

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

*Issued: August 24, 2023
Reissued: August 29, 2023
Work Session: August 29, 2023
Legislative Day No. 16: September 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

September 5, 2023

NOTES TO THE AGENDA

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* Note included in reissued package

AGENDA
BALTIMORE COUNTY COUNCIL
LEGISLATIVE SESSION 2023, LEGISLATIVE DAY NO. 16
September 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 **DAVID BYCOFFE, DIVISION CHIEF, FIRE DEPARTMENT**
Bill 50-23 – Mr. Jones(By Req.) – CEB – Fire Prevention & Safety Grant
- 4 **ANGELIQUE PEFINIS-NEWPORT, MANAGER, FISCAL ADMINISTRATION, DEWD**
Bill 51-23 – Mr. Jones(By Req.) – CEB – MSAC ARGOS Grant
- 7 **COUNCIL**
Bill 52-23 – Mr. Marks – Zoning Regs.-Uses Permitted in the Manufacturing, Light (M.L.) Zone Repealing Residential Uses on Adjacent Tracts
- 8 Bill 53-23 – Mr. Crandell – Bring Your Own Bag Act – Exceptions and Clarifications

APPROVAL OF FISCAL MATTERS/CONTRACTS

- 9 **DEBRA SHINDLE, CHIEF, PROPERTY MANAGEMENT**
1. Purchase Order – Atlantic Auctions, Inc. – Auctioneer services – Perry Hall Mansion-3930 Perry Hall Rd., 21128-PM
- 17 **COLONEL JOSEPH CONGER, POLICE DEPARTMENT**
2. Purchase Order – Bode Cellmark Forensics, Inc. – Validation studies w/lab services-PD
- 20 **FAITH THOMAS, CHIEF, REAL ESTATE COMPLIANCE**
3. Contract of Sale – Eric Hinton – Acquisition of parcel-6733 Windsor Mill Road, 21207-Windsor Mill Project – REC
- 20 4. Contract of Sale – Debra Lloyd – Acquisition of parcel-6731 Windsor Mill Road, 21207-Windsor Mill Project – REC
- 25 **ANTHONY RUSSELL, DEP. DIRECTOR FOR TRANSPORTATION,**
DEPARTMENT OF PUBLIC WORKS & TRANSPORTATION
- 29 5. Contracts – (2) – On-call environmental site assessment services – DPWT
6. Contracts – (5) – On-call watershed and stream restoration assessment, design and monitoring services - DPWT

MISCELLANEOUS BUSINESS

- 45 **COUNCIL**
Correspondence - (a) (9) - Non-Competitive Awards (July 27, 2023)
- 34 **ANGELIQUE PEFINIS-NEWPORT, MANAGER, FISCAL ADMINISTRATION, DEWD**
2. Grants - Mr. Jones(By Req.) - FY2024 Arts and Sciences Grants

APPROVAL OF MISCELLANEOUS BUSINESS (cont.)

DEBRA SHINDLE, CHIEF, PROPERTY MANAGEMENT

- 9 3. Res. 21-23 – Mr. Jones(By Req.) – Perry Hall Mansion – Authorize/pre-approve of sale
- 9 4. Res. 22-23 – Mr. Jones(By Req.) – Perry Hall Mansion - Approval of renovation grant

COUNCIL

- 38 5. Res. 23-23 – Mr. Young – Amending the boundary of the Baltimore National Pike Commercial Revitalization District
- 40 6. Res. 24-23 – Mr. Young – Amending the boundary of the Catonsville Commercial Revitalization District
- 42 7. Res. 25-23 – Mr. Marks – Crematories – Encourage General Assembly to Amend Setback Regulations
- 43 8. Res. 26-23 – Mr. Marks – Commission on Disabilities – Recommendations Related to Automatic Doors Entrance
- 9. Appointment – Mr. Jones(By Req.) – Director – Department of Environmental Protection & Sustainability – Horacio Tablada
- 10. Appointment – Mr. Jones(By Req.) – Director – Department of Economic & Workforce Development – Marcus L. Wang
- 11. Res. 27-23 – Mr, Kach – Property Tax Exemption – BLIND – Anne J. Allgire

Bill 50-23 (Supplemental Appropriation)

Council District(s) All

Mr. Jones (By Req.)

Fire Department

Fire Prevention and Safety Grant

The Administration is requesting a supplemental appropriation of federal funds totaling \$305,333 to the Fire Prevention & Safety (FPS) Grant (FFY 2021) Gifts and Grants Fund program. The funds will be used for the salary and fringe benefits (over the 2-year grant period) of a new full-time (40 hours-per-week) Community Risk Reduction (CRR) Specialist in the Office of the Fire Marshal who will develop and deliver public safety education throughout the County to reduce the risks and consequences of fire, disasters, and emergencies. See Exhibit A.

Fiscal Summary

Funding Source	Supplemental Appropriation	Current Appropriation	Total Appropriation
County ⁽¹⁾	--	--	--
State	--	--	--
Federal ⁽²⁾	\$ 305,333	--	\$ 305,333
Other	--	--	--
Total	<u>\$ 305,333</u>	<u>--</u>	<u>\$ 305,333</u>

⁽¹⁾ The County is required to provide a 5% match (\$15,267) of the grant award. The Office of Budget and Finance advised that the matching requirement will be met through funds to be made available in the Department's FY 2024 and/or FY 2025 General Fund budgets.

⁽²⁾ U.S. Department of Homeland Security, Federal Emergency Management Agency (FEMA) funds.

Analysis

The Department advised that the proposed grant funds, together with County matching funds, will be used over a 2-year period to support the salary and fringe benefits of a new full-time (40 hours-per-week) CRR Specialist in the Office of the Fire Marshal who will develop and deliver public

safety education throughout the County to reduce the risks and consequences of fire, disasters, and emergencies. The Department advised that the CRR Specialist will partner with other agencies and use data to target at-risk communities to ensure equitable delivery of risk reduction outreach. The Department further advised that the position will be filled through an internal transfer process.

The grant period is May 3, 2023 through May 2, 2025. The County is required to provide a 5% match (\$15,267) of the grant award (\$305,333). The Office of Budget and Finance advised the matching requirement will be met through funds to be made available in the Department's FY 2024 and/or FY 2025 General Fund budgets.

With the affirmative vote of five members of the County Council, Bill 50-23 will take effect September 18, 2023.

Executive Summary

Baltimore County Fire Department has been awarded \$305,333.33 by the Federal Emergency Management Agency (FEMA) Assistance to Firefighters Grant, Fire Prevention and Safety (AFG FP&S) to employ a Community Risk Reduction (CRR) Specialist within the office of the Fire Marshal. The CRR Specialist will develop and deliver public safety education throughout the County to reduce the risks and consequences of fire, disasters, and emergencies. The CRR Specialist will partner with other agencies and use data to target at risk communities to ensure an equitable delivery of risk reduction outreach.

The required local match for this award is \$15,267. The performance period of the award is from May 3, 2023, through May 2, 2025.

This bill will allow the County to accept the federal award.

Prepared by: Fire Department

Bill 51-23 (Supplemental Appropriation)

Council District(s) All

Mr. Jones (By Req.)

Department of Economic and Workforce Development

MSAC ARGOS Grant

The Administration is requesting a supplemental appropriation of State funds totaling \$232,202 to the MSAC [Maryland State Arts Council] ARGOS [Arts Relief General Operating Support] Grant Gifts and Grants Fund program. The Department advised that the funds will be used to strengthen Baltimore County’s capacity to support grantmaking by addressing technical deficiencies in outreach and grant application management. The Department further advised that the specific uses of the funds are to be determined, pending discussions among Department staff (including the new Director of Economic and Workforce Development (MB-10 on the agenda)) and the Arts and Sciences Commission. See Exhibit A.

Fiscal Summary

Funding Source	Supplemental Appropriation	Current Appropriation	Total Appropriation
County	--	--	--
State ⁽¹⁾	\$ 232,202	--	\$ 232,202
Federal	--	--	--
Other	--	--	--
Total	<u>\$ 232,202</u>	<u>--</u>	<u>\$ 232,202</u>

⁽¹⁾ Maryland State Arts Council funds. No County matching funds are required.

Analysis

The Department advised that the proposed grant funds will be used to strengthen Baltimore County's capacity to support grantmaking by addressing technical deficiencies in outreach and grant application management (e.g., implementing a new grant portal or other cloud-based solution), as well as to assist with planning activities that will explore ways the Cultural Arts program could change, reposition, or expand its capacity while outlining a strategic direction for the future. The Department advised that the specific uses of the funds are to be determined, pending discussions among Department staff (including the new Director of Economic and Workforce Development) and the Arts and Sciences Commission.

The grant period commenced July 1, 2023 and extends through June 30, 2024. No County matching funds are required.

With the affirmative vote of five members of the County Council, Bill 51-23 will take effect September 18, 2023.

Executive Summary

The Maryland State Arts Council (MSAC) awarded Baltimore County \$232,202.60 in funds as part of the Arts Relief General Operating Support (ARGOS) grant program.

Funds awarded from this grant will be used to strengthen Baltimore County's capacity to support grantmaking by addressing technical deficiencies in outreach and grant application management. They will also assist with planning activities that will explore ways the Cultural Arts program could change, reposition, or expand its capacity while outlining a strategic direction for the future.

Prepared by: Department of Economic and Workforce Development

Bill 52-23

Council District(s) 5

Mr. Marks

**Zoning Regs. – Uses Permitted in the Manufacturing, Light (M.L.) Zone –
Repealing Residential Uses on Adjacent Tracks**

Bill 52-23 repeals certain by-right residential uses permitted in the Manufacturing, Light (M.L.) Zone near the White Marsh Mall. The residential uses were first enacted with the passage of Bill 66-17 and later amended by Bills 21-22 and 75-22.

Subsection 253.1.I of the Baltimore County Zoning Regulations sets forth that residential uses are permitted in the M.L. Zone on a development tract (which may include one or more lots under common ownership or control) if the development tract is at least four acres in size and is part of a contiguous area of 200 acres or more of M.L. zoning west of I-95. In addition, the development tract must be located, at its closest point, within 525 feet of the Business Major-Commercial, Town Center Core (B.M.-C.T.) District of White Marsh or be located within 75 feet of a property developed in accordance with subsection 253.1.I.

Bill 52-23 repeals Subsection 253.1.I in its entirety.

With the affirmative vote of five members of the County Council, Bill 52-23 will take effect 14 days after its enactment but shall not apply to any development or construction project for which a concept plan conference was held prior to June 1, 2023.

Bill 53-23**Council District(s) All**

Mr. Crandell

Bring Your Own Bag Act – Exceptions and Clarifications

Bill 53-23 adds two specific exceptions to the County's plastic bag ban law for liquor stores and food service facilities. The bill also clarifies the criteria for a plastic film bag to meet the definition of a "reusable carryout bag."

On February 16, 2023, the Council enacted Bill 1-23, also known as the Bring Your Own Bag Act. That bill generally established a ban on plastic film carryout bags provided by a retail establishment at a point of sale to a customer. Bill 1-23 also requires a retail establishment to charge a minimum of 5 cents for any paper carryout bag it provides to a customer.

Currently, the definition of a "retail establishment" includes food service facilities and liquor stores. Bill 53-23 exempts liquor stores from both the plastic bag ban and the paper bag charge requirement. Bill 53-23 also adds an exception for food service facilities to only the paper bag charge requirement.

Finally, Bill 53-23 clarifies an amendment to Bill 1-23 regarding the definition and requirements of a reusable carryout bag. As introduced, Bill 1-23 defined a "reusable carryout bag" as "a bag with stitched handles that is specifically designed and manufactured for multiple reuse and is made of: (1) cloth or other washable fabric; or (2) a durable material suitable for multiple reuse that is not made of plastic film." Before final passage of Bill 1-23, an amendment was added to the end of the second requirement that states "except for plastic film that has a thickness greater than 2.6 mils." Bill 53-23 clarifies that a bag made of plastic film that has a thickness greater than 2.6 mils is not required to have stitched handles or be specifically designed and manufactured for multiple reuse to be considered a reusable carryout bag.

With the affirmative vote of five members of the County Council, Bill 53-23 will take effect 14 days after its enactment.

**FM-1 (Contract – Auctioneer Services)
MB-3 (Res. 21-23) Authorization of Sale
MB-4 (Res. 22-23) Grant**

Council District(s) 5

Mr. Jones (By Req.)

Property Management

Perry Hall Mansion

The Administration is requesting the approval of a resolution (MB-3) authorizing the County to sell the approximate 3.9-acre property known as the Perry Hall Mansion at auction to the highest bidder. As a companion matter, the Administration is requesting the approval of a grant (MB-4) totaling \$250,000 to the future purchaser of the Perry Hall Mansion property. The property is subject to a Deed of Preservation Easement with the Maryland Historical Trust (the MHT Easement), and the grant funds will be used to assist the future purchaser with the cost of the renovations required by the MHT Easement. Additionally, the Administration is requesting approval of a contract (FM-1) with Atlantic Auctions, Inc. to provide auctioneering services for the sale of the property. Property Management advised that the auction is expected to take place in late October 2023, and compensation for auctioneering services may total up to \$32,400. Property Management further advised that this sale will return surplus County property to the tax rolls and relieve the County of ongoing maintenance costs and repair expenses related to stabilizing the property. See Exhibits A, B, and C.

Fiscal Summary ⁽¹⁾

Funding Source	Contract Compensation (FM-1)	Grant Amount (MB-4)
County ⁽²⁾	\$ 32,400 ⁽³⁾	\$ 250,000
State	--	--
Federal	--	--
Other	--	--
Total	<u>\$ 32,400</u>	<u>\$ 250,000</u>

⁽¹⁾ The total fiscal impact of these agenda items will also include the proceeds of the auction, future property tax revenues, and maintenance cost savings, which cannot be determined at this time.

⁽²⁾ Capital Projects Fund.

⁽³⁾ The County’s maximum obligation to the contractor, assuming the property is sold and the County must pay the entire auction fee plus expenses. If not sold, compensation will total \$17,400.

Analysis

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

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

MB-3 - Authorization of Sale (Res. 21-23)

Resolution 21-23 authorizes the County to sell the Perry Hall Mansion at auction to the highest bidder, subject only to the terms of the contract of sale, which include acknowledgement of the MHT Easement. The Administration advised that the sale of the property by auction cannot be subject to approval contingencies; therefore, it is asking the Council to pre-approve the County entering into a contract of sale for the property. The resolution states that the Administration will report the contract of sale to the Council upon signing.

County Code, Section 3-9-104(d), authorizes the County to convey property by public sale. County Code, Section 3-9-105(d), requires Council approval of any public sale of property where the purchase price is below the appraised value of the property.

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

MB-4 - Grant (Res. 22-23)

Resolution 22-23 approves a grant of \$250,000 to the future purchaser of the Perry Hall Mansion property. The purchaser will use the proposed grant funds towards the necessary costs of renovating the mansion. The grant agreement states that grant funds may only be used for actual construction costs incurred in the repair or renovation of the Perry Hall Mansion property in accordance with the requirements of the MHT Easement, and that the MHT and County must approve all work prior to completion. Property Management advised that the new owner must apply for the grant through the Department of Planning; the Department, Property Management, and the Office of Law will administer the grant, and Property Management will be responsible for the disbursement of funds under the proposed grant. Property Management further advised that the purchaser will be required to show evidence of the completion of all repairs prior to reimbursement, and that the purchaser will have up to 2 years post-settlement to perform all repairs and submit all required paperwork for reimbursement.

The County may terminate the grant agreement with 30 days prior written notice.

The proposed grant has been placed on a legislative agenda in accordance with County Code, Section 3-10-103(e).

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

FM-1 - Contract – Auctioneering Services

Under the proposed contract, Atlantic Auctions, Inc. will provide auctioneering services for the sale of the Perry Hall Mansion. The contract commences upon Council approval, and Property Management advised that the auction is estimated to occur in late October 2023. The contract provides that in the event the property sells at auction, a minimum auction fee of \$18,000 will be due; a 6% buyer's premium will be added to the final bid price and retained by the contractor, so that if the buyer's premium is less than \$18,000 (i.e., the property sells for under \$300,000), the County will pay a seller's fee that will bring the contractor's compensation up to the \$18,000 minimum. If the buyer's premium amount is \$18,000 or more (i.e., the property sells for at least \$300,000), the County will not be required to pay the seller's fee. If the property sells at auction, regardless of price, the County will be responsible for expenses (e.g., advertising, security) totaling \$14,400; if the property fails to sell, the County will compensate the contractor \$17,400 (a fee of \$3,000 plus expenses totaling \$14,400). The County may terminate the agreement by providing written notice to the contractor and paying a withdrawal fee of \$15,900 (a fee of \$3,000 plus advertising expenses of \$12,900).

On July 5, 2022, the Council approved a 5-year and 4-month contract with Bel Air Auto Auction, Inc. for auctioneering and simulcasting services for the sale of surplus County-owned vehicles, trucks, and equipment. Property Management advised that as of August 18, 2023, \$27,694 has been expended/encumbered under this contract. Property Management further advised that Bel Air Auto Auction, Inc. and Atlantic Auctions, Inc. are BSC America companies.

The County awarded the contract as a noncompetitive 902(f) award secured in the best interest of the County. Property Management advised that the County issued a "Request for Information" to gather information regarding how different auctioneers handle the sale of distressed historic homes, and the County received three responses; Property Management further advised that Atlantic Auctions, Inc. had the most experience handling the sale of these types of properties.

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

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

Executive Summary

The Administration is currently requesting the approval of a \$0 contract with a to-be-determined purchaser for the sale of the Perry Hall Mansion. The County is currently working with an auctioneer house to determine the viability of auctioning this property. If successful, the auction is estimated to occur in late October.

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

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

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

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

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

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

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

Prepared by: Property Management

Executive Summary

The Administration is requesting the approval of a \$250,000 grant that will be made available in correlation with the Perry Hall Mansion auction sale of property. The auction is estimated to occur in October.

The goal of this grant is to assist the new owner in stabilizing the home and to help offset the cost of maintenance and utility repairs set by the Maryland Historic Trust (MHT) Easement. The new owner will have to apply for the grant through the Department of Planning, who will also administer the grant. The potential new owner will be required to complete all repairs prior to reimbursement. MHT approval on all work must be received before and after completion of the scope of work. Itemized bills will be submitted to Property Management for final approval before disbursement.

Prepared by: Property Management

Executive Summary

The Administration is requesting approval of a contract with Atlantic Auctions, Inc. for \$32,400 for auctioneering services for the sale of the Perry Hall Mansion.

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

Atlantic Auctions, Inc. was selected by the Department of Procurement due to their experience handling the sale of distressed historic homes. The auction is estimated to occur in late October.

Prepared by: Property Management

FM-2 (Contract)

Council District(s) All

Police Department

Validation Studies with Lab Services

The Administration is requesting approval of a contract with Bode Cellmark Forensics, Inc. to provide validation services for six robotic instruments used for genetic analysis for the Police Department’s Forensic Services Section, Biology Unit and to provide on-site training for up to seven Police DNA laboratory personnel. The contract commences upon Council approval and continues until the completion of the validation process; the Department advised that the project must be invoiced by September 29, 2023. Compensation may not exceed \$97,000. See Exhibit A.

Fiscal Summary

Funding Source	Maximum Compensation	Notes
County	--	⁽¹⁾ U.S. Department of Justice, Office of Justice Programs - Forensic DNA Backlog Reduction Grant.
State	--	
Federal ⁽¹⁾	\$ 97,000	
Other	--	
Total	<u>\$ 97,000</u>	

Analysis

The contractor will provide validation services for DNA extraction protocols on six QIAGEN robotic instruments used for genetic analysis on crime scene evidence; the robotic instruments minimize sampling errors and contamination. The Department advised that the validation process tests the limits of the instruments and documents the validity of the results in accordance with federal guidelines that must be met prior to placing the instruments into service and entering results into the Combined DNA Index System (CODIS), the national database of DNA profiles. The County will review and approve the results and final reports of the validation tests performed by the

contractor. The contractor will also provide in-house “teach back” training for up to seven Police DNA laboratory personnel on all aspects of the validation process and use of the instrument (to ensure the County personnel understand what they need to know, confirmed by their ability to “teach back” what they have learned to the trainer).

The contract commences upon Council approval and continues until the completion of the validation process; the Department advised that the project must be invoiced by September 29, 2023. Compensation may not exceed \$97,000. The County may terminate the agreement by providing written notice.

The County awarded the contract through a competitive procurement process. The Department advised that the contractor was the only respondent. According to the bid documents, there is not an M/WBE requirement.

The County’s financial system indicates that the County has one other contract with Bode Cellmark Forensics, Inc.

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

EXECUTIVE SUMMARY

Validation of Differential Wash Protocol on the Qiagen Qiacube Robot and Subsequent Purification of the EZ1 XL Robot

The Project

The scope of services under the contract is to purchase services from a qualified contractor to provide a detailed validation plan, including validation studies with laboratory services, and in-house teach back for up to seven (7) DNA laboratory personnel to cover all aspects of the validation including but not limited to all results and analysis involved in the validation study. The contractor must be available by telephone or in person during the first external Quality Assurance Standards (QAS) audit after validation has been completed. Any travel costs, lodging, and meals are the responsibility of the contractor.

The validation will be conducted in the Baltimore County Police Department Forensic Services Laboratory. The contractor must provide hard copies of all data, summaries and written standard operating procedures, charts, tables, worksheets, electropherograms and other written documents involved with the validation study.

The validation must meet guidelines established under SWGDAM Guidelines for Validation and the validation documentation shall be in accordance with the FBI QAS for Forensic Testing Laboratories, and all other specifications in the bid.

Bode Cellmark was the sole respondent to the RFP.

Prepared by: Police Department

FMs-3 & 4 (2 Contracts)

Council District(s) 2

Office of Law – Real Estate Compliance Division

6733 and 6731 Windsor Mill Road, 21207 – Windsor Mill Project

The Administration is requesting approval of two contracts to acquire land and easement access spanning, in total, approximately 0.091 acre for \$20,975, for the construction of a sidewalk along Windsor Mill Road in Gwynn Oak. FM-3 is a contract with Eric Hinton, for \$9,894, for land (0.032 acre) and easement access (0.022 acre) located at 6733 Windsor Mill Road. FM-4 is a contract with Debra Lloyd, for \$11,081, for land (0.011 acre) and easement access (0.026 acre) located at 6731 Windsor Mill Road. The properties are zoned DR-5.5 (Density Residential – 5.5 lots per acre). The acquired land will be used for highway widening areas and areas in paving, and the easements will be used for drainage and utility easements or revertible slope easements necessary to retain and support the highway and/or adjacent property. Each contract’s compensation amount takes into account any adverse impacts to site improvements. See Exhibits A and B.

Fiscal Summary

Funding Source	Combined Purchase Price	Notes
County ⁽¹⁾	\$ 20,975	⁽¹⁾ Capital Projects Fund. The combined purchase price includes \$6,275 to compensate for adverse impacts to certain site improvements.
State	--	
Federal	--	
Other	--	
Total	\$ 20,975	

Analysis

Descriptions of the two acquisitions are as follows:

6733 Windsor Mill Road (FM-3)

The County's staff appraiser completed an appraisal of the property effective October 25, 2022, recommending a value of \$9,894. 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 \$1,125 to compensate for adverse impacts to certain site improvements; additionally, the County will reinstall or replace as necessary other impacted site improvements.

The 0.054-acre property to be acquired, including both the land and the easement access area, is part of a larger 0.31-acre parcel that is residentially improved with a detached dwelling.

6731 Windsor Mill Road (FM-4)

The County's staff appraiser completed an appraisal of the property effective November 17, 2022, recommending a value of \$11,081. 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 \$5,150 to compensate for adverse impacts to certain site improvements; additionally, the County will reinstall or replace as necessary other impacted site improvements.

The total 0.037-acre property to be acquired, including both the land and the easement access area, is part of a larger 0.247-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 for all phases, and following approval of these two proposed acquisitions, approximately 16 remaining phase one acquisitions will require Council approval.

The Council has previously approved contracts for 15 properties totaling \$148,288. 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. As of the adoption of the FY 2024 Capital Budget, appropriations earmarked for the project total \$2.5 million, of which

\$500,000 is earmarked specifically for phase two. DPWT further advised that as of August 18, 2023, the County had expended/encumbered approximately \$300,000 for land acquisition and had not encumbered any funding for construction.

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: Eric Hinton

LOCATION: 6733 Windsor Mill Road
Baltimore, MD 21207

CONSIDERATION: \$9,894.00

PURPOSE OF PROJECT: This contract is for the purchase of Highway
Widening Area 1,434 sq. ft. and a Revertible
Slope Area of 988 sq. ft.

LIMITS OF PROJECT: 6733 Windsor Mill Road

Prepared by: Office of Law – Real Estate Compliance Division

Executive Summary

PROGRAM TITLE: Windsor Mill Sidewalk Project

PROJECT NO.: 205-0286-0516

FISCAL MATTER: Contract of Sale

PROPERTY OWNERS: Debra Lloyd

LOCATION: 6731 Windsor Mill Road
Baltimore, MD 21207

CONSIDERATION: \$11,081.00

PURPOSE OF PROJECT: This contract is for the purchase of Highway Widening Area of 472 sq. ft., a Revertible Slope Area of 1,117 sq. ft., and a Drainage and Utility Easement Area of 69 sq. ft.

LIMITS OF PROJECT: 6731 Windsor Mill Road

Prepared by: Office of Law – Real Estate Compliance Division

FM-5 (2 Contracts)

Council District(s) All

Department of Public Works and Transportation

On-Call Environmental Site Assessment Services

The Administration is requesting approval of two contracts, with EA Engineering, Science & Technology, Inc., PBC and ARM Group, LLC, to provide on-call environmental site assessment services on an as-needed basis. Each contract commences upon Council approval, continues for 3 years, and will renew automatically for two additional 2-year periods. The contracts provide that notwithstanding the original term, but expressly including the original term, the agreements shall remain in effect until the earlier of the date upon which the required services are completed or the County terminates the agreements. The contracts do not specify a maximum compensation for the initial 3-year term. Compensation for each contractor may not exceed \$500,000, for a combined maximum compensation of \$1.0 million for the entire 7-plus-year term, including the renewal periods. See Exhibit A.

Fiscal Summary

Funding Source	Combined Maximum Compensation	Notes
County ⁽¹⁾	\$ 1,000,000	⁽¹⁾ General Fund Operating Budget and/or Capital Projects Fund, depending on the nature of the work. ⁽²⁾ \$500,000 per contractor.
State	--	
Federal	--	
Other	--	
Total	\$ 1,000,000 ⁽²⁾	

Analysis

The contractors will provide all professional services necessary to complete Phase I and Phase II environmental site assessments to determine if potential environmental issues exist on properties (e.g., parkland, new buildings, or other facilities) the County may be interested in

buying, selling, or developing. Phase I assessments may include site visits and analysis on a property of interest (and nearby properties) to assess historical and potential environmental impacts and to identify hazardous and non-hazardous waste. Phase II assessments may involve extensive soil, surface water, and groundwater sampling and analysis. In addition, environmental, ecological, and human health risk assessments may be required. All assessments will be performed in compliance with ASTM (American Society for Testing and Materials) Standards.

Each contract commences upon Council approval, continues for 3 years, and will renew automatically for two additional 2-year periods, unless the County provides notice of non-renewal. The contracts provide that notwithstanding the original term, but expressly including the original term, the agreements shall remain in effect until the earlier of the date upon which the required services are completed or the County terminates the agreements. The contracts do not specify a maximum compensation for the initial 3-year term. Compensation for each contractor may not exceed \$500,000, for a combined maximum compensation of \$1.0 million for the entire 7-plus-year term, including the renewal periods.

The County will compensate the contractors for services at the engineers' cost plus profit. Profit is limited to 10% of the combined total of direct labor costs plus overhead and payroll burden. Hourly rates and percentages for overhead, payroll burden, and profit must be within established County limits. The County will not encumber funding for the contracts at this time but rather will charge contract costs to specific projects as it assigns work tasks. The Department advised that it will alternate assignments between the two contractors. The County may terminate the agreements by providing 30 days prior written notice.

The contracts stipulate that should the contractors perform work under the 2005 consent decree, they shall be liable for payments of penalties charged to the County for failure by the contractor(s) to meet or achieve deadlines or requirements. The damages payable would be dependent upon the type of project and the length of the delay in completing the project.

On May 15, 2023, the Professional Services Selection Committee (PSSC) selected the two contractors from 8 responsive submittals based on qualifications. According to the bid documents, there is a 20% M/WBE participation requirement.

On September 19, 2016, the Council approved two similar 7-plus-year contracts, with EA Engineering, Science, and Technology Inc., PBC and O'Brien and Gere Engineers, Inc., not to exceed \$300,000 each (\$600,000 combined). The County's financial system indicates that as of

August 24, 2023, the County has expended/encumbered \$357,363 under the contracts: \$291,593 to EA Engineering, Science, and Technology Inc., PBC and \$65,770 to Ramboll Americas Engineering Solutions dba O'Brien and Gere Engineers, Inc.

Currently, EA Engineering, Science and Technology, Inc., PBC has three and ARM Group, LLC has no other contracts with the County.

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....”

Contract Executive Summary - Basic Information

On-Call Environmental Site Assessment Services

Vendor Name – EA Engineering, Science and Technology, Inc, and ARM Group, LLC

Scope of Contract – Projects may include:

- Phase I Environmental Site Assessments in accordance with ASTM standard E1527-21
 - Evaluating properties for environmental concerns that the County may be interested in buying, selling or developing.
- Phase II Environmental Site Assessments in accordance with ASTM standard E1903-19
 - Investigating the nature and extent of any contaminants of concern identified in a Phase I ESA that may involve collection and analysis of soil, groundwater, air, and soil gas samples.
- Ecologic and Human Health Risk Assessments
 - Development of Ecologic and Human Health Risk Assessments for contaminants identified in accordance with US EPA and MDE standards to assess the need for remediation on a given property.
- Site Remediation Plans
 - Development of Site Remediation Plans and cost estimates for addressing the clean-up or containment of environmental contamination that may be present on a given property.
 - Implementation of minor remediation projects.

Purpose - Professional services are required to perform Phase I, Phase II, and other various types of environmental assessments and remediation projects for properties that Baltimore County owns or is interested in buying. The number and type of project assignments to be performed will depend solely on **the County's needs and interest. The services will be assigned "as-required" through the utilization of an On-Call form of agreement.**

Contract Value \$ - \$500,000 each

Term – The length of the contract will be 3-years with the possibility of two 2-year extensions.

Vendor Selection method - Via PSSC meeting on May 15, 2023

Prepared by: Department of Public Works and Transportation

FM-6 (5 Contracts)

Council District(s) All

Department of Public Works and Transportation

On-Call Watershed & Stream Restoration Assessment, Design and Monitoring Services

The Administration is requesting approval of five contracts to provide on-call watershed and stream restoration assessment, design, and monitoring services on an as-needed basis. The five contractors are: BayLand Consultants & Designers, Inc.; Biohabitats, Inc.; KCI Technologies, Inc.; McCormick Taylor, Inc.; and WSP USA, Inc. Each contract commences upon Council approval, continues for 5 years, and will renew automatically for two additional 1-year periods. The contracts provide that notwithstanding the original term, but expressly including the original term, the agreements shall remain in effect until the earlier of the date upon which the required services are completed or the County terminates the agreements. The contracts do not specify a maximum compensation for the initial 5-year term. Compensation for each contractor may not exceed \$4.0 million, for a combined maximum compensation of \$20.0 million for the entire 7-plus-year term, including the renewal periods. See Exhibit A.

Fiscal Summary

Funding Source	Combined Maximum Compensation	Notes
County ⁽¹⁾	\$ 20,000,000	⁽¹⁾ Capital Projects Fund. ⁽²⁾ \$4.0 million per contractor.
State	--	
Federal	--	
Other	--	
Total	\$ 20,000,000 ⁽²⁾	

Analysis

The contractors will provide on-call engineering services for various watershed and stream restoration projects and related water quality initiatives including watershed, environmental, and

ecological assessments; stream restoration and best management practice design; hydrologic/hydraulic modeling and analysis; sediment and erosion control; construction supervision services; and post-construction services. The Department advised that the services are required in order to achieve federal and State mandated pollutant load reductions and to implement the County's Waterway Improvement Program.

Each contract commences upon Council approval, continues for 5 years, and will renew automatically for two additional 1-year periods, unless the County provides notice of non-renewal. The contracts provide that notwithstanding the original term, but expressly including the original term, the agreements shall remain in effect until the earlier of the date upon which the required services are completed or the County terminates the agreements. The contracts do not specify a maximum compensation for the initial 5-year term. Compensation for each contractor may not exceed \$4.0 million, for a combined maximum compensation of \$20.0 million for the entire 7-plus-year term, including the renewal periods.

The County will compensate the contractors for services at the engineers' cost plus profit. Profit is limited to 10% of the combined total of direct labor costs plus overhead and payroll burden. Hourly rates and percentages for overhead, payroll burden, and profit must be within established County limits. The County will not encumber funding for the contracts at this time but rather will charge contract costs to specific projects as it assigns work tasks. The Department advised that it intends to distribute work evenly among the firms, but it will consider each firm's experience with the watershed/stream conditions and their individual expertise. The County may terminate the agreements by providing 30 days prior written notice.

The contracts stipulate that should the contractors perform work under the 2005 consent decree, they shall be liable for payment of penalties charged to the County for failure by the contractor(s) to meet or achieve deadlines or requirements. The damages payable would be dependent upon the type of project and the length of delay in completing the project.

On February 3, 2023, the Professional Services Selection Committee (PSSC) selected the five contractors from 16 submittals based on qualifications and experience. (The Department advised that it intends to submit an additional contract for these services on an upcoming legislative agenda.) According to the bid documents, there is a 20% M/WBE participation requirement.

On April 18, 2016, the Council approved seven similar 7-plus-year contracts not to exceed \$4.0 million each (\$28.0 million combined), with Century Engineering, Inc. and Biohabitats, Inc. (A Joint

Venture); Gannett Fleming, Inc.; Johnson Mirmiran & Thompson, Inc.; KCI Technologies, Inc.; McCormick Taylor, Inc.; Parsons Brinckerhoff, Inc. (known as WSP USA, Inc. as of May 2017); and Rummel, Klepper & Kahl, LLP. All seven contracts expire April 17, 2024. The County's financial system indicates that expenditures/encumbrances under the contracts with Century Engineering, Inc. and Biohabitats, Inc.; Gannett Fleming, Inc.; Johnson Mirmiran & Thompson, Inc.; KCI Technologies, Inc.; McCormick Taylor, Inc.; WSP USA, Inc.; and Rummel Klepper & Kahl, LLP totaled \$3,975,582, \$1,097,700, \$6,919, \$2,371,862, \$2,810,370, \$3,104,456, and \$2,452,561, respectively. The Department advised that these contracts will continue to be used for current projects, while the proposed contracts will be used for new projects.

Currently (and excluding the aforementioned contracts), BayLand Consultants & Designers, Inc., KCI Technologies, Inc., and WSP USA, Inc. have one, seven, and one other contract(s) with the County, respectively; Biohabitats, Inc. and McCormick Taylor, Inc. have no other contracts with the County.

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

Contract Executive Summary – Basic Information

On-Call Watershed & Stream Restoration Assessment, Design and Monitoring Services

Vendor Name – McCormick Taylor, Inc., KCI Technologies, Inc., Biohabitats, Inc., WSP USA, Inc., and BayLand Consultants & Designers, Inc

Scope of Contract – Projects may include:

Assessment

- Ecological and biological assessments
- Fluvial geomorphological survey and functional assessments
- Stream bed and bank analysis
- Wetland function assessments/delineations
- Riparian forest assessments/delineations/invasive plant species assessments

Design & Permitting

- Topographic survey and easement preparation
- Alternatives analyses and conceptual and final restoration design
- Outfall analysis and stabilization design
- Hydrologic and hydraulic modeling
- Sediment transport studies
- Erosion & sediment control design
- Landscape design/bioengineering/Forest Conservation Plans
- Upland stormwater BMP design
- Development of plans, specifications, and engineers cost estimates
- Calculation of credits for TMDLs and impervious acre treatment
- Preparation of federal, state, and local permits and regulatory coordination

Bid and Construction Management/Inspection

- Requests for Information (RFIs) and material submittals
- Construction management, inspection, and oversight
- Asbuilt certification

Post-construction

- Monitoring and reporting to document compliance and sustainability
- Inspection for credit verification
- Development of adaptive management plans to incorporate lessons learned

Additional Services

- Geotechnical engineering services
- Community outreach
- Maintenance of traffic plan
- Grant funding assistance

Purpose – Professional services are required to develop environmental and engineering studies, designs, and reports for various integrated stream restoration and upland water quality projects in order to achieve Federal and State mandated pollutant load reductions and implement the Waterway Improvement Program in Baltimore County. Project implementation will result in stable, ecologically-functional stream and riparian systems. Projects may also include post-design consulting, construction management, and pre- and post-construction monitoring. The services will be assigned on an “as-required” or emergency basis through the utilization of an On-Call form of agreement.

Combined Contract Value \$ - \$20,000,000.00

Term – The length of the contracts will be 5-years with the possibility of two 1-year extensions

Vendor Selection method – Via PSSC meeting on February 3, 2023

Prepared by: Department of Public Works and Transportation

MB-2 (Grants)

Council District(s) All

Mr. Jones (By Req.)

Department of Economic and Workforce Development

FY 2024 Arts and Sciences Grants

The Administration is requesting approval of grants totaling \$3,880,300 to organizations for arts, sciences, cultural, and tourism events, activities, and programs, consistent with the adopted FY 2024 budget, as follows: 33 General Fund operating grants (\$2,840,000); 19 Tourism Program operating and non-operating grants (\$680,800); Maryland State Arts Council grants for the SPLASH Summer Arts Program and various projects (\$325,000); and various project grants (each less than \$9,500) not eligible for State grant funding (\$34,500). See Exhibit A for a listing of the organizations and the respective grant awards.

Fiscal Summary

Funding Source	Combined Grants Total	Notes
County ⁽¹⁾	\$ 3,555,300	⁽¹⁾ FY 2024 General Fund and Tourism Program Operating Budgets.
State ⁽²⁾	325,000	
Federal	--	⁽²⁾ MD State Arts Council grant for the SPLASH Summer Arts Program and various projects.
Other	--	
Total	\$ 3,880,300	

Analysis

The Department advised that for FY 2024, the Commission on Arts and Sciences again worked within the guidelines established by the County Executive to assure that all grantees provided value to Baltimore County residents and visitors. The Department further advised that the Commission evaluated all grant applicants based on artistic merit; service to the community; multicultural outreach; soundness of business practice; and level of service to Baltimore County

residents, including partnerships with County-based organizations, creativity of outreach programs to the County, geographic diversity within the County, number of programs/activities that take place in the County, and extent and effectiveness of outreach to youth and artists/performers in the County. The proposed grants are consistent with the adopted FY 2024 program budgets.

Monetary assistance for arts and sciences organizations in excess of \$5,000 is subject to approval by the County Council in accordance with Baltimore County Code, Section 10-1-108. Monetary assistance of \$5,000 or less is subject to the 14-day grant notification process. Although not required, the Department has included one \$4,000 operating grant and one \$2,000 non-operating grant as part of the current request.

Baltimore County Code, Section 10-1-108(b)(3), requires recipient organizations of arts, sciences, and cultural enrichment grants in excess of \$10,000 per fiscal year to submit an annual audit prepared by a certified public accountant. The Department advised that as of July 14, 2023, all organizations to be awarded FY 2024 grant funds have submitted their required audits for the receipt of FY 2022 grant funds (the most current reporting period).

This item was deferred from the Council's August 7, 2023 legislative agenda.

Executive Summary

Each year, in consultation with the Commission on Cultural Arts and Sciences, Baltimore County distributes arts, sciences, cultural, and tourism grants. The grants support organizations and institutions that provide invaluable arts, sciences, and cultural opportunities for the benefit of Baltimore County residents and visitors.

The arts, sciences, cultural and tourism grants total \$3,880,300 of which \$3,253,800 are operating grants being submitted for approval for Fiscal Year 2024.

The grantees range from large organizations such as the Baltimore Symphony Orchestra, the Maryland Zoo, the Baltimore Museum of Art, and the Walters Art Museum, to smaller nonprofits such as the Fire Museum of Maryland, the Historical Society of Baltimore County, and the Glenn L. Martin Maryland Aviation Museum. A complete list of the proposed grants is listed below.

HEADQUARTERS IN BALTIMORE COUNTY	
Contemporary Arts, Inc.	\$14,000
Fire Museum of Maryland	\$20,000
Gordon Center for Performing Arts	\$100,000
Historical Society of Baltimore County	\$16,000
Irvine Nature Center, Inc.	\$65,000
MPT Foundation	\$50,000
Towson University Asian Art & Culture Center	\$17,000
Towson University Community Art	\$6,500
Camp Puh'Tok	\$60,000
Glenn L. Martin Maryland Aviation Museum	\$15,000
Natural History Society of MD (NHSM)	\$15,000
Baltimore Classical Guitar Society	\$27,000
Open Spaces	\$6,300
WTMD (YPRC)	\$75,000
Towson Arts Collective	\$7,500
UMBC AOK Library	\$9,500
UMBC Center for Art Design and Visual Culture	\$20,000
HEADQUARTERS IN BALTIMORE CITY, HOWARD OR HARFORD COUNTY	
American Visionary Art Museum	\$100,000
Bach Concert Series	\$7,000
Baltimore & Ohio Railroad Museum	\$40,000
Baltimore Children's Museum dba Port Discovery	\$50,000
Baltimore Choral Arts Society	\$15,000

Baltimore Clayworks	\$15,000
Baltimore Concert Opera	\$10,000
Baltimore Museum of Art	\$325,000
Baltimore Museum of Industry	\$27,500
Baltimore Symphony Orchestra	\$450,000
Baltimore Theatre Project	\$4,000
Center Stage Associates	\$175,000
Chesapeake Shakespeare Company	\$15,000
Creative Alliance at the Patterson	\$35,000
Everyman Theatre	\$75,000
Handel Choir of Baltimore	\$9,000
Hippodrome Foundation, Inc.	\$65,000
Jewish Museum of Maryland	\$20,000
Ladew Topiary Gardens	\$25,000
Make Studio Art	\$20,000
Maryland Academy of Sciences dba Maryland Science Center	\$120,000
Maryland Historical Society	\$35,000
Maryland Humanities Council dba Maryland Humanities	\$22,500
Maryland Zoological Society dba Maryland Zoo	\$425,000
Maryland State Boys Choir	\$20,000
National Aquarium	\$200,000
Peale Center for Baltimore History & Architecture	\$15,000
Pride of Baltimore	\$25,000
Shriver Hall Concert Series	\$20,000
Walters Art Gallery dba Walters Art Museum	\$325,000
Young Audiences of Maryland/Arts for Learning	\$40,000
Subtotal Operating Grants	\$3,253,800
WTMD	\$150,000
Micro Capital Grants	\$25,000
African-American Cultural Festival	\$20,000
Patapsco Heritage Greenway, Inc.	\$70,000
Property Insurance: Ballestone & Banneker	\$2,000
Project Grants (Projects that are not eligible for State Grant funding)	\$34,500
Splash Summer Arts Program and Project Grants eligible to use State Grant funding	\$325,000
Subtotal	\$626,500
TOTAL	\$3,880,300

Prepared by: Department of Economic and Workforce Development

MB-5 (Res. 23-23)

Council District(s) 1

Mr. Young

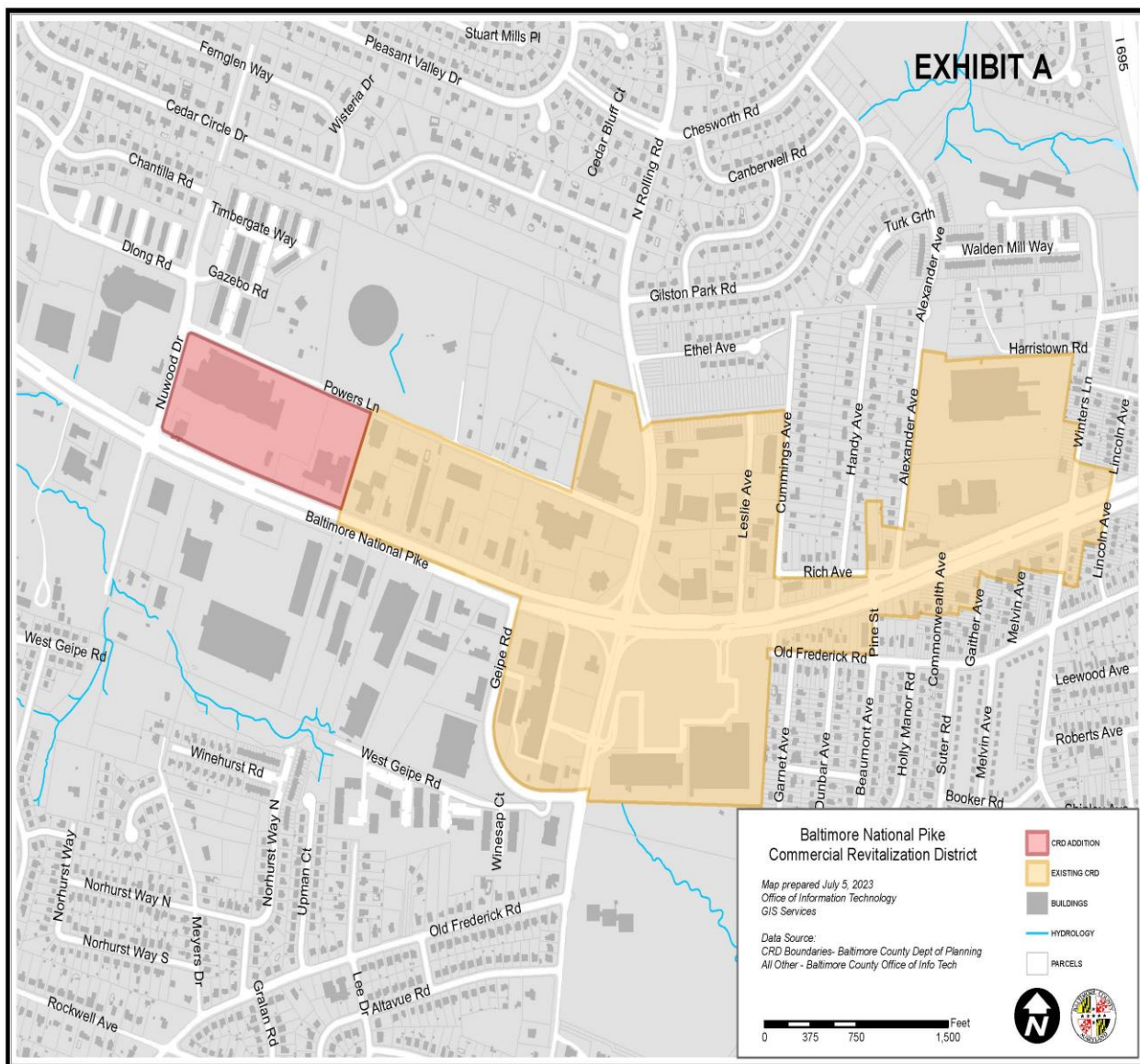
**Amending the Boundary of the Baltimore National Pike
Commercial Revitalization District**

Resolution 23-23 amends the boundary of the Baltimore National Pike Commercial Revitalization District. Currently, there are 21 officially designated Commercial Revitalization Districts in Baltimore County.

Commercial Revitalization Districts provide incentives to property owners and businesses in the districts to improve the exterior of existing buildings and to develop and redevelop underused properties. Each district is staffed by a planner from the Department of Planning who works closely with the business and property owners, business associations, and the local communities to provide a range of tools aimed at maintaining the health and vitality of neighborhood commercial areas. These tools include “Architect On Call” services, the Building Improvement Loan Program, the Commercial Revitalization Action Grant, and potential property tax credits.

Resolution 23-23 expands the Baltimore National Pike Commercial Revitalization District to include an area of land along the northern side of Baltimore National Pike, that is east of Nuwood Drive and west of the current westernmost boundary of the Baltimore National Pike Commercial Revitalization District, as shown on the map attached as Exhibit “A.” The area to be added will increase the opportunities for development or redevelopment of the area.

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



Prepared by: Office of Information Technology

MB-6 (Res. 24-23)

Council District(s) 1

Mr. Young

Amending the Boundary of the Catonsville Commercial Revitalization District

Resolution 24-23 amends the boundary of the Catonsville Commercial Revitalization District. Currently, there are 21 officially designated Commercial Revitalization Districts in Baltimore County.

Commercial Revitalization Districts provide incentives to property owners and businesses in the districts to improve the exterior of existing buildings and to develop and redevelop underused properties. Each district is staffed by a planner from the Department of Planning who works closely with the business and property owners, business associations, and the local communities to provide a range of tools aimed at maintaining the health and vitality of neighborhood commercial areas. These tools include “Architect On Call” services, the Building Improvement Loan Program, the Commercial Revitalization Action Grant, and potential property tax credits.

Resolution 24-23 expands the Catonsville Commercial Revitalization District to include the property at 10 St. Timothys Lane, as shown on the map attached as Exhibit “A.” The area to be added will increase the opportunities for development or redevelopment of the area.

Resolution 24-23 shall take effect from the date of its passage by the County Council.



Prepared by: Office of Information Technology

MB-7 (Res. 25-23)

Council District(s) All

Mr. Marks

Crematories – Encourage General Assembly to Amend Setback Regulations

Resolution 25-23 encourages the Maryland General Assembly and the Maryland Department of the Environment (MDE) to amend State regulations in order to implement setback requirements for crematory incinerators located in proximity to residential properties and facilities that serve vulnerable populations.

Generally, Maryland law regulates crematory facilities in the same manner as trash or medical waste incinerators. Specifically, COMAR 26.11.08.05.A(3) states that in most areas of the State “a person may not cause or permit the discharge of particulate matter into the outdoor atmosphere from any incinerator or crematory constructed on or after January 17, 1972, to exceed 0.10 grains per standard cubic foot dry 0.10 gr/SCFD (229 mg/dscm).”

Crematory incinerators are also required to undergo annual inspection by the U.S. Environmental Protection Agency for compliance with the federal Clean Air Act and MDE for compliance with State air quality standards. Notably, there are no federal or State laws or regulations governing the location of a crematory in relation to residential properties or facilities that serve children or vulnerable populations, such as schools, daycares, hospitals, or senior centers.

Recent scientific studies have raised potential health concerns for people living in close proximity to a cremation incinerator, including the possible emission of mercury and other toxic compounds.

Resolution 25-23 shall take effect from the date of its passage by the County Council.

MB-8 (Res. 26-23)

Council District(s) All

Mr. Marks

**Commission on Disabilities – Recommendations Related to
Automatic Doors Entrance**

Resolution 26-23 requests that the Commission on Disabilities: review the laws, regulations, and policies associated with the accessibility of new and existing commercial building entrances and public restroom facility doors for persons who use wheelchairs, scooters, and walkers for mobility; study the overall feasibility of requiring all such entrances and facility doors to be equipped with automatic doors; and report its findings and recommendations to the County Council on or before December 31, 2023.

The Americans with Disabilities Act (“ADA”) and subsequent federal regulations require that newly designed and constructed or altered State and local facilities, public accommodations, and commercial facilities be readily accessible to and usable by individuals with disabilities. While the ADA has increased the accessibility of commercial facilities for persons who use wheelchairs, scooters, or walkers for mobility, the ADA does not require automatic doors at all entrances to commercial buildings and restrooms open to the public.

As part of its review and study, the Commission on Disabilities shall also consider the economic impact/cost to commercial building owners and businesses of incorporating automatic doors into new construction or of retrofitting existing building entrances and restroom facility doors with automatic doors. Last, the Commission is encouraged to consult with the Department of Permits, Approvals and Inspections and the Office of Law regarding the ADA and Building Code requirements.

Resolution 26-23 shall take effect from the date of its passage by the County Council.

BALTIMORE COUNTY COUNCIL
NOTES TO THE AGENDA
APPENDIX A

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

TO: Administrative Officer **DATE:** 7/27/23
FROM: Kevin D. Reed, Director  **COUNCIL MEETING**
DATE: 9/5/23
SUBJECT: Public Recordation of Announcement
of Non-Competitive Awards Charter Sec. 902(f)

Whenever a contract over \$25,000 is awarded by a process other than a formal competitive bid, a copy of the contract must be given to the County Council, and at the next legislative session-day following the award of the contract, the Secretary to the County Council shall formally announce to the Council the nature of the contract and the parties to the contract. The announcement shall be recorded in the minutes of the County Council, and shall be available for inspection by the public. In compliance with this procedure, information is attached concerning the following awards, which are to be forwarded to the County Council:

Award Document

SCON 10001804 Rosetta Stone, LLC

This Supplier Contract provides for access to Rosetta Stone's Catalyst Language Learning Software. As detailed in the 902f Justification Memo signed by Rhoda Benjamin, as Baltimore County's minority populations continue to grow, there is an influx of non-English speaking demographics that have made Baltimore County their home. Providing employees with access to learn a foreign language will begin to eliminate barriers amongst County employees and residents of these communities. The Rosetta Stone Catalyst software contains a Speech Recognition Engine (SRE) (Patented TruAccent™) and is the only SRE built and designed for language acquisition and language maintenance.

The Initial Term of this Agreement is June 28, 2023 through June 27, 2024, and is renewable annually upon mutual agreement of both parties.

Estimated Award Total: \$74,250.00 Annually
Award Date: 7/5/23

SCON 10001791 Van Dyk Baler Corp

This Supplier Contract is for the purchase of Bollegraaf OEM Parts for the Bureau of Solid Waste's single stream recycling system through Van Dyk Baler Corp. As detailed in the 902f Justification Memo signed by D'Andrea Walker, this supplier is the direct OEM parts supplier for the Bollegraaf recycling equipment used at CAF. Many of the parts that are required to fix the system are proprietary. The recycling system generates approximately \$5-\$8M per year for Baltimore County and must be maintained with proper replacement parts. If this contract was not in place, the system would rapidly deteriorate and cease to function properly.

Estimated Award Total: \$625,000.00
Award Date: 7/5/23

SCON 10001736 One Absolute, LLC

This Supplier Contract is for the purchase of the Empower Mobile App through One Absolute, LLC. As detailed in the 902f Justification Memo signed by Jennifer Lynch, the Empower App provides a platform for delivering financial education, maintaining communications, performing administrative tasks (such as tracking hours worked, surveying youth, etc.) and, collecting program data for justifying the work/requests of the Department of Economic Workforce Development's youth program.

One Absolute had a 2-year agreement based on an Emergency Justification due to COVID. This Non-profit began in 2018 for the purpose of providing financial literacy and job readiness to our youth. There does not appear to be a competing vendor with a mobile app designed specifically for youth that offer similar capabilities at this price point, other software exists that provides similar services but on a much grander scale and at a greater cost.

Award Total 3 Years: \$60,000.00
Award Date: 7/5/23

SCON 10001792 Mid-Atlantic Precast Corp

This Supplier Contract is for the purchase of concrete pieces needed for repairs on storm drains. As detailed in the 902f Justification Memo signed by D'Andrea Walker, Mid-Atlantic Precast Corporation is the sole manufacturer that produces all of the concrete pieces that match and are compatible with existing Baltimore County storm drain structures. These pieces include storm drain slabs and headers, as well as bases, risers and grade rings for sanitary sewers. Over time, weather and salt runoff wear down slabs and headers, and acids/chemicals in raw sewage can deteriorate the sanitary manhole sections. If any of these concrete pieces were to fail, the structure could potentially collapse, causing a public hazard to vehicles and pedestrians. Failure in the sanitary sewer structures could result in a blockage, leading to a backup and a sewerage overflow. Overflows are a health and safety hazard to the public as well as County employees.

Estimated Award Total: \$200,000.00
Award Date: 7/7/23

PO 10009003 Advance Scale of Maryland, LLC

This Purchase Order is for the purchase or replacement of the existing outdated Guide Rails at the Central Acceptance Facility (CAF) and Eastern Sanitary Landfill (ESL). As stated in the 902f Justification Memo signed by D'Andrea Walker, both facilities received new scales in May of 2022 by Advanced Scale of Maryland. Advanced Scale is the local authorized representative for Emery Winslow guide rails and would be responsible for installation and maintenance. The proprietary guide rails are specially manufactured to function with the new scales at both locations. Additionally, the new scales at both locations contain quick connect brackets which are designed to function with the Emery Winslow guide rails. The new rails are heavy duty and Mine Safety and Health Administration (MSHA) certified. If the guide rails are not replaced in timely manner there is a risk that a large truck could drive off the scales and endanger the truck driver and the scale house weighmaster.

Award Total: \$232,694.00
Award Date: 7/10/23

SCON 10001481

Cobwebs America, Inc.

This Supplier Contract is for a 5-year agreement for subscription licenses from Cobwebs America, Inc. As detailed in the 902f Justification Memo signed by Chief Delp, the County uses Cobweb Tangles – it is an open source web intelligence platform which collects and analyzes data from endless digital channels, including mobile and social media platforms. The WebLoc subscription adds geospatial analysis as an analytic tool (anonymized data from remote sensing technologies, GPS and GIS systems). These subscriptions facilitate proper planning for public safety issues and events.

Estimated Award Total: \$607,569.00

Award Date: 7/5/23

SCON 10001773

Pipe Tools, Inc.

This Supplier Contract is for the purchase of Galvanized Electric Eel Feeder Cable, Accessories and Parts through Pipe Tools, Inc. As detailed in the 902f Justification Memo signed by D'Andrea Walker, the electric Eel cable is used with the Spartan Tool 1065 Drain Cleaning Machine which is used to unclog blocked sewer line and mains. The County has found that this cable is far superior to any others on the market because of their welds on connectors and their ability not to kink. This is a major advantage to the County because it reduces the risk of damaging underground pipes. The cables are durable enough to withstand the wear and tear of pipe line maintenance saving the County more money over the years. If the products were not available, it could lead to sewer overflows and flooding of constituent's homes and yards and create a public health risk and incur damage costs to Baltimore County, as well as fines from the State of Maryland. This is for a 5 year term.

Estimated Award Total: \$115,000.00

Award Date: 7/7/23

PO 10008025

Foster & Freeman USA, Inc.

This Purchase Order is to purchase a Crime Lite Auto Hand Held Forensic Imaging Device with Camera for the Biology Unit that can illuminate bodily fluids and trace evidence utilizing various filters, illumination arms, LED illumination, and photo capture the information for our case notes. Foster & Freeman is the only manufacturer of Crime-Lite Auto Kits. As detailed in the Sole Source Justification Memo signed by Acting Chief McCullough, no other product on the market allows for both magnification and alternate light sources capabilities in the wavelengths required with the corresponding filters for the chemical needs in Forensic Services.

The Biology Unit states critical evidence may be missed if the analyst cannot easily illuminate stains without constantly stopping to re-adjust equipment.

Award Total: \$34,498.46

Award Date: 7/10/23

PO 10009005

Van Dyk Baler Corp

This Purchase Order is for the purchase and installation of an Optical Sorting Unit to the single stream recycling at the Counties Material Recovery Facility. As detailed in the 902f Justification Memo signed by D'Andrea Walker, Van Dyk is the US representative of Bollegraaf and other sorters would not be compatible to the existing equipment. The unit will remove Polypropylene (#5 plastic) that cannot be distinguished by the human eye, and therefore cannot be currently sorted from the

recyclables in the County's single stream recycling program which uses human labor. By installing this piece of equipment to the current system, the County will realize significant revenues per year that will more than offset the cost of equipment and increase the County's recycling rate. If this unit was not installed in the facility the County would continue to place these non-biodegradable items in their landfills.

Award Total: \$1,028,334.58

Award Date: 7/14/23

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