Office of Budget and Finance has indicated that funds are available from the Department of Public Works and Transportation, Bureau of Highways & Equipment Maintenance, CC750500, Storm Emergencies. The object lines in the Storm Emergencies program from which the \$3,700,000 will be transferred are Contracts (SC52020) \$868,011 and Services and Supplies and Materials (SC5300) \$2,831,989.

The transferred funds are needed for the following reasons:

Salaries coming in over budget (SC53080) – BAT requested \$460,000.

Utilities – Facilities (SC52100) – Utility costs are higher than originally estimated for the FY 2023 budget because of energy supply increases (market driven) and an increase in large building square footage being assumed in FY 2023. BAT requested \$3,150,000.

Motor Fuel (SC53080) – Fuel costs are higher than originally estimated for FY 2023 budget because of fuel price increases. BAT requested \$40,000.

Equipment Maintenance (SC53200) – Costs were higher than originally estimated for FY 2023 budget due to unforeseen emergencies. BAT requested \$50,000.

Prepared by: Property Management

FM-6 (Budget Appropriation Transfer)

Council District(s) All

Baltimore County Public Schools

BAT – Baltimore County Public Schools

The Administration is requesting approval of a budget appropriation transfer (BAT) totaling \$38.1 million within the Baltimore County Public Schools (BCPS) budget to provide for textbooks; prekindergarten furniture and supplies; spare student Chromebooks; the realignment of expenditures in schools; contracted teacher substitutes; digital display panels; nonpublic placements; maintenance contracts; a dance studio, and increased State retirement system expenses. BCPS advised that the funds are available from salary savings due to higher-than-anticipated turnover and a challenging hiring environment due to the pandemic, as well as from the movement of substitute compensation from salaries to the Kelly Services contract. See Exhibit A.

Fiscal Summary

<u>Transfer From</u>	<u>Program</u>	<u>Current Appropriation/ Authorization</u>	<u>Transfer Amount</u>	<u>Adjusted Appropriation/ Authorization</u>
3502	Mid-Level Administration	\$ 121,318,542	\$ (4,427,477)	\$ 116,891,065
3503	Instructional Salaries & Wages	632,491,373	(33,667,000)	598,824,373
			<u>\$ (38,094,477)</u>	
<u>Transfer To</u>				
3504	Instructional Textbooks & Supplies	\$ 23,459,338	\$ 4,000,000	\$ 27,459,338
3505	Other Instructional Costs	49,177,201	23,594,477	72,771,678
3506	Special Education	243,133,140	2,500,000	245,633,140
3511	Maintenance of Plant	45,730,497	5,000,000	50,730,497
3512	Fixed Charges	358,543,280	3,000,000	361,543,280
			<u>\$ 38,094,477</u>	

Analysis

Source of Funds

BCPS advised that \$38.1 million is available in the following programs:

- \$4.4 million in the Mid-Level Administration program from salary savings due to higher-than-anticipated turnover generated from vacancies and a challenging hiring environment; and
- \$33.7 million in the Instructional Salaries & Wages program from salary savings due to higher-than-anticipated turnover generated from vacancies and a challenging hiring environment (\$10.8 million) and the movement of substitute compensation from salaries to the Kelly Services contract (\$22.8 million).

Use of Funds

BCPS advised that \$38.1 million of additional funds is needed to cover costs for the following:

- \$4.0 million in the Instructional Textbooks and Supplies program for the realignment of expenditures in schools (\$1.8 million), furniture and supplies for prekindergarten expansion (\$959,063), spare student Chromebooks (\$800,000), and social studies textbooks (\$414,000);
- \$23.6 million in the Other Instructional Costs program for the movement of substitute compensation from salaries to the Kelly Services contract (\$22.8 million) and for year two of a six-year classroom digital display panel lease (\$767,000);
- \$2.5 million in the Special Education program for increased nonpublic placements;
- \$5.0 million in the Maintenance of Plant program for maintenance service contracts necessitated by excess vacancies (\$4.5 million) and for the construction of a dance studio at Deep Creek Middle School (\$500,000); and
- \$3.0 million in the Fixed Charges program for an increase in State retirement system expenses.

This BAT would not result in an increase in the amount subject to the Spending Affordability Committee's FY 2023 spending guideline.

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."

Executive Summary

This annual budget appropriation transfer will realign funds by category with planned and projected year-end expenses. Funds are available due to savings in salary expenditures from higher than expected turnover and a challenging hiring environment. The proposed transfers are necessary to implement the FY2023 operating plan, implement the teacher substitute contract, provide for FY2023 textbooks, support prekindergarten classrooms, support principals' reallocation of funds to classroom supplies and provide for maintenance of plant. Expenditure decisions are subject to the availability of funds. The Baltimore County Public Schools Board of Education approved this transfer on April 18, 2023.

Prepared by: Office of Budget and Finance/BCPS

FM-7 (Contract)

Council District(s) 2

Department of Planning

Acquisition of Perpetual Conservation Easement – Greenspring Avenue

The Administration is requesting approval to acquire a perpetual conservation easement on approximately 18.17 acres of land for \$93,330 under the County’s Agricultural Land Preservation Program. Jean R. Worthley, LLC currently owns the property, which is located on Greenspring Avenue in Owings Mills. The property is zoned RC-2 (Resource Conservation-Agricultural Protection), RC-4 (Resource Conservation-Watershed Protection), and RC-5 (Resource Conservation-Rural Residential). See Exhibit A.

Fiscal Summary

Funding Source	Purchase Price	Notes
County ⁽¹⁾	\$ 93,330	⁽¹⁾ Capital Projects Fund.
State	--	
Federal	--	
Other	--	
Total	\$ 93,330	

Analysis

The County established the Agricultural Land Preservation Program in 1994 to preserve working family farms and to utilize innovative and collaborative funding mechanisms for the preservation of large contiguous blocks of natural and agricultural resources including forest, scenic, and environmental resources in the County. The Department advised that the property to be acquired is forested and contiguous to a block of over 20,000 acres of protected lands.

The 18.17-acre property to be acquired is located within the Upperco, Worthington, & Sparks Agricultural Priority Preservation Area. The use of the property will be subject to a deed of conservation easement to be granted to the County on behalf of the Baltimore County Agricultural Land Preservation Board by the seller. The property is zoned RC-2, RC-4, and RC-5. The Department advised that the purpose of the easement is to conserve and preserve the significant conservation values including the natural, agricultural, forestry, environmental, scenic, cultural, woodland, and wetland characteristics of the property.

The Department advised that it calculated a value of approximately \$5,137 per acre for the easement in accordance with the formula set forth by Section 24-3-106 of the Baltimore County Code. The formula considers factors relating to the quality of the land and its importance relative to preservation efforts (e.g., size, soil productivity, contribution to agricultural industry, woodland area, and development pressure) and the willingness of the property owner to discount easement prices.

The Department advised that the County has preserved a total of 70,171 acres through all preservation programs as of May 2023; the County's goal is at least 80,000 acres. On May 1, 2023, the Council approved the acquisition of a perpetual conservation easement on approximately 65.865 areas of land in the Upperco, Worthington, & Sparks Agricultural Priority Preservation Area.

The Baltimore County Code, Article 24, Section 3-101, authorizes Baltimore County to purchase easements and real property to preserve agricultural land in the County. The Department advised that the County reviews applications submitted by property owners and moves forward projects as funding allows.

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

Executive Summary

PROGRAM TITLE: County's Agricultural Land Preservation Program

JO NO.: 248.217.0001.0301

FISCAL MATTER: Contract of Sale

PROPERTY OWNER: Jean R. Worthley, LLC

LOCATION: Greenspring Ave. Map 45; Grid 0005; Parcel 0179
18.170 ac.+/-

CONSIDERATION \$93,330.38

PURPOSE OF PROJECT: This contract being a perpetual conservation easement containing 18.170 ac+/- . Under the County Agricultural Easement

LIMITS OF PROJECT: Greenspring Ave., Owings Mills, MD conservation

Prepared by: Office of Law – Real Estate Compliance

FM-8 (Contract)

Council District(s) 7

Department of Aging

Adult Medical Day Care

The Administration is requesting approval of a contract with Golden Days East Adult Medical Day Center, LLC to provide adult day care services, including transportation, for eligible ill, frail, or disabled County residents aged 55 years and older. The contract commences June 5, 2023, continues through June 30, 2024, and will renew automatically for one additional 1-year period. Compensation may not exceed the current Medical Assistance rate as determined by the Maryland Department of Health, less any client contributions. The Department estimates compensation totals \$5,000 for the initial approximate 1-year and 1-month term and \$10,000 for the entire approximate 2-year and 1-month term, including the renewal period. See Exhibit A.

Fiscal Summary

Funding Source	Initial Term	Total Compensation
County ⁽¹⁾	\$ 1,500	\$ 3,000
State ⁽²⁾	3,500	7,000
Federal	--	--
Other	--	--
Total	\$ 5,000 ⁽³⁾	\$ 10,000 ⁽⁴⁾

⁽¹⁾ General Fund Operating Budget.

⁽²⁾ Maryland Department of Health and Maryland Department of Aging funds.

⁽³⁾ Estimated compensation for the initial approximate 1-year and 1-month term.

⁽⁴⁾ Estimated compensation for the entire approximate 2-year and 1-month term, including the renewal period.

Analysis

The Baltimore County Adult Day Care/Senior Care Program subsidizes adult day care services for County residents with the goal of avoiding premature institutionalization. The Department

advised that the contractor will provide medical monitoring, administration of medication, recreation, socialization, meals, snacks, and personal care services. To be eligible to receive the gap-filling assistance, County residents must be aged 55 and over, substantially homebound, unable to be employed, and at risk of institutionalization.

The County will pay the contractor a per-diem amount per client not to exceed the current Medical Assistance rate as determined by the Maryland Department of Health. The Department advised that the FY 2024 rate has not yet been published (the FY 2023 rate, including transportation costs, is \$104.81 per day). This payment will be offset by any client contributions, as determined annually on a case-by-case basis (State sliding fee scale).

The contract commences June 5, 2023, continues for 1 year, and will renew automatically for one additional 1-year period on the same terms and conditions, unless the County provides notice of non-renewal. Compensation may not exceed the current Medical Assistance rate as determined by the Maryland Department of Health, less any client contributions. The Department estimates compensation totals \$5,000 for the initial approximate 1-year and 1-month term and \$10,000 for the entire approximate 2-year and 1-month term, including the renewal period. The County or the contractor may terminate the agreement by providing 30 days prior written notice. The contract is also subject to the availability of funds and to immediate termination by the County in the event of a reduction or termination of funding.

The County awarded the contract through a solicitation of all interested parties. According to the bid documents, there was not an M/WBE participation requirement. The Department advised that the County contracts with any provider that serves Baltimore County residents and meets Department criteria for providing these services. The Department also advised that the resident is given the option to select any of the participating facilities to attend. The Department expects the program will serve 23 clients in FY 2023 and 25 clients in FY 2024.

On July 6, 2020, the Council approved 24 similar five-year contracts, which will expire on June 30, 2025. The Department advised that expenditures through April 2023 total \$67,044.

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

ADULT DAY CARE/SENIOR CARE PROGRAM Golden Days East Adult Medical Day Center, LLC.

The Department of Aging is requesting approval of an Adult Day Care contract, **Golden Days East Adult Medical Day Center** within the Senior Care Program.

The Baltimore County Adult Day Care/ Senior Care Program is funded by the Maryland Department of Health (MDH) and the Maryland Department of Aging to subsidize adult day care services to Baltimore County residents.

This program provides financial assistance to individuals aged 55 and over to subsidize the cost of adult day care services. Adult day care centers under contract provide medical monitoring, administration of medication, recreation, socialization, meals, snacks and personal care services. The goal of adult day care centers is to provide assistance and supervision needed to maintain physically and/or mentally impaired individuals in a community setting and avoid premature institutionalization.

The Baltimore County Adult Day Care Program has served 23 older adults in the current fiscal year and expects to serve 25 older adults in the 2024 fiscal year.

Prepared by: Department of Aging

FM-9 (29 Contracts)

Council District(s) All

Department of Aging

Senior Care In-Home Services

The Administration is requesting approval of 29 contracts to provide home health care, in-home respite care, and chore services (e.g., cleaning, meal preparation, etc.) to eligible frail, ill, or disabled low- and moderate-income, homebound County residents age 65 or older to avoid nursing home placement. Each contract commences July 1, 2023, continues for 1 year, and may be renewed for four additional 1-year periods. The contracts do not specify a maximum compensation for the initial 1-year term or for the entire 5-year term, including the renewal periods. Compensation for all contractors combined is limited to the amount appropriated for these services for the entire contract term. Estimated compensation for all 29 contractors combined totals \$946,194 for the initial 1-year term and \$4,730,970 for the entire 5-year term, including the renewal periods. See Exhibit A for a list of the 29 contractors.

Fiscal Summary

Funding Source	Initial Term	Combined Total Compensation
County	--	--
State ⁽¹⁾	\$ 946,194	\$ 4,730,970
Federal	--	--
Other	--	--
Total	<u>\$ 946,194</u> ⁽²⁾	<u>\$ 4,730,970</u> ⁽³⁾

⁽¹⁾ Maryland Department of Aging funds.

⁽²⁾ Estimated compensation for all contractors combined for the initial 1-year term. The contracts do not specify a maximum compensation for the initial term.

⁽³⁾ Estimated compensation for all contractors combined for the entire 5-year term, including the renewal periods. The contracts do not specify a maximum compensation for the entire contract term. Compensation may not exceed the amount appropriated for these services for the entire contract term.

Analysis

The contractors will provide home health care, in-home respite care, and chore services to eligible frail, ill, or disabled low- and moderate-income, homebound County residents age 65 or older to avoid nursing home placement. The Department advised that in order to qualify for these services, the following income and asset limits apply as of March 1, 2023: for one individual, monthly income of \$3,324 and assets of \$11,000; and for two individuals, monthly income of \$4,346 and assets of \$14,000. The Department further advised that these seniors lack sufficient resources to acquire these services and are not eligible for Medical Assistance or other assistance programs.

Case managers from the Departments of Aging and Health and Human Services will assess the clients' needs, prepare care plans, present clients with a list of approved vendors (from which they can select a service provider), and then monitor the care provided. Hourly rates for services range from \$20 to \$36, depending on the contractor and type of service; flat fees for the initial nursing home assessment and annual nursing assessment range from \$50 to \$175, depending on the contractor. The Department expects to serve 400 clients in both FY 2023 and FY 2024.

Each contract commences July 1, 2023, continues for 1 year, and may be renewed for four additional 1-year periods on the same terms and conditions. The contracts do not specify a maximum compensation for the initial 1-year term. Compensation for all contractors combined is limited to the amount appropriated for these services for the entire contract term. Estimated compensation for all 29 contractors combined totals \$946,194 for the initial 1-year term and \$4,730,970 for the entire 5-year term, including the renewal periods. Either party may terminate the agreement by providing 30 days prior written notice. The contracts are subject to the availability of State funds and to termination by the County in the event of a reduction and/or loss of funding.

The County awarded the contracts on a non-competitive basis to all qualified contractors who responded to the Department's request for proposals; the contractors are home care providers licensed by the Maryland Department of Health. The Department advised that due to the inability to predetermine which contracts will exceed \$25,000, it is submitting all 29 contracts for Council approval.

On July 2, 2018, the Council approved 19 similar 5-year contracts (which commenced July 1, 2018). On September 4, 2018, the Council approved 2 similar 4-year and 10-month contracts. On February 22, 2022, the Council approved 18 similar 1-year and 4-month contracts, and on March 21, 2022, the Council approved one similar 1-year and 3-month contract. The Department advised that as of March 31, 2023, expenditures under these contracts totaled \$693,285. Of the proposed 29 contracts, 26 are existing service providers.

The County's Procurement Affidavit requires potential contractors to indicate whether they are in good standing with the State of Maryland. We noted that, according to State Department of Assessments and Taxation (SDAT) records as of May 15, 2023, the following 10 contractors are not in good standing:

- Able Health Care Services, Inc.
- Abundant Grace Health Care, Inc.
- Delight Health Care Services, LLC
- Elizabeth Cooney Personal Care, LLC
- Good Shepherd Health Care Services, LLC
- PHO-Vital Signs, Inc.
- PEOF Home Healthcare Services, LLC
- Precious Hearts Companion Care, Inc.
- Real Life Healthcare System Corporation
- Rescuing Hearts Home Care, LLC

A contractor 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. The Department advised that the contractors are in the process of resolving the issues that caused the loss of their good standing status with SDAT. Additionally, the Department advised that a contractor will not provide services until it is in good standing with SDAT.

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

*IN-HOME HEALTHCARE SERVICES CONTRACTS
Fiscal Year 2024*

**Aadams Loving Heart Health Care, Inc.
Able Health Care Services, Inc.
Abundant Grace Health Care, Inc.
Advanced Health Pros, Inc.
AME Home Care, LLC
B&B Caregivers, LLC d/b/a Homewatch Caregivers
Capital Health Care Associates, Inc. d/b/a Capital City Nurses Healthcare Services
Care From the Heart, Inc.
Comfort Zone Health Care Services, LLC
Compassionate Care Nursing Services, Inc
Delight Health Care Services, LLC
Elizabeth Cooney Personal Care, LLC
Exceed Home Care Services, Inc.
First Choice Health, LLC
Good Shepherd Health Care Services, LLC
Just4Just, LLC
LHCG CL, LLC d/b/a Maryland Private Care
Nest Home Care, LLC
One Day at a Time Personal Care, LLC
PHO-Vital Sign, Inc. d/b/a Vital Sign Home Care, Inc.
PIOF Home Healthcare Services, LLC
Precious Hearts Companion Care, Inc.
Real Life Healthcare System Corp.
Reality Care Health Services, Inc.
Rescuing Hearts Home Care, LLC
Seekers of Hope Healthcare Agency, LLC
Senior Helpers, LLC
Trustworthy Staffing Solutions, LLC
Zaolak, LLC**

The Department of Aging is requesting approval of twenty-nine (29) In-Home Healthcare Services contracts for fiscal year 2024 within the Senior Care Program. These contracts provide personal care, in-home respite care and chore services to low and moderate income, homebound senior citizens (i.e., 65 years-of-age or older) to avoid nursing home placement.

The Department served 404 clients in FY2022 and expects to serve 400 clients in FY2023 & FY2024. The estimated costs for all contracts are based on the estimated number of clients, anticipated services, contracted pay rates and the amount of our Maryland Department of Aging award. Due to the inability to predetermine which contracts would exceed \$25,000, we are submitting 29 providers of service for County Council approval on June 5, 2023.

This original contract is for one year with an option to renew for four (4) one-year renewal periods under the same terms and conditions and at the same rates, assuming State funds are still available. These contractors are home care providers licensed by the State of Maryland Department of Health.

Prepared by: Department of Aging

FM-10 (Sublease)

Council District(s) 4

Department of Economic & Workforce Development

Sublease – American Job Center – 3637 Offutt Road, 21133

The Administration is requesting retroactive approval of a Sublease Agreement with the Board of Trustees of the Community College of Baltimore County (CCBC) to continue to lease space for the County's American Job Center located at 3637 Offutt Road in Randallstown. The County will pay for 9,073 sq. ft. of space, which includes dedicated offices and classroom space for the County's exclusive use (5,856 sq. ft.), along with non-exclusive use of common areas, including but not restricted to a reception and waiting area. The term of the proposed retroactive Sublease Agreement commenced on July 1, 2021 and continues for 7 years (through June 30, 2028); the County has the right to continue its tenancy as long as CCBC continues to use and occupy the premises. The Sublease Agreement provides for annual rent and additional building expenses (i.e., janitorial services, security, utilities, and other facility expenses) to be split 60/40 between CCBC and the County, respectively. The County's pro-rata share of rent and estimated building expenses for the initial 7-year term totals \$1,384,172. The Prime Lease between Randallstown Plaza Associates, LLP (landlord) and CCBC (lessee) indicates a 7-year initial term with two 5-year renewal periods; rent during the renewal periods will be based on the fair market value of the leased premises, which along with the building expenses for the renewal periods, is not estimable at this time.

On February 16, 2010, the Council approved the original lease agreement with Randallstown Plaza Associates, LLP to lease approximately 39,000 sq. ft. of space jointly with CCBC. In February 2021, the lessor and CCBC entered into a first amendment to extend the lease term 6 months through June 30, 2021 due to ongoing discussions between the lessor and CCBC regarding a new lease agreement. In June 2021, the lessor and CCBC entered into a second amendment to extend the lease an additional 7 years through June 30, 2028 and for various changes (e.g., reduction in the square footage to 22,931), and named CCBC as the only tenant with the intent that CCBC would enter into a separate sublease agreement with Baltimore County effective July 1, 2021. According to the Sublease Agreement, the County has continued to occupy the premises with the knowledge and consent of CCBC and

the lessor, and the parties now wish to formalize their understanding regarding the County’s use and occupancy of the premises. See Exhibit A.

Fiscal Summary

Funding Source	Initial Term	Total Compensation
County ⁽¹⁾	\$ 555,591	\$ *
State	--	--
Federal ⁽²⁾	170,788	--
Other ⁽³⁾	657,793	--
Total	\$ 1,384,172 ⁽⁴⁾	\$ * ⁽⁵⁾

(1) General Fund Operating Budget.

(2) U.S. Department of the Treasury, American Rescue Plan Act funds.

(3) Funding sources to be determined.

(4) Includes the County’s pro-rata portion of rent (\$880,081) and estimated building expenses (i.e., janitorial services, security, utilities and other facility expenses) (\$504,091) for the initial 7-year term.

(5) The Sublease Agreement indicates that the County shall have the right to continue its tenancy as long as CCBC continues to use and occupy the premises. The Prime Lease between Randallstown Plaza Associates, LLP (landlord) and CCBC (lessee) indicates a 7-year initial term with two 5-year renewal periods; rent during the renewal periods will be based on the fair market value of the leased premises, which along with the building expenses for the renewal periods, is not estimable at this time.

Analysis

The Department of Economic and Workforce Development (DEWD) is a Local Workforce Development Area under the Workforce Innovation and Opportunity Act (WIOA). Under WIOA, comprehensive career services are provided in the County’s American Job Centers (AJCs). The County has three fixed-location American Job Centers (Hunt Valley, Eastpoint, and Liberty). Each center offers career consultation and referrals to training and education, introductory computer skills classes, résumé preparation and guidance, work spaces and computer equipment to facilitate job searches, and assistance to employers with recruitment, specialized training, and outplacement. DEWD partners with CCBC to provide integrated WIOA services. The two partners share the premises at the Liberty and Hunt Valley AJCs; CCBC holds the lease for both properties, and the County subleases both premises from CCBC.

Prime Lease Agreement – Liberty American Job Center Premises

On February 16, 2010, the Council approved a 10-year Lease Agreement with two successive 5-year renewal options with Randallstown Plaza Associates, LLP (the Lessor) to lease the 39,000

sq. ft. premises at 3637 Offutt Road jointly with CCBC for administrative offices, classroom space, trade school training, and other governmental uses. The lease provided for a first-year base rent of \$11 per sq. ft. (\$429,000), with 3% annual increases, and a pro-rata share (34.54%) of additional rent (e.g., utilities, HVAC maintenance, landscaping, insurance); estimated costs for the 20-year term totaled \$13.5 million (\$11.5 million in rent and \$2.0 million for additional rent). The Lease Agreement expired on December 31, 2020; CCBC and the County continued to occupy the premises with the Lessor’s consent. On February 4, 2021, CCBC and the Lessor entered into a first amendment to the Lease Agreement to retroactively extend the term for an additional 6 months, from January 1, 2021 through June 30, 2021, with all other terms and conditions to remain the same while discussions regarding a new lease agreement were ongoing. On June 21, 2021, CCBC and the Lessor entered into a second amendment to the Lease Agreement, which included various changes (e.g., additional renewal options; reduction in the square footage to 22,931), and named CCBC as the only tenant with the intent that CCBC would enter into a separate sublease agreement with Baltimore County effective July 1, 2021.

Sublease Agreement - Liberty American Job Center Premises

The proposed retroactive Sublease Agreement between CCBC (Sublessor) and the County (Sublessee), which has a term that commenced on July 1, 2021, formalizes the County’s continued use and occupancy of the premises. Based on the allocation of square footage used by both entities, CCBC and Baltimore County will split the annual rent and the estimated building expenses (i.e., janitorial services, utility expenses) 60/40, respectively, as follows:

	Base Rent per Sq/Ft.	CCBC - 13,858 Sq. Ft. (60%)			Baltimore County -9,073 Sq. Ft (40%)			TOTAL - 22,931 Sq. Ft. (100%)		
		Annual Rent	Estimated Building Expenses	Total Cost	Annual Rent	Estimated Building Expenses	Total Cost	Annual Rent	Estimated Building Expense	Total
FY 22	\$ 12.00	\$ 166,296	\$ 94,562	\$ 260,858	\$ 108,876	\$ 61,912	\$ 170,788	\$ 275,172	\$ 156,474	\$ 431,646
FY 23	\$ 12.50	173,225	99,290	272,515	113,413	65,008	178,421	286,638	164,298	450,935
FY 24	\$ 13.50	187,083	104,254	291,337	122,486	68,258	190,744	309,569	172,513	482,081
FY 25	\$ 14.00	194,012	109,467	303,479	127,022	71,671	198,693	321,034	181,138	502,172
FY 26	\$ 14.50	200,941	114,940	315,881	131,559	75,255	206,813	332,500	190,195	522,695
FY 27	\$ 15.00	207,870	120,687	328,557	136,095	79,018	215,113	343,965	199,705	543,670
FY 28	\$ 15.50	214,799	126,722	341,521	140,632	82,969	223,600	355,431	209,690	565,121
		<u>\$ 1,344,226</u>	<u>\$ 769,922</u>	<u>\$ 2,114,148</u>	<u>\$ 880,081</u>	<u>\$ 504,091</u>	<u>\$ 1,384,172</u>	<u>\$ 2,224,307</u>	<u>\$ 1,274,013</u>	<u>\$ 3,498,320</u>

Building expenses are estimated to increase 5% annually (and will be adjusted based on actual costs). The Sublease Agreement is subject to all the terms of the Prime Lease Agreement, except that the County will have no additional financial obligation to either the Lessor or CCBC above the total annual compensation paid per the terms of the Sublease Agreement. The County has the

right to terminate the Sublease Agreement at any time by providing CCBC with 90 days prior written notice.

The Department advised that the County's pro-rata portion of the rent will be paid retroactively to July 1, 2021. The Department further advised that rent due for FY 2022 in the amount of \$108,876 will be paid with County ARPA funds; rent due for FY 2023 in the amount of \$113,413 will be paid from the Department's FY 2023 General Fund operating budget with funds available due to vacancies. The Department also advised that the County was not required to pay rent through June 30, 2021; the only costs charged to the County were for utilities, which were paid by Property Management, and totaled approximately \$38,000 annually.

FM-11 on this agenda is a second amendment to the Sublease Agreement with CCBC for the County's American Job Center in Hunt Valley.

County Charter, Section 715, requires Council approval for leases of real or leasehold property in excess of \$25,000 in the aggregate and also 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...." Because the term of the sublease commenced prior to Council approval, this situation constitutes a violation of the aforementioned sections of the Charter.

EXECUTIVE SUMMARY

The Department of Economic and Workforce Development (DEWD) is a Local Workforce Development Area under the Workforce Innovation and Opportunity Act (WIOA). Comprehensive career services are provided in the County's American Job Centers. This sublease is for the American Job Center located at 3637 Offutt Rd, Randallstown, MD 21133.

The Liberty American Job Center has been in this location since 2010 and CCBC holds the lease. CCBC and Baltimore County were Co-Tenants on the original lease until CCBC became sole Tenant/Sublessor in 2021, with the intent for Baltimore County to be Sublessee. The Sublease is for 7 years.

Rent will be paid retroactive to July 1, 2021. Rent due July 1, 2021 to June 30, 2022 in the amount of \$108,876.00 will be paid with County ARPA funds. Rent due July 1, 2022 to June 30, 2023 in the amount of \$113,412.50 will be paid with Economic Development general funds. Rent beyond June 30, 2023 will be paid with WIOA funds or another funding source will be identified.

Prepared by: Department of Economic and Workforce Development

FM-11 (Sublease Amendment #2)

Council District(s) 3

Department of Economic and Workforce Development

American Job Center – 11101 McCormick Rd., 21031

The Administration is requesting retroactive approval of a second amendment to a Sublease Agreement with the Board of Trustees of the Community College of Baltimore County (CCBC) to continue to lease space for the County’s American Job Center located at 11101 McCormick Road in Hunt Valley. The County will continue to sublease approximately 1,700 sq. ft. of dedicated office space and continue to have non-exclusive use of two additional classrooms and common areas, including but not restricted to space in the server room for servers. The proposed retroactive second amendment to the Sublease commenced October 1, 2021, continues for 6 years (through September 30, 2027), and may be renewed for one additional 3-year and 10-month period (through July 31, 2031). CCBC currently leases 21,418 sq. ft. at this location from Consolidated Wight, LLC. Base rent will be charged to the County for the dedicated space and 40% (DEWD uses the classrooms 2 days/week) of the shared classroom space at the same per sq. ft. base cost that the prime lessor charges CCBC. The County will be charged an additional 10% of the base rent amount for Common Area Maintenance (CAM) costs (i.e., utilities, janitorial services, taxes, and assessments). The County will also be charged 10% of the property’s security costs, which the Department estimates will total \$34,010 for the initial 6-year term and \$28,880 for the 3-year and 10-month renewal period. Estimated rent, security, and CAM costs total \$385,673 for the initial 6-year term and \$662,217 for the entire 9-year and 10-month term, including the renewal period. See Exhibit A.

Fiscal Summary

Funding Source	Initial Term	Total Compensation
County	--	--
State	--	--
Federal (1)	\$ 385,673	\$ 662,217
Other	--	--
Total	\$ 385,673 (2)	\$ 662,217 (3)

(1) Federal Workforce Innovation and Opportunity Act (WIOA) funds.

(2) Includes rent (\$319,694), CAM (\$31,969), and estimated security costs (\$34,010) for the initial 6-year term.

(3) Includes rent (\$544,844), CAM (\$54,484), and estimated security costs (\$62,889), for the entire 9-year and 10-month term, including the renewal period.

Analysis

The Department of Economic and Workforce Development (DEWD) is a Local Workforce Development Area under the Workforce Innovation and Opportunity Act (WIOA). Under WIOA, comprehensive career services are provided in the County’s American Job Centers (AJCs). The County has three fixed-location American Job Centers (Hunt Valley, Eastpoint, and Liberty). Each center offers career consultation and referrals to training and education, introductory computer skills classes, résumé preparation and guidance, work spaces and computer equipment to facilitate job searches, and assistance to employers with recruitment, specialized training, and outplacement. DEWD partners with CCBC to provide integrated WIOA services. The two partners share the premises at the Liberty and Hunt Valley AJCs; CCBC holds the lease for both properties, and the County subleases both premises from CCBC.

On December 18, 2006, the Council approved the original sublease for the period September 1, 2006 through July 31, 2015; renewal of the sublease was contingent on CCBC’s renewal of the primary lease which had the option for one additional 5-year period. On September 3, 2015, CCBC and Baltimore County entered into the first amendment to the sublease for the purpose of extending the term an additional two years, with the option to renew the sublease for an additional four years (through July 31, 2021). Compensation for the entire 6-year term, including the 4-year renewal period, totaled \$259,070, as follows:

	Rate per Sq. Ft.	Dedicated Sq. Ft.	Annual Rent	Annual CAM	Total Annual Compensation
8/1/15-7/31/16	\$21.42	1,700	\$ 36,414	\$ 3,641	\$ 40,055
8/1/16-7/31/17	\$22.06	1,700	37,502	3,750	41,252
8/1/17-7/31/18	\$22.72	1,700	38,624	3,862	42,486
8/1/18-7/31/19	\$23.40	1,700	39,780	3,978	43,758
8/1/19-7/31/20	\$24.11	1,700	40,987	4,099	45,086
8/1/20-7/31/21	\$24.83	1,700	42,211	4,221	46,432
			<u>\$ 235,518</u>	<u>\$ 23,552</u>	<u>\$ 259,070</u>

The proposed retroactive second amendment to the sublease stipulates that no payment of rent, CAM, security, or any other costs will be charged to the County for August and September 2021. The proposed retroactive second amendment also adds a 6-year term, which commenced October 1, 2021 and ends September 30, 2027, with the option to renew the sublease for an additional 3-year and 10-month period by providing 180 days prior written notice to CCBC.

In addition to the 1,700 sq. ft. of dedicated classroom space, CCBC will provide one to two additional classrooms daily as the CCBC class schedule allows and use of common areas and space for County and State-maintained computer equipment (i.e., servers).

CCBC will charge the County rent for the 1,700 sq. ft. of dedicated space and 40% of the shared spaces at the same per sq. ft. base cost that the prime lessor charges CCBC and an additional 10% of the base rent amount for CAM costs as follows:

	Rate per Sq. Ft.	Dedicated Sq. Ft.	Base Rent - Dedicated Space	Percent of Shared Classrooms (40%)	Base Rent - Shared Classrooms	Total Base Rent	CAM Factor	Annual CAM	Total Annual Base Rent and CAM
10/1/21-9/30/22	\$22.00	1,700	\$ 37,400	40%	\$ 13,279.20	50,679	10%	\$ 5,068	\$ 55,747
10/1/22-9/30/23	\$22.44	1,700	38,148	40%	13,544.78	51,693	10%	\$ 5,169	\$ 56,862
10/1/23-9/30/24	\$22.89	1,700	38,913	40%	13,816.40	52,729	10%	\$ 5,273	\$ 58,002
10/1/24-9/30/25	\$23.35	1,700	39,695	40%	14,094.06	53,789	10%	\$ 5,379	\$ 59,168
10/1/25-9/30/26	\$23.81	1,700	40,477	40%	14,371.72	54,849	10%	\$ 5,485	\$ 60,334
10/1/26-9/30/27	\$24.29	1,700	41,293	40%	14,661.44	55,954	10%	\$ 5,595	\$ 61,550
10/1/27-9/30/28	\$24.78	1,700	42,126	40%	14,957.21	57,083	10%	\$ 5,708	\$ 62,792
10/1/28-9/30/29	\$25.27	1,700	42,959	40%	15,252.97	58,212	10%	\$ 5,821	\$ 64,033
10/1/29-9/30/30	\$25.78	1,700	43,826	40%	15,560.81	59,387	10%	\$ 5,939	\$ 65,325
10/1/30-7/31/31	\$26.29	1,700	37,244	40%	13,223.87	50,468	10%	\$ 5,047	\$ 55,515
			<u>\$ 402,081</u>		<u>\$ 142,762</u>			<u>\$ 54,484</u>	<u>\$ 599,328</u>

The County will also pay for 10% of the security cost of the property; the Department estimates this amount totals \$34,010 for the initial 6-year term and \$62,889 for the entire 9-year and 10-month term, including the 3-year and 10-month renewal period. The County may terminate the sublease agreement by providing CCBC with 90 days prior written notice.

The Department advised that expenditures under the lease as of September 30, 2021 totaled \$568,100 for base rent (\$516,455) and CAM costs (\$51,645).

FM-10 on this agenda is a Sublease Agreement with CCBC to continue to lease space for the County's American Job Center in Randallstown.

County Charter, Section 715, requires Council approval for leases of real or leasehold property in excess of \$25,000 in the aggregate and also 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...." Because the sublease amendment commenced prior to Council approval, this situation constitutes a violation of the aforementioned sections of the Charter.

EXECUTIVE SUMMARY

The Department of Economic and Workforce Development (DEWD) is a Local Workforce Development Area under the Workforce Innovation and Opportunity Act (WIOA). WIOA is the primary funding source for DEWD's workforce activities.

Under WIOA, comprehensive career services are provided in the County's American Job Centers. This sublease is for the American Job Center located at 11101 McCormick Road, Suite 102 Hunt Valley, Maryland 21031. The Hunt Valley American Job Center has been in this location since 2006 and CCBC holds the lease. The original sublease between DEWD and CCBC was for 15 years and expired June 2021. CCBC renewed the lease and negotiated a new sublease with DEWD. This request is for a six year sublease, with payments from October 2021 through June 2023 being retroactive. The sublease can also be renewed for 3 years and 10 months. The sublease payments will be paid by DEWD's WIOA grants.

Prepared By: Department of Economic and Workforce Development

FM-12 (Contract)

Council District(s) All

Department of Health and Human Services

Comprehensive System of Behavioral Health Emergency Services

The Administration is requesting approval of a contract with The Affiliated Santé Group, Inc. to provide a comprehensive system of behavioral health emergency services for County residents to fill service gaps in the emergency system. The contract commences July 1, 2023, continues through June 30, 2025, and will renew automatically for three additional 1-year periods with the option to extend the initial term or any renewal term an additional 180 days. The contract states that compensation may not exceed \$5,147,339 for FY 2024, and that compensation for each subsequent fiscal year may not exceed the total of State grant funds and County funds appropriated for these services. Estimated compensation totals \$25,736,695 for the entire 5-year and 6-month term, including the renewal and extension periods, assuming the FY 2024 appropriation level each fiscal year. See Exhibit A.

Fiscal Summary

Funding Source	FY 2024	Total Compensation
County ⁽¹⁾	\$ 1,582,795	\$ 7,913,975
State ⁽²⁾	1,988,628	9,943,140
Federal ⁽³⁾	1,575,916	7,879,580
Other	--	--
Total	<u>\$ 5,147,339</u> ⁽⁴⁾	<u>\$ 25,736,695</u> ⁽⁵⁾

⁽¹⁾ Local Share program.

⁽²⁾ Maryland Department of Health, Behavioral Health Administration funds.

⁽³⁾ U.S. Department of the Treasury, American Rescue Plan Act (ARPA) funds and U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services Administration funds passed through the Maryland Department of Health.

⁽⁴⁾ Maximum compensation for FY 2024.

⁽⁵⁾ Estimated compensation for the entire 5-year and 6-month term, including the renewal and extension periods, assuming the FY 2024 appropriation level each fiscal year. Compensation for each fiscal year may not exceed the total of State grant funds and County funds appropriated for these services.

Analysis

The Baltimore County Crisis Response System (BCCRS) Program was established in 2001 to provide an accessible, coordinated, and comprehensive system of emergency behavioral health services for County residents at no cost to the individual. BCCRS is a partnership between The Affiliated Santé Group, Inc., the Department of Health and Human Services’ Bureau of Behavioral Health, and the Police Department as part of the State’s Mental Health Crisis Response Program. Services are intended to fill service gaps in the system, offering alternatives to dependency on the hospital emergency room and a diversion to arrest, and are designed not to duplicate existing community services.

The program contains multiple components, including mobile crisis teams consisting of police officers and mental health professionals who respond to emergency mental health related calls through the 9-1-1 Center and the local 988 call center for the National Suicide Lifeline; an in-home intervention team; and an urgent care clinic. The program also offers community education events, the 911 Center clinician program, and crisis intervention team training for the Police Department. The Department advised that the mobile crisis teams will serve 2,000 residents per year, the in-home team 700 residents per year, and the urgent care clinic 1,200 residents per year, with the Lifeline taking 8,000 adult and 1,200 child and adolescent calls per year. The Department further advised that there will be 50 community education events annually.

The contract commences July 1, 2023, continues through June 30, 2025, and will renew automatically for three additional 1-year periods on the same terms and conditions, unless the County provides notice of non-renewal. The contract states that compensation may not exceed \$5,147,339 for FY 2024, and that compensation for each subsequent fiscal year may not exceed the total of State grant funds and County funds appropriated for these services. Estimated compensation totals \$25,736,695 for the entire 5-year and 6-month term, including the renewal and extension periods, assuming the FY 2024 appropriation level each fiscal year. The County may terminate the agreement by providing 30 days prior written notice.

The Department requested that the proposed contract be designated as a noncompetitive 902(f) award secured in the best interest of the County. The Department advised that The Affiliated Santé Group, Inc. has been providing these services since the program began and is in the process of implementing critical new programs, and that selecting a new provider would disrupt program services; the current contract expires June 30, 2023.

On June 2, 2014, the Council approved a similar 9-year contract to provide program services; the County's financial system indicates that the contract began July 1, 2014 and that as of May 18, 2023, encumbrances/expenditures under the contract totaled \$23.9 million.

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

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

Executive Summary

The Baltimore County Department of Health is requesting County Council approval for a two-year contract with the Affiliated Santé Group (ASG), in the amount of \$5,147,339 per year, for the Baltimore County Crisis Response System (BCCRS). There are three optional one-year renewals, for a total compensation of \$25,736,695.

BACKGROUND

Since 2001, the Bureau of Behavioral Health (BBH) has overseen the implementation of the BCCRS program. The current contract with ASG to provide the behavioral health services component of the Baltimore County Crisis Response System expires on June 30, 2023. This contract with ASG is in the best interest of the County to provide continuity of services.

PURPOSE

BCCRS is a partnership between Baltimore County Health Department's Bureau of Behavioral Health, the vendor, Affiliated Santé Group, and the Baltimore County Police Department. The goal of the BCCRS is to provide an accessible, coordinated and comprehensive system of behavioral health emergency services for Baltimore County to fill services gaps in the emergency system, offering alternatives to the emergency room, which compliment, but are not duplicate of existing community services and are short-term and time limited. BCCRS services are available for all residents of Baltimore County at no cost.

BCCRS offers a number of different services that make up the crisis system: Hotline/Operation Center (OPS), Mobile Crisis Team (MCT), In-Home Intervention Team (IHIT), Urgent Care Center (UCC), Critical Incident Stress Management (CISM), Community Education (CE), 911 Call Center Clinician program and Crisis Intervention Team (CIT) training for Baltimore County Police Department. ASG is the local 988 call center for the National Suicide Lifeline.

FISCAL

The total funding for the Crisis Response Services is \$5,147,339 per fiscal year.

Prepared by: Department of Health and Human Services

FM-13 (Contract Amendment #3)**Council District(s) All**

Department of Health and Human Services

Medical Transportation Services

The Administration is requesting a third amendment to a contract with Transdev Services, Inc. (formerly Veolia Transportation Services, Inc.) to extend the term and increase the compensation to continue to provide non-emergency medical ambulatory transportation services for eligible Medicaid recipients. The Department advised that the proposed amendment is necessary to avoid an interruption of services while the State finalizes its proposed plan to implement a Statewide brokered program for these services. The proposed amendment extends the contract on an annual basis beginning July 1, 2023 for a period not to exceed the date upon which the Maryland Department of Health institutes the Statewide brokered program. Compensation may not exceed the amount appropriated for these services. Estimated compensation totals \$3,440,000 for the additional 1-year renewal period and totals \$40,350,290 for the entire 15-year and 3-month term, including the additional initial 1-year renewal period; the Department advised that since the length of the entire contract is unknown, total compensation over the life of the contract is not estimable. The contract commenced June 1, 2009. See Exhibit A.

Fiscal Summary

Funding Source	Contract Amendment Initial Year (July 1, 2023-June 30, 2024)	Current Total Compensation	Amended Total Compensation Through June 30, 2024
County	--	--	--
State ⁽¹⁾	\$ 1,720,000	\$ 18,455,145	\$ 20,175,145
Federal ⁽²⁾	1,720,000	18,455,145	20,175,145
Other	--	--	--
Total	<u>\$ 3,440,000</u> ⁽³⁾	<u>\$ 36,910,290</u> ⁽⁴⁾	<u>\$ 40,350,290</u> ⁽⁵⁾

⁽¹⁾ Maryland Department of Health.

⁽²⁾ U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services funds passed through the Maryland Department of Health.

⁽³⁾ Estimated compensation for the additional 1-year period commencing July 1, 2023.

⁽⁴⁾ Estimated compensation for the current 14-year and 3-month term.

⁽⁵⁾ Estimated compensation for the entire 15-year and 3-month term, including the additional initial 1-year renewal period. The Department advised that since the length of the entire contract is unknown, total compensation over the life of the contract is not estimable. Compensation may not exceed the amount appropriated for these services.

Analysis

Under the proposed third amendment, the contractor will continue to provide Non-Emergency Medical Transportation (NEMT) ambulatory transportation services for eligible Medicaid recipients to/from life sustaining medical care, including kidney dialysis, substance abuse medication, and counseling. The majority of the scheduled trips occur Monday through Friday, between the hours of 6:00 a.m. and 6:00 p.m., and involve locations in the Baltimore metropolitan area. The contractor provides after-hours transportation as needed and is responsible for eligibility screening, scheduling, and managing complaints. The Department advised that the proposed amendment will enable approximately 175,000 one-way ambulatory transports per year for 7,325 clients; the Department advised that the number of annual transports has decreased in recent years due to an expansion of the use of telehealth for routine appointments.

The Department advised that the Maryland Department of Health has proposed a Statewide brokered program for NEMT ambulatory transportation services; however, program implementation has been delayed as a result of the COVID-19 pandemic. The Department further

advised that with the start date for the program remaining uncertain and the County’s current contract expiring on June 30, 2023, the proposed amendment is necessary to avoid an interruption of services.

On June 1, 2009, the Council approved the original 10-year and 3-month contract with estimated compensation totaling \$15.5 million. On May 6, 2019, the Council approved the first amendment to extend the contract for one additional year (through June 30, 2020), with the option to extend the contract for an additional year, and estimated compensation totaling \$27.7 million for the amended 12-year and 3-month term. On April 19, 2021, the Council approved the second amendment to extend the contract for an additional year (through June 30, 2022), with the option to extend the contract for an additional year, and estimated compensation totaling \$38.6 million for the amended 14-year and 3-month term. The Department advised that estimated compensation for the entire term now totals \$36.9 million.

The proposed third amendment extends the contract on an annual basis beginning July 1, 2023 for a period not to exceed the date upon which the Maryland Department of Health institutes the Statewide brokered program. Compensation may not exceed the amount appropriated for these services. Estimated compensation totals \$3,440,000 for the additional 1-year renewal period and totals \$42,030,564 for the entire 15-year and 3-month term, including the additional initial 1-year renewal period; the Department advised that since the length of the entire contract is unknown, total compensation over the life of the contract is not estimable.

The proposed amendment specifies that during the first two renewal years, the County shall be billed at the following unit prices:

<u>Type of Passenger</u>	<u>FY 2024 Cost per One-way Trip</u>	<u>FY 2025 Cost per One-way Trip</u>
Medicaid Recipient	\$33.96	\$35.55
With Approved Escort	\$30.90	\$32.25

Additionally, the unit price per mile for trips in excess of 20 miles will be \$4.91 and \$5.16 per mile, respectively, in FY 2024 and FY 2025.

The amendment provides that if the County renews the contract beyond FY 2025, the County shall entertain annual requests for escalation 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 amendment provides that should the contractor deem the approved rate to be insufficient, the contractor may provide alternative pricing for the County’s consideration; should the County and contractor fail to negotiate agreeable pricing, the contractor may terminate the agreement by providing 90 days prior written notice. All other terms and conditions remain the same. The County may terminate the agreement by providing 30 days prior written notice.

The County awarded the original contract through a competitive procurement process based on the lowest responsive and responsible bid from two bids received. The Department advised that there was not an M/WBE participation requirement.

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

Executive Summary

The County and the Contractor entered into an Agreement dated June 1, 2009, wherein, the Contractor agreed to perform Non-Emergency Medical Transportation (NEMT) Ambulatory Transportation Services, as fully detailed in and awarded through the Request for Bid (RFB) # B-087. The original Agreement expired on June 30, 2019. Amendment No. 1 to Agreement was approved on May 6, 2019 and expired on June 30, 2021. Amendment No. 2 of the Agreement was for the term of one (1) year, commencing on July 1, 2021, through June 30, 2022, with the option to renew for an additional year, commencing on July 1, 2022 through June 30, 2023 (the Amendment Term).

Changes to the NEMT program are proposed Statewide but have been delayed to COVID-19. For this reason, the County wishes to amend the existing term, to avoid interruption of transportation services to approved clients of the Baltimore County Department of Health and Human Services.

If approved by Council, Amendment No.3 of the agreement shall be for the term of one (1) year, commencing on July 1, 2023 through June 30, 2024, with the option to renew for unlimited years commencing on July 1, 2024 through June 30, 2025.

This Amendment will serve approximately 7,325 clients providing approximately 175,000 one-way ambulatory transports for Medicaid covered services per year.

Prepared by: Department of Health and Human Services

FMs-14 through 16 (3 Contracts)

Council District(s) 7

Office of Law – Real Estate Compliance Division

Acquisitions of Parcels – 1517, 1519, 1513 Old Eastern Ave, 21221

The Administration is requesting approval of three contracts to acquire land totaling approximately 4.53 acre for \$1,816,600, for the new location of the Essex Public Library. FM-14 is a contract with Sandra E. Kwiatkowski-Dattoli, for \$783,200, for 1.64 acre located at 1517 Old Eastern Avenue. FM-15 is a contract with Mallard Properties, LLC, for \$512,200, for 1.25 acre located at 1519 Old Eastern Ave. FM-16 is a contract with Michael H. Smith, III, for \$521,200, for 1.64 acre located at 1513 Old Eastern Avenue. The zoning varies by property. See Exhibits A-C.

Fiscal Summary

Funding Source	Combined Purchase Price	Notes
County ⁽¹⁾	\$ 1,816,600	⁽¹⁾ Capital Projects Fund.
State	--	
Federal	--	
Other	--	
Total	\$ 1,816,600	

Analysis

Descriptions of the three acquisitions are as follows:

1517 Old Eastern Avenue (FM-14)

The County’s appraisal consultant, S. H. Muller Associates, LLC, completed an appraisal of the property effective January 4, 2023, recommending a value of \$782,000. After review and analysis, the County’s review appraiser concurred with the appraisal, recommending the respective amount as just compensation for the acquisition. The Office of Law – Real Estate

Compliance Division advised that following negotiations, the County and the property owner accepted a negotiated price of \$783,200; the additional \$1,200 relates to funding for clean-up costs and dumpsters.

The 1.64-acre property to be acquired is residentially improved with a two-story dwelling. The property is zoned CB (Community Business) in the northern section (along the frontage) and DR. 5.5 (Density Residential – 5.5 lots per acre) in the southern section.

1519 Old Eastern Avenue (FM-15)

The County's appraisal consultant, S. H. Muller Associates, LLC, completed an appraisal of the property effective January 4, 2023, recommending a value of \$511,000. After review and analysis, the County's review appraiser concurred with the appraisal, recommending the respective amount as just compensation for the acquisition. The Office of Law – Real Estate Compliance Division advised that following negotiations, the County and the property owner accepted a negotiated price of \$512,200; the additional \$1,200 relates to funding for clean-up costs and dumpsters.

The 1.25-acre property to be acquired is residentially improved with a two-story dwelling. The property is zoned ROA (Residential Office – Class A) and BL-AS (Business Local – Automotive Services) in the northern section (along the frontage) and DR. 5.5 (Density Residential – 5.5 lots per acre) in the southern section.

1513 Old Eastern Avenue (FM-16)

The County's appraisal consultant, S. H. Muller Associates, LLC, completed an appraisal of the property effective January 4, 2023, recommending a value of \$520,000. After review and analysis, the County's review appraiser concurred with the appraisal, recommending the respective amount as just compensation for the acquisition. The Office of Law – Real Estate Compliance Division advised that following negotiations, the County and the property owner accepted a negotiated price of \$521,200; the additional \$1,200 relates to funding for clean-up costs and dumpsters.

The 1.64-acre property to be acquired is residentially improved with a two-story dwelling. The property is zoned ROA (Residential Office – Class A) in the northern section (along the frontage) and DR. 5.5 (Density Residential – 5.5 lots per acre) in the southern section.

The Office advised that as of January 23, 2023, the County has expended/encumbered approximately \$7,875 for appraisals related to the proposed acquisitions.

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

Executive Summary

PROGRAM TITLE: New Essex Library

PROJECT NO.: 10000253

FISCAL MATTER: Contract of Sale

PROPERTY OWNERS: Sandra E. Kwiatkowski-Dattoli

LOCATION: 1517 Old Eastern Avenue
Essex, MD 21221

CONSIDERATION: \$783,200.00

PURPOSE OF PROJECT: This contract is for the total purchase of 1.64 acres
for the new location of the Essex Public Library.

LIMITS OF PROJECT: 1517 Old Eastern Avenue – 1.64 acres

Prepared by: Office of Law – Real Estate Compliance Division

Executive Summary

PROGRAM TITLE: New Essex Library

PROJECT NO.: 10000253

FISCAL MATTER: Contract of Sale

PROPERTY OWNERS: Mallard Properties, LLC

LOCATION: 1519 Old Eastern Avenue
Essex, MD 21221

CONSIDERATION: \$512,200.00

PURPOSE OF PROJECT: This contract is for the total purchase of 1.25 acres
for the new location of the Essex Public Library.

LIMITS OF PROJECT: 1519 Old Eastern Avenue – 1.25 acres

Prepared by: Office of Law – Real Estate Compliance Division

Executive Summary

PROGRAM TITLE: New Essex Library

PROJECT NO.: 10000253

FISCAL MATTER: Contract of Sale

PROPERTY OWNERS: Michael H. Smith, III

LOCATION: 1513 Old Eastern Avenue
Essex, MD 21221

CONSIDERATION: \$521,200.00

PURPOSE OF PROJECT: This contract is for the total purchase of 1.64 acres
for the new location of the Essex Public Library.

LIMITS OF PROJECT: 1513 Old Eastern Avenue – 1.64 acres

Prepared by: Office of Law – Real Estate Compliance Division

FM-17 (Contract)

Council District(s) 2

Office of Law – Real Estate Compliance Division

Acquisition of Parcel – 6738 Windsor Mill Road, 21207

The Administration is requesting approval of a contract to acquire land and easement access spanning approximately 0.094 acre for \$12,587 for the construction of a sidewalk along Windsor Mill Road. David and Barbara Murray currently own the property, which is located at 6738 Windsor Mill Road in Gwynn Oak. The property is zoned DR-5.5 (Density Residential – 5.5 lots per acre). The acquired land will be used for a highway widening area, including an area in paving, and the easement access is for a drainage and utility easement and a revertible slope easement necessary to retain and support the highway and/or adjacent property. See Exhibit A.

Fiscal Summary

Funding Source	Purchase Price	Notes
County ⁽¹⁾	\$ 12,587	⁽¹⁾ Capital Projects Fund. The purchase price includes \$1,560 to compensate for adverse impacts to site improvements (e.g., fencing, sidewalk).
State	--	
Federal	--	
Other	--	
Total	\$ 12,587	

Analysis

The County’s staff appraiser completed an appraisal of the property effective October 20, 2022, recommending a value of \$12,587. After review and analysis, the County’s review appraiser concurred with the appraisal, recommending the respective amount as just compensation for the acquisition. The Office of Law – Real Estate Compliance Division advised that the property owner accepted the County’s offer. The purchase price includes \$1,560 to compensate for adverse impacts to certain site improvements; additionally, the County will reinstall or replace as necessary other impacted site improvements (e.g., fencing, sidewalk).

The total 0.094-acre property to be acquired, including the land (0.041 acre), the revertible slope easement access area (0.021 acre), and the drainage and utility easement (0.032 acre), is part of a larger 0.282-acre parcel that is residentially improved with a detached dwelling.

The Department of Public Works and Transportation (DPWT) advised that construction of a sidewalk along Windsor Mill Road will be completed in three phases: phase one (current phase) will run from Woodlawn Drive to Featherbed Lane; phase two will continue to Windsor Boulevard; and phase three will continue to Rolling Road. The Office of Law – Real Estate Compliance Division advised that, in total, 190 acquisitions are needed for this project, and following approval of this proposed acquisition, approximately 19 remaining acquisitions will require Council approval.

The Council has previously approved contracts for 9 properties totaling \$92,082. DPWT advised that estimated phase one costs for property acquisition total \$1.0 million; other estimated phase one costs (including design and construction costs) total \$5.5 million. DPWT further advised that as of April 10, 2023, the County has expended/encumbered approximately \$300,000 for design work.

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

Executive Summary

PROGRAM TITLE: Windsor Mill Sidewalk Project

PROJECT NO.: 205-0286-0516

FISCAL MATTER: Contract of Sale

PROPERTY OWNERS: David Murray
Barbara B. Murray

LOCATION: 6738 Windsor Mill Road
Baltimore, MD 21207

CONSIDERATION: \$12,587.00

PURPOSE OF PROJECT: This contract is for the purchase of Highway Widening Area 1,833 sq. ft., Revertible Slope Easement area of 923 sq. ft. and Drainage and Utility Easement of 1,418 sq. ft.

LIMITS OF PROJECT: 6738 Windsor Mill Road

Prepared by: Office of Law – Real Estate Compliance Division

FM-18 (Contract)

Council District(s) All

Fire Department

Emergency Medical Services Director

The Administration is requesting approval of a contract with University of Maryland Emergency Medicine Associates, P.A. for an Emergency Medical Services Medical Director. The 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. Compensation may not exceed \$250,000 for the initial 1-year term and \$1,250,000 for the entire 5-year and 4-month term, including the renewal and extension periods. See Exhibit A.

Funding Source	Initial Term	Maximum Compensation
County ⁽¹⁾	\$ 250,000	\$ 1,250,000
State	--	--
Federal	--	--
Other	--	--
Total	\$ 250,000 ⁽²⁾	\$ 1,250,000 ⁽³⁾

⁽¹⁾ General Fund Operating Budget.

⁽²⁾ Maximum compensation for the initial 1-year term.

⁽³⁾ Maximum compensation for the entire 5-year and 4-month term, including the renewal and extension periods.

Analysis

The contractor will provide a primary physician to function in the role of Emergency Medical Services (EMS) Medical Director to satisfy State law. Services will include, but are not limited to, providing jurisdictional medical direction of the County’s EMS program; providing physician oversight of all Assistant, Deputy, and Associate Medical Directors; planning, organizing, directing, controlling, and evaluating the quality of EMS care and training; responding to medical incidents as needed; ensuring County compliance with regulatory and accreditation requirements; facilitating the Department’s quality assurance and improvement programs; and reviewing and approving curricula for EMS clinical and supervisory training. The Medical Director will also

provide medical direction for the Integrated Community Assessment Referral and Evaluation program on non-emergent clients and will be a liaison to various County, community, and hospital resources on medical matters.

The contractor will bill the County \$20,834 per month for 20 hours per week of services.

The 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. Compensation may not exceed \$250,000 for the initial 1-year term and \$1,250,000 for the entire 5-year and 4-month term, including the renewal and extension periods. The County may terminate the agreement by providing 30 days prior written notice.

The County awarded the contract through a competitive procurement process based on qualifications and experience from three proposals received. According to the bid documents, there was not an M/WBE participation requirement.

The Department advised that its current Medical Director has provided services for 21 years.

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

In accordance with the Code of Maryland Regulations (Title 30.03.03) and Maryland Institute for Emergency Medical Services Systems, Emergency Services Operational Programs must have an assigned Medical Director. This Medical Director shall be licensed to practice medicine in Maryland, familiar with the design and operation of EMS operational programs and systems including medical dispatch and communications, have experience in and current knowledge of emergency care of patients who are acutely ill or injured and possess current knowledge of the Maryland EMS System.

Dr. Andrew N. Pollak, M.D. has graciously provided medical oversight for the department for 21 years. His decision to resign coupled with the departments growing EMS response prompted the need to establish a part-time (20 hours weekly) Medical Director position. We are grateful for the many years of service Dr. Pollak provided and look forward to what the future holds for EMS with the assignment of a new Medical Director.

The Emergency Medical Services Medical Director (EMSMD) will work in conjunction with the EMS Bureau in an administrative position, making recommendations to the Fire Chief, Assistant Chiefs, and EMS Bureau Chief for clinical quality improvements relating to the provision of EMS care. They will be responsible for the Department's Quality Assurance and Improvement processes, develop benchmarks and processes to analyze effectiveness of training and delivery of EMS care and review and approve curricula for EMS-related clinical and supervisory training.

The EMSMD will play an integral role in the establishment of programs designed reduce EMS response strain and hospital overcrowding. Increased hospital wait times has caused a push to identify service delivery best practices. Mobile Integrated Health (MIH) and 911 Nurse Triage are examples of patient-centered programs that improve patient outcomes and service delivery.

In conclusion, a part-time (20 hours weekly) Emergency Medical Services Medical Director opens the opportunity for EMS system improvements to include EMS response, service delivery and clinician/Medical Director relationships.

Prepared by: Fire Department

FM-19 (Contract)

Council District(s) 7

Property Management

Wetland Mitigation Credits – Sparrows Point Park

The Administration is requesting approval of a contract with Ecotone, LLC to provide approximately 0.094 acre of nontidal wetland mitigation credit for \$39,045 related to the construction of the new Sparrows Point Park at the Tradepoint Atlantic site. The contract commences upon the County’s execution of the agreement and provides that settlement shall occur within 30 days of approval by the Maryland Department of the Environment and U.S. Army Corps of Engineers.

Fiscal Summary

Funding Source	Purchase Price	Notes
County ⁽¹⁾	\$ 39,045	⁽¹⁾ Capital Projects Fund.
State	--	
Federal	--	
Other	--	
Total	\$ 39,045	

Analysis

Property Management advised that the County will be constructing the new Sparrows Point Park, a 21.8-acre site which will consist of an athletic field, regional playground, recreational facility, and other ancillary uses, on the Tradepoint Atlantic site. Property Management further advised that the development of this former railroad storage yard requires the capping of contaminated soils, affecting 0.094 acre of nontidal wetlands. The Maryland Department of the Environment (MDE) and the U.S. Army Corps of Engineers (Corps) require that the impacts to the wetlands be mitigated as a condition of approval of the permits needed to construct the park. Property Management advised that the County is planning to begin park construction in August 2023.

Property Management advised that the mitigation requirements involve creating equivalent sized wetlands of the same type within the same watershed as the project that requires the permit. Property Management further advised that the County does not control any nontidal wetlands property that can be set aside as a means of mitigating the affected area, which is located in the Patapsco River watershed. In this regard, Property Management advised that it evaluated alternative ways to mitigate the wetland impacts and determined the most cost-effective way to provide the mitigation required is to purchase wetland mitigation bank credits from a private company. Mitigation Banking is a system of debits and credits designed to ensure that ecological loss due to development is compensated by the preservation and restoration of wetlands, natural habitats, and streams in other areas so there is no net loss to the environment. Rather than purchasing a parcel of land, banking credits are purchased within a mitigation bank site, and the mitigation banker is then responsible for the site. The seller's compensation from the sale of the credits can be used to restore, establish, enhance, or preserve the bank sites.

Under the proposed agreement, Ecotone, LLC will provide 0.094 acre of nontidal wetland mitigation credit from the Peige Wetland Mitigation Bank for \$39,045 in order to satisfy the County's mitigation requirements. The purchase price includes all costs of land acquisition, establishment of the Peige Property Wetland Mitigation Bank, preparation of plans, construction, planting, maintenance, monitoring, and the transfer of credits. Property Management advised that Ecotone, LLC valued the cost of the mitigation bank credits at \$9.50 per square foot.

The contract commences upon the County's execution of the agreement and provides that settlement shall occur within 30 days of approval by MDE and Corps. If the transaction has not been approved within 30 days of the anticipated approval date, either party may terminate the agreement by providing 30 days prior written notice.

Property Management requested that the Administration designate the proposed contract as a noncompetitive 902(f) award secured in the best interest of the County. Property Management advised that a County consultant (Manns Woodward) determined that Ecotone, LLC is the only mitigation banker that has available credits in the required timeframe and watershed. Property Management further advised that a one-time purchase of wetland bank credits eliminates long-term costs to the County related to protection, maintenance, and monitoring of new wetlands.

The Department of Public Works and Transportation previously advised that the County had purchased wetland mitigation services (i.e., a conservation easement, wetland construction, and post-construction monitoring) from Ecotone, LLC for \$277,000 in September 2018 related to the

Campbell Boulevard extension project; the Administration notified the Council of the purchase via Correspondence announced at the October 15, 2018 legislative session. On May 25, 2023, the Council approved a similar contract with Ecotone, LLC to provide approximately 1.41 acres of nontidal wetland mitigation credit for \$429,937 related to the construction of a relief sewer between the Gunpowder Pumping Station and the White Marsh Pumping Station.

According to the County's financial system, Ecotone, LLC currently has two other contracts with the County for stormwater repair, maintenance, and inspection services and for drainage design-build services.

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

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

FM-20 (Contract Amendment)

Council District(s) All

Department of Corrections

Food Services

The Administration is requesting approval of a third amendment to a contract with Aramark Correctional Services, LLC to continue to provide food services for Detention Center inmates and Department of Corrections staff. The Department advised that the amendment is necessary to avoid an interruption in services as the County requires additional time to bid a new contract; the term of the current contract ends June 30, 2023. The proposed amendment commences July 1, 2023 and extends the contract until the earlier of March 31, 2024 or the date the County executes a new agreement. Compensation may not exceed the amount appropriated for these services. The proposed amendment increases the estimated compensation of the contract by \$1,922,568, from \$16,045,714 to \$17,968,282, for the entire amended 10-year and 4-month term. The contract commenced December 1, 2013. See Exhibit A.

Fiscal Summary

Funding Source	Contract Amendment	Current Total Compensation	Amended Total Compensation
County ⁽¹⁾	\$ 1,922,568	\$ 16,045,714	\$ 17,968,282
State	--	--	--
Federal	--	--	--
Other	--	--	--
Total	\$ 1,922,568 ⁽²⁾	\$ 16,045,714 ⁽³⁾	\$ 17,968,282 ⁽⁴⁾

(1) General Fund Operating Budget.

(2) Additional estimated compensation for the entire amended 10-year and 4-month term.

(3) Estimated compensation for the current 9-year and 7-month term.

(4) Estimated compensation for the entire amended 10-year and 4-month term. Compensation may not exceed the amount appropriated for these services.

Analysis

Under the proposed amendment, the contractor will continue to be responsible for full food service operations for Detention Center inmates and Department of Corrections staff. The contractor will provide three meals per day, every day. The contractor will be responsible for food preparation (with the assistance of inmate labor) as well as providing the food, condiments, utensils, supplies, dishwashing, uniforms, and cleaning supplies related to food preparation and service. The food provided by the contractor must meet specific quality and nutritional standards. The County will supply, own, and maintain the necessary kitchen equipment and provide pest control, security, utilities, laundry, and trash removal. The contractor will provide adequate staffing, including a food service director, a food service manager, and at least three cook supervisors. The County will supply two Correctional dietary staff.

The County will be billed at a standard price per meal on a sliding scale based upon the size of the inmate population. The price per meal decreases as the size of the population increases in increments of 50 inmates. The Department projects that the per-meal cost will be \$1.51 at the commencement of the additional 9-month extension period based upon an estimated daily population of approximately 1,299 inmates. The contractor will provide religious, medical, and vegetarian meals at no additional charge. Staff meals, which will include a choice of three different meals for lunch and dinner, will be billed at the same rate as inmate meals. The Department advised that the average number of staff meals per week is 875. The contractor will also provide food and beverages for certain special staff functions (e.g., holiday luncheon, awards ceremony, and cookout) at prices to be negotiated at the time of the functions. Failure to adhere to contract terms will result in financial penalties to the contractor (e.g., \$100 per occurrence for failure to serve food at proper temperature and portion size).

On November 4, 2013, the Council approved the original 7-year and 7-month contract (which commenced December 1, 2013) with estimated compensation totaling \$14.9 million. On July 6, 2021, the Council approved the first amendment to the contract, which retroactively extended the contract for one additional year through June 30, 2022; the Department had advised that the amendment was necessary to avoid an interruption in services while the County prepared a solicitation for bid and finalized a new contract, and that the process was delayed due to the impact of the COVID-19 pandemic. On July 5, 2022, the Council approved the second amendment to the contract, which retroactively extended the contract for one additional year through June 30, 2023 and increased the estimated compensation by \$1.7 million to \$15.8 million for the entire amended 9-year and 7-month term. The Department advised that as of May 16, 2023, \$15.7 million has been expended under the contract. FM-4 on the agenda is a budget

appropriation transfer totaling \$600,000 that includes \$225,000 for Aramark food services meals that are needed due to unanticipated increases in inmate population.

The Department advised that the proposed amendment is necessary to avoid an interruption in services as the County requires additional time to finalize a new contract with Aramark Correctional Services, LLC; the Department expects to submit a new contract for the Council's consideration in January 2024. The proposed third amendment commences July 1, 2023 and extends the contract until the earlier of March 31, 2024 or the date the County executes a new agreement. Compensation may not exceed the amount appropriated for these services. The proposed amendment increases the estimated compensation of the contract by \$1,922,568, from \$16,045,714 to \$17,968,282, for the entire amended 10-year and 4-month term. All other terms and conditions remain the same. The County may terminate the agreement by providing 90 days prior written notice.

The County awarded the original contract through a competitive procurement process.

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

EXECUTIVE SUMMARY

The Department of Corrections is requesting Council Approval to amend the current contract with Aramark Correctional Services, LLC to provide food services to the inmate population at the Baltimore County Detention Center. Aramark has been providing food services to the County since 2013. The current contract will expire on June 30, 2023 with no additional renewals.

Through Request for Proposal No. P-320, the County has reselected Aramark Correctional Services, LLC as the awardee for these services. However, additional time is needed to fully negotiate the terms and conditions of the new Agreement. Therefore, the Department of Corrections respectfully requests an extension of the current Agreement through March 31, 2024, or the date upon which a new Agreement has been executed pursuant to Request for Proposal No. P-320, whichever date is earlier. All other terms, conditions, and provisions of the Agreement will remain in effect.

Expenditures during the extension period (July 1, 2023 through March 31, 2024) are estimated at \$1,922,568.00. Funds will be encumbered from the Department of Corrections' Fiscal Year 2024 Operating Budget- Cost Center 080100.

Prepared by: Department of Corrections

MB-2 (Res. 15-23)

Council District(s) 5

Mr. Marks

Revocation of Approval of Resolution and PUD Application – BC Middle River Park

Resolution 15-23 revokes the approval of a resolution and application for a proposed Planned Unit Development (PUD) in accordance with County law.

Section 32-4-242(d)(3)(ii)1 of the County Code states that “if after passage of a resolution authorizing the review of a Planned Unit Development the councilmanic representation of the district where the Planned Unit Development is located changes to a council member other than the council member who sponsored the resolution authorizing the review, the succeeding council member may introduce a resolution to revoke approval for that planned unit development at any time within 90 days after the conclusion of the community input meeting.”

On May 2, 2022, in accordance with § 32-4-242 of the County Code, BC Middle River LLC (“Applicant”) submitted an application for review and approval of a 400.6± acre site (“the PUD Area”) located east of Earls Road, south of Ebenezer Road, and west and north of the Amtrak train tracks in the Middle River area of Baltimore County in the 6th Councilmanic District, to be developed as a PUD known as BC Middle River Park. The PUD Area is zoned R.C. (Resource Conservation) 8 and is located entirely within the URDL.

On August 1, 2022, in accordance with § 32-4-242 of the County Code, Resolution 39-22 approving the continued review of the PUD, was introduced. On September 6, 2022, the County Council passed Resolution 39-22. On February 23, 2023, in accordance with § 32-4-243(d) of the Code, the Applicant held the required Community Input Meeting.

In accordance with § 32-4-242(d)(3)(ii)1, Resolution 15-23 revokes the approval of the PUD application granted in Resolution 39-22.

Resolution 15-23 will take effect from the date of its passage by the County Council.

MB-3 (Res. 16-23) Donation

Council District All

Mr. Jones (By Req.)

Fire Department

Accept Donation – Office Chairs – Under Armour

Resolution 16-23 authorizes the County to accept the donation of 80 gently used office chairs from Under Armour, Inc. valued at \$8,000 (\$100 per chair) for use in Fire Department facilities throughout the County. The Department advised that while it has accepted the chairs, they are currently in storage. The Department further advised that the donated chairs will help to offset a portion of the FY 2024 budget for replacement office chairs (i.e., a savings of approximately \$30,750). The Department advised that there are no additional costs associated with the donation. See Exhibit A.

County Charter, Section 306, vests in the County Council the power to accept gifts.

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

Executive Summary

Baltimore County Fire Department
RESO-FIR-2023-1216

Budget: 001-016-CC160600

The Baltimore County Fire Department is requesting approval for acceptance of a gift from Under Armour, in excess of \$5,000.00. The donation has a total value of \$8,000.00 (80 office chairs x \$100/each).

Under Armour has initiated an interest in donating 80 gently used office chairs to the Baltimore County Fire Department.

This gift would be a valuable asset, benefiting the entire department, and easing some cost of replacement anticipated in the Fiscal Year 2024 budget allocation for office chairs.

Prepared by: Fire Department

MB-4 (Res. 17-23)

Council District(s) 4

Mr. Jones

Updates to the Patapsco/Granite Area Community Plan

Resolution 17-23 requests the Baltimore County Department of Planning to acknowledge and allow the Greater Patapsco Community Association, Inc. to update the Patapsco/Granite Area Community Plan in conjunction with the Baltimore County Department of Planning.

The County Council first adopted the Patapsco/Granite Area Community Plan as part of the Baltimore County Master Plan 1989-2000 on December 21, 1998 (Resolution 87-98). Because the Greater Patapsco Community Association, Inc. has represented the Patapsco/Granite area since 1985, and as such has participated and been instrumental in all significant development issues since then, and most particularly in the development and adoption of the Patapsco/Granite Area Community Plan, it is uniquely situated to review and update the Community Plan.

The resolution states that there have been continuing development pressures and recent land use and zoning decisions, which, together with a greater understanding of the environmental and community impact of such decisions, that have resulted in the need for an update to the Patapsco/Granite Community Plan. In addition, the 2024 Comprehensive Zoning Map Process and the Baltimore County Master Plan 2030 process are currently underway, which makes an update to the community plan timely.

Resolution 17-23 shall take effect from the date of its passage by the County Council.