

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

Issued: September 7, 2023
Reissued: September 12, 2023
Work Session: September 12, 2023
Legislative Day No. 17: September 18, 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 18, 2023

NOTES TO THE AGENDA

TABLE OF CONTENTS

	PAGE
LEGISLATIVE SESSION	
Witnesses	ii
<u>BILLS – FINAL READING</u>	
Bill 52-23	1
<u>FISCAL MATTERS</u>	
FM-1	2
FM-2	6
FM-3	10
FM-4	13
FM-5	13
FM-6	20*
FM-7	24
FM-8	24
FM-9	29*
FM-10	33
FM-11	37*
FM-12	18*
FM-13	18*
<u>MISCELLANEOUS BUSINESS</u>	
MB-1 (Res. 28-23)	41
MB-2 (Res. 29-23)	47

* Note included in reissued package

**AGENDA
BALTIMORE COUNTY COUNCIL
LEGISLATIVE SESSION 2023, LEGISLATIVE DAY NO. 17
SEPTEMBER 18, 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

COUNCIL

- 1 Bill 52-23 – Mr. Marks – Zoning Regs.-Uses Permitted in the Manufacturing, Light (M.L.) Zone
Repealing Residential Uses on Adjacent Tracts

APPROVAL OF FISCAL MATTERS/CONTRACTS

WALT PESTERFIELD, DIRECTOR, DEPARTMENT OF CORRECTIONS

- 2 1. Amendment to Contract – Sentinel Offender Services, LLC – Home monitoring equipment and services – DOC

KEVIN REED, DIRECTOR, OFFICE OF BUDGET AND FINANCE

- 6 2. Contract – Corporate Mailing Services, Inc. – Mailing Services & Preparation/mailing of Real Property Tax bills – OBF

STEPHANIE MEDINA, COURT ADMINISTRATOR, CIRCUIT COURT

- 10 3. Lease – Pro Vending Services, Inc. – Installation and maintenance of 3 vending machines – Jury
Commissioner Office-CC

FAITH THOMAS, CHIEF, REAL ESTATE COMPLIANCE

- 13 4. Contract of Sale – Hugo Cesar Chavez Araniva – 6715 Windsor Mill Road – Windsor Mill Project – REC
13 5. Contract of Sale – Ben Irvin Markel – 6737 Windsor Mill Road – Windsor Mill Project – REC
18 12. Contract of Sale – State of Maryland – 610 Reisterstown Road, 21208 – Pikesville Armory – REC
18 13. Contract of Sale – Pikesville Armory Foundation, Inc. – 610 Reisterstown Road, 21208 – Pikesville
Armory –REC

LAURA RILEY, DIRECTOR, DEPARTMENT OF AGING

- 20 6. Contracts – (3) – Cleaning and restoration services – AGING

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

- 24 7. Amendment to Contract – St. Vincent de Paul of Baltimore, Inc. – Operation of county shelters – HHS
24 8. Amendment to Contract – Community Assistance Network – Operation of county shelters – HHS

DEBRA SHINDLE, CHIEF, PROPERTY MANAGEMENT

- 29 9. Purchase Order – Lothorian, LLC – Repair/renovation – swimming pool – Dundalk YMCA Swim Center – PM
33 10. Amendment to Contract – Lighting Maintenance, Inc. – Maintenance/repairs -exterior lighting – County –
owned properties-PM
37 11. Lease Agreement – 135 E. Main St., LLLP/St. John Prop., Inc. – 104-106 Business Center Dr., 21136 –
HHS W.I.C. Program-PM

MISCELLANEOUS BUSINESS

AMY TREXLER MANTAY, DEPUTY DIRECTOR, DEPARTMENT OF PLANNING

MEGAN BENJAMIN, PLANNER, DEPARTMENT OF PLANNING

- 41 1. Res. 28-23 – Mr. Jones(By Req.) – Maryland Agricultural Land Preservation Foundation FY23 Easement
Cycle – (4) – Agricultural easements
47 2. Res. 29-23 – Mr. Jones(By Req.) – Approval of applications-Sale of development rights easements-
Agricultural Land Preservation Foundation

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.

At the request of the bill's sponsor, the Council voted at its September 5, 2023 legislative session to extend the vote on Bill 52-23 until its legislative session on September 18, 2023. The bill will be discussed at the work session on September 12, 2023.

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.

FM-1 (Contract Amendment)

Council District(s) All

Department of Corrections

Home Monitoring Equipment and Services

The Administration is requesting approval of an amendment to a contract with Sentinel Offender Services, LLC to continue to provide electronic monitoring devices and related services (e.g., maintenance) for inmates in the Home Detention Program. The Department advised that the amendment is necessary to support an increase in the usage of home monitoring services and to avoid an interruption of services as the County requires additional time to procure a new contract; the current contract expires December 31, 2023. The proposed amendment commences upon Council approval and extends the contract until the earlier of March 31, 2024 or the date the County executes a new agreement. The proposed amendment also increases the maximum compensation of the contract by \$384,500, from \$735,500 to \$1,120,000, for the entire amended 9-year and 10-month term, including the renewal and extension periods. The original contract commenced May 20, 2014. See Exhibit A.

Fiscal Summary

Funding Source	Contract Amendment	Current Maximum Compensation	Amended Maximum Compensation
County ⁽¹⁾	\$ 384,500	\$ 735,500	\$ 1,120,000
State	--	--	--
Federal	--	--	--
Other	--	--	--
Total	<u>\$ 384,500</u> ⁽²⁾	<u>\$ 735,500</u> ⁽³⁾	<u>\$ 1,120,000</u> ⁽²⁾

⁽¹⁾ Commissary Account.

⁽²⁾ For the entire amended 9-year and 10-month term.

⁽³⁾ For the current 9-year and 7-month term.

Analysis

The Department advised that the proposed amendment is necessary to support an increase in the usage of home monitoring services and to avoid an interruption of services as the County requires additional time to procure a new contract. Under the proposed amendment, the contractor will continue to lease electronic monitoring devices to the County and provide related services (maintenance and training) for the supervision of court-ordered pre-trial detainees and eligible inmates in the Home Detention Program. The leased equipment, which includes GPS and non-GPS enabled devices, can be accessed remotely via the internet, enabling the Department's staff to monitor offenders and resolve alerts, which are triggered when an inmate moves outside of their approved area or tampers with the device, without returning to the Detention Center. The devices do not require a dedicated phone line, enabling the Department to enroll offenders in the program who do not have access to landlines (devices can be accessed through cable lines, cell phones, etc.). The Department advised that the Home Detention Program averages approximately 200 participants per month.

On July 7, 2014, the Council approved the original 9-year and 7-month contract (which commenced May 20, 2014) not to exceed \$735,500. The County awarded the contract as a cooperative procurement of a competitively bid State of Washington contract on behalf of the WSCA-NASPO Cooperative Purchasing Organization. The contract allows for price adjustments at the discretion of the State of Washington. The Department advised that the value of services provided under the contract prior to the Council's consideration of the amendment totals \$900,845. The current contract expires December 31, 2023.

The proposed amendment commences upon Council approval and extends the contract until the earlier of March 31, 2024 or the date the County executes a new agreement. The proposed amendment also increases the maximum compensation of the contract by \$384,500 to \$1,120,000 for the entire 9-year and 10-month term, including the renewal and extension periods. All other terms and conditions remain the same. The County may terminate the agreement by providing 30 days prior written notice.

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...." Because the contract expenditures/incurred costs will exceed the contract's maximum compensation prior to the Council's consideration of

the contract amendment, this situation constitutes a violation of the aforementioned section of the Charter.

EXECUTIVE SUMMARY

The Department of Corrections is requesting Council Approval for an Amendment to the participating Addendum for Sentinel Offender Services, LLC. These funds are necessary for the Department of Corrections to continue services with the Sentinel Offender LLC.

Background History- The agreement prior to the current Participating Addendum was Advantage MA (Master Agreement) #2276 and was approved by Council on 12/06/2010, which was a cooperative agreement using Miami Dade's contract in the amount spent of \$156,731.00.

The County's Agreement with Sentinel Offender Services is a Participating Addendum to the WSCA/NASPO Contract No. 00212 with Washington State. Department of Corrections and the Judiciary agreed to increase the use of home monitoring services, resulting in the significantly increase usage. The original not-to-exceed value is insufficient and the term needs to be extended to continue services until a new contract is awarded.

Prepared by: Department of Corrections

FM-2 (Contract)

Council District(s) All

Office of Budget and Finance

Mailing Services & Preparation/Mailing of Real Property Tax Bills

The Administration is requesting approval of a contract with Corporate Mailing Services, Inc. to provide pre-sort mailing services and the preparation and mailing of annual real property tax bills. The contract commences upon Council approval, continues for 2 years, and will renew automatically for three 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 2-year term or for the entire 5-year and 4-month term, including the renewal and extension periods. Compensation may not exceed the amount appropriated for these services for the entire contract term. The Office advised that estimated compensation totals \$853,000 for the entire 5-year and 4-month term, including the renewal and extension periods. See Exhibit A.

Fiscal Summary

Funding Source	Total Compensation	Notes
County ⁽¹⁾	\$ 853,000	⁽¹⁾ General Fund Operating Budget.
State	--	⁽²⁾ Estimate for the entire 5-year and 4-month term.
Federal	--	
Other	--	
Total	\$ 853,000 ⁽²⁾	

Analysis

The contractor will pick up the mail daily from the Historic Courthouse (centralized mailroom), pre-sort the mail to meet U.S. Postal Service specifications, and deliver the pre-sorted mail to the main office of the U.S. Postal Service in Baltimore. Pre-sorting the mail allows the County to take advantage of lower first-class postage rates. The Office advised that the County's mail volume varies widely on a daily basis, ranging from 100 to 5,000 pieces. Unit prices for processing the

mail range from \$0.029 to \$0.100 per piece, depending on the type of mail (e.g., first-class). (For certain standalone permit mailings, a \$35.00 per hour labor charge also applies.) Additionally, the contractor will process (fold, insert, meter postage, bar-code, and pre-sort) and deliver to the U.S. Postal Service County real property tax bills on dates designated by the County. Unit prices are \$14.25 per thousand to insert up to five inserts into the tax bill envelope, \$29.00 per thousand to bar-code, sort, and mail (price does not include postage), and \$4.75 per thousand to fold the tax bills. The Office advised that 277,172 FY 2024 real property tax bills were mailed, and that in CY 2022, the County sent 746,627 pieces of presort mail.

The contract commences upon Council approval, continues for 2 years, and will renew automatically for three 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 2-year term or for the entire 5-year and 4-month term, including the renewal and extension periods. Compensation may not exceed the amount appropriated for these services for the entire contract term. The Office advised that estimated compensation totals \$853,000 for the entire 5-year and 4-month term, including the renewal and extension periods.

Prior to the commencement of the second year of the initial term and 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. The Office advised that Corporate Mailing Services, Inc. was the only bidder. According to the bid documents, there is a 5% M/WBE participation requirement.

On September 18, 2017, the Council approved a similar 6-year and 3-month contract with Corporate Mailing Services, Inc. (which commenced October 1, 2017). The County's financial system indicates that as of August 30, 2023, the County has expended/encumbered \$959,463 under this contract.

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

Executive Summary

This Agreement provides for Pre-Sort Mailing Services and services to prepare and mail annual Baltimore County Real Property Tax bills, on behalf of the Office of Budget and Finance- Customer Services Division.

The Contractor (Corporate Mailing Services, Inc.) was selected through competitive bid, and was the only vendor who responded to the County's formal solicitation. The Contractor is responsible to provide all time, labor, transportation and incidentals necessary to perform the Pre-Sort Mailing Services for daily First-Class Mail, Permit Mail (First and Pre-Sorted Standard), and Standard Mail.

The initial term of the Contract is two (2) years, reserving the right to renew the Contract for up to three (3) additional one-year renewal periods. This Agreement contains a 5% overall Minority Business Enterprise (MBE)/ Woman Business Enterprise (WBE) subcontracting requirement.

Expenditures through this Contract may not exceed the County Council approved appropriation during the entire term of the Contract, including renewals thereof. Funds will be encumbered each fiscal year by the Office and Budget and Finance through the agency's Operational Cost Center 060200.

Once approved by the County Council, this Contract will replace Supplier Contract No. 10000198 with Corporate Mailing Services, Inc., which has entered its final renewal optional. As of August 9, 2023, expenditures through the current contract total \$931,304.16 since October 1, 2017.

Prepared by: The Office of Budget and Finance

FM-3 (Lease)

Council District(s) 6

Circuit Court

Installation and Maintenance of 3 Vending Machines – Jury Commissioner Office

The Administration is requesting approval of a lease with Pro Vending Services, Inc. to provide three vending machines (High-Capacity Glass Front Drink Machine, General Merchandiser, and Multi-Select Coffee/Tea/Hot Chocolate) for the Baltimore County Circuit Court's jury assembly area. The lease commences upon Council approval and continues for 5 years. Pro Vending Services, Inc. will install, service, clean, and maintain the vending machines at no cost to the County and will receive all sales proceeds in return. See Exhibit A.

Fiscal Summary

Pro Vending Services, Inc. will provide three vending machines at no cost to the County and will receive all sales proceeds in return.

Analysis

Pro Vending Services, Inc. will provide three vending machines (High-Capacity Glass Front Drink Machine, General Merchandiser, and Multi-Select Coffee/Tea/Hot Chocolate) for the Baltimore County Circuit Court's jury assembly area. Pro Vending Services, Inc. will install, service, clean, and maintain the vending machines; weekly service will be 2, 3, or 5 days, depending upon the sales volume of each machine. The lease provides that Pro Vending Services, Inc. shall respond to all mechanical maintenance requests within 2 hours of reporting and refund money lost in the machines (a designated Circuit Court employee will be provided with a \$20 supply of refund money and a refund tracking sheet to allow for instant refunds).

The lease commences upon Council approval and continues for 5 years. Pro Vending Services, Inc. will provide the vending machines at no cost to the County and will receive all sales proceeds in return. The County may terminate the lease by providing written notice.

The Circuit Court requested that the proposed contract be designated as a noncompetitive 902(f) award secured in the best interest of the County because Pro Vending Services, Inc. is able to provide vending machines prior to the reopening of the newly remodeled jury assembly area (expected in October 2023).

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 the lease of real or leasehold property in excess of \$25,000 in the aggregate...” or “for services for a term in excess of two years or involving the expenditure of more than \$25,000 per year...” The Administration has characterized this transaction as a lease of a commodity, noting that the agreement also provides vending services to potential jurors for a term of multiple years. While it is a no-cost transaction for the County, the Administration is requesting Council approval based on its unique leasehold and services components, along with the noncompetitive nature of the award.

Executive Summary

This Supplier Contract provides for the lease of three (3) total vending machines (High- Capacity Glass Front Drink Machine (cold beverage), General Merchandiser (snack) and Multi-Select Coffee/Tea/Hot Chocolate (hot beverage) for the Baltimore County Circuit Court Juror Assembly Area, located at 401 Bosley Avenue.

As detailed in the justification memo, signed by Stephanie Medina, thousands of Baltimore County residents report to jury duty annually, some of which may be required to sit in the court awaiting selection for hours, or up to a full day. In order to make this experience as pleasant as possible, the Circuit Court would like to install three (3) total vending machines in the juror selection area of the Circuit Court for use of citizens selected for jury duty.

The County's existing vending machine contractor was unable to provide the requested machines, prior to reopening the newly remodeled jury assembly area, scheduled for October 2, 2023. For this reason, Pro Vending Services, Inc. was selected non-competitively, under Section 902f of the County Charter, based on their local presence and ability to provide the requested vending machines prior to the reopening date.

Baltimore County, Maryland shall not incur any monthly or recurring fees related to the machine leases. In return for providing the machines to Baltimore County, Maryland at no cost, the Contractor shall receive all proceeds from the sales of each machine. Additionally, the Contractor shall be responsible for all maintenance and repair associated with the machines and shall respond to maintenance requests within two (2) hours of notification.

Though the County will not incur any costs for this lease, pursuant to the County's Purchasing Manual, "any contract for the lease or lease/purchase of commodities must be approved by the County Council before execution". For this reason, the Supplier Contract is being presented to the County Council for consideration. The lease period of all three (3) machines shall commence upon approval of the County Council, and shall continue through five (5) years.

Prepared by: Circuit Court

FMs-4 & 5 (2 Contracts)

Council District(s) 2

Office of Law – Real Estate Compliance Division

6715 and 6737 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 0.157 acre for \$59,100, for the construction of a sidewalk along Windsor Mill Road in Gwynn Oak. FM-4 is a contract with Hugo Cesar Chavez Araniva, for \$10,267, for land (0.018 acre) and easement access (0.009 acre) located at 6715 Windsor Mill Road. FM-5 is a contract with Ben Irvin Markel and Joan Elizabeth Salmons aka Joan Salmons Perry (deceased), for \$48,833, for land (0.100 acre) and easement access (0.030 acre) located at 6737 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, including an area 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⁾	\$ 59,100	⁽¹⁾ Capital Projects Fund.
State	--	⁽²⁾ Includes \$8,762 to compensate for adverse impacts to certain site improvements and \$33,840 in proximity damages.
Federal	--	
Other	--	
Total	<u>\$ 59,100</u> ⁽²⁾	

Analysis

Descriptions of the two acquisitions are as follows:

6715 Windsor Mill Road (FM-4)

The County's staff appraiser completed an appraisal of the property effective January 18, 2023, recommending a value of \$10,267. 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 \$3,900 to compensate for adverse impacts to certain site improvements; additionally, the County will reinstall or replace as necessary other impacted site improvements.

The 0.027-acre property to be acquired, including both the land and the easement access area, is part of a larger 0.221-acre parcel that is residentially improved with a detached dwelling.

6737 Windsor Mill Road (FM-5)

The County's staff appraiser completed an appraisal of the property effective November 15, 2022, recommending a value of \$48,833. 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 advised that the property owner accepted the County's offer. The purchase price includes \$4,862 to compensate for adverse impacts to certain site improvements and \$33,840 in proximity damages; additionally, the County will reinstall or replace as necessary other impacted site improvements.

The total 0.130-acre property to be acquired, including both the land and the easement access area, is part of a larger 0.570-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 further advised that, in total, 190 acquisitions are needed for this project for all phases, and following approval of these two proposed acquisitions, approximately 12 remaining phase one acquisitions will require Council approval.

The Council has previously approved contracts for 17 properties totaling \$169,263. 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 29, 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: Hugo Cesar Chavez Araniva

LOCATION: 6715 Windsor Mill Road
Baltimore, MD 21207

CONSIDERATION: \$10,267.00

PURPOSE OF PROJECT: This contract is for the purchase of Highway
Widening Area 810 sq. ft. and a Revertible
Slope Area of 424 sq. ft.

LIMITS OF PROJECT: 6715 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: Ben Irvin Markel

LOCATION: 6737 Windsor Mill Road
Baltimore, MD 21207

CONSIDERATION: \$48,833.00

PURPOSE OF PROJECT: This contract is for the purchase of Highway Widening Area of 4,355 sq. ft., a Revertible Slope Area of 1,285 sq. ft., and a Drainage and Utility Easement Area of 69 sq. ft.

LIMITS OF PROJECT: 6737 Windsor Mill Road

Prepared by: Office of Law – Real Estate Compliance Division

FMs-12 & 13 (2 Contracts)

Council District(s) 2

Office of Law - Real Estate Compliance

610 Reisterstown Road, 21208 – Pikesville Armory

The Administration is requesting approval of a contract to acquire from the State of Maryland an improved property (the Pikesville Armory) on 14.3 acres for \$1 (FM-12); the property is located at 610 Reisterstown Road in Pikesville and is primarily zoned DR-5.5 (Density Residential – 5.5 dwelling units per acre). Upon acquisition by the County, the property will be immediately transferred through a contract of sale to the Pikesville Armory Foundation, Inc. for \$1 for the redevelopment of the Armory (FM-13).

Fiscal Summary

The County will purchase the property from the State of Maryland for \$1, and, as part of the contract between the State of Maryland and the County, the County has agreed to enter a second contract of sale with the Pikesville Armory Foundation, Inc. to which it will sell the property for \$1.

Analysis

The Administration advised that the County acquisition (FM-12) and transfer (FM-13) of the 14.3-acre improved property is part of a larger redevelopment initiative to transform the Pikesville Armory into a community hub (e.g., a venue for arts and recreation) and further revitalize the Pikesville area. The County will purchase the property from the State of Maryland for \$1, and, as part of the contract between the State of Maryland and the County, the County has agreed to enter a second contract of sale with the Pikesville Armory Foundation, Inc. to which it will sell the property for \$1. The Office advised that the property is subject to a Historic Preservation Easement with the Maryland Historical Trust. The Office further advised that the transaction is subject to the Maryland Board of Public Works' final approval.

As of the adoption of the FY 2024 Capital Budget, appropriations earmarked for the project total approximately \$5 million.

County Charter, Section 3-9-108, provides for the conveyance of surplus County property that is no longer needed for public use to non-profit entities. The Office advised that the County is relying on the State's appraisal process.

FM-6 (3 Contracts)

Council District(s) All

Department of Aging

Cleaning and Restoration Services

The Administration is requesting approval of three contracts to provide heavy duty cleaning, organizing, and/or restoration/remediation services for eligible County residents (homeowners and leaseholders) age 60 or older through the Department’s new Cleaning, Clutter, Hoarding Initiative. The three contractors are: Declutter Together, LLC; Hunt Valley Restoration, LLC d/b/a Servpro of Hunt Valley; and TSA Clean, LLC d/b/a Maryland Hoarding. Each contract commences October 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 may not exceed the amount appropriated for these services for the entire contract term. The Department advised that estimated compensation for the three contractors combined totals \$100,000 for the initial 1-year term and \$500,000 for the entire 5-year term, including the renewal periods. See Exhibit A.

Fiscal Summary

Funding Source	Estimated Initial Term Compensation	Estimated Total Compensation
County	--	--
State	--	--
Federal ⁽¹⁾	\$ 100,000	\$ 500,000
Other	--	--
Total	<u>\$ 100,000 ⁽²⁾</u>	<u>\$ 500,000 ⁽³⁾</u>

⁽¹⁾ U.S. Department of Health and Human Services (DHHS), Administration for Community Living, Aging and Disability Services Programs funds passed through the Maryland Department of Aging via the American Rescue Plan Act (ARPA).

⁽²⁾ For the initial 1-year term.

⁽³⁾ For the entire 5-year term, including the renewal periods.

Analysis

The contractors will provide heavy duty cleaning, organizing, and/or restoration/remediation services to eligible County residents (homeowners or leaseholders) age 60 or older who meet certain income guidelines (e.g., currently \$3,324 monthly income for an individual and \$4,346 for two individuals). The Department advised that services will include deep cleaning, packing, moving/removing furniture, decluttering, and removing trash and debris; these services will also address Code Enforcement violations. The Department further advised that its new Cleaning, Clutter, Hoarding Initiative is intended to enable seniors to remain safely in their communities. (The Department advised that the initiative will also provide services, including pest control and mental health services, outside the scope of the three proposed contracts.)

The Department advised that case managers from the Departments of Aging, Social Services, and Health will refer clients to the program, and each client must complete an application and provide necessary documentation. Should the client be approved, the case manager and client will review and select the contractor(s) to provide services; the contractor, in consultation with the client and case manager, will arrive at a mutually agreed upon care plan. The Department advised that the selected contractor(s) will be required to provide written estimates to the client's case manager before work commences and that each client will be eligible for up to \$5,000 in services. The Department expects the program will serve 20-30 clients per year.

Declutter Together, LLC will provide organization services at \$110/hour; TSA Clean, LLC d/b/a Maryland Hoarding will provide cleaning services (heavy chore services and hoarding clean up services) at a daily rate of \$2,850 (including cleaning supplies and labor); and Hunt Valley Restoration, LLC d/b/a Servpro of Hunt Valley will provide restoration and reconstruction services at rates that vary based on the personnel, supplies, and equipment required for each assignment. The Department advised that the daily rate for cleaning is a maximum that would be paid only if services were required for a full day.

Each contract commences October 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 or for the entire 5-year term, including the renewal periods. Compensation may not exceed the amount appropriated for these services for the entire contract term. The Department advised that estimated compensation for the three contractors combined totals \$100,000 for the initial 1-year term and \$500,000 for the entire 5-year term, including the renewal periods.

Prior to the commencement of each renewal period, the County may entertain a request for an escalation in unit prices in accordance with the Consumer Price Index – All Urban Consumers – United States Average – All Items (CPI-U), as published by the United States Department of Labor, Bureau of Labor Statistics at the time of the request, or up to a maximum 5% increase on the current pricing, whichever is lower. Either party may terminate the agreement by providing 30 days prior written notice. The contracts are 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 contracts through a non-competitive procurement process whereby the Department identified 15 potential vendors and directly sent them each a Purchasing Division solicitation, with the intent to award contracts to all responsible and responsive bidders. The Department advised that there is not an M/WBE participation requirement.

Section 6.1 of the County's Purchasing Manual states that "The Purchasing Agent shall purchase commodities and contractual services of an estimated cost in excess of \$25,000 by formal bid process from the lowest responsive and responsible bidder following public notice inviting bids." As noted, the Department deviated from the County's formal bid 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...."

Professional Organizing and Restoration Contracts

Fiscal Year 2024

Declutter Together, LLC

Hunt Valley Restoration, LLC d/b/a Servpro of Hunt Valley

TSA Clean, LLC d/b/a Maryland Hoarding

The Department of Aging is requesting approval of three (3) Professional Organizing and Restoration Contracts for fiscal year 2024 within the Senior Home Safety Program. These contracts provide heavy duty cleaning and or restoration/remediation services to Baltimore County older adults who are deemed eligible.

The Department expects to serve 20-30 clients. The estimated costs for all contracts are based on the estimated number of clients, anticipated services, contracted pay rate.

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 Federal, State or other grant funds are still available.

Prepared by: Department of Aging

FMs-7 & 8 (Contract Amendments)**Council District(s) 1, 4 & 6**

Department of Health and Human Services

Operation of County Shelters

The Administration is requesting approval of amendments to two contracts, with St. Vincent de Paul of Baltimore, Inc. (SVDP) (FM-7) and Community Assistance Network, Inc. (CAN) (FM-8), to continue to operate the County's shelter facilities. SVDP operates the Hannah More Shelter in Reisterstown for women and families, and CAN operates three shelter facilities at the Eastern Family Resource Center in Rosedale (Women and Family Shelter, Men's Shelter, and Family Transitional Shelter) and the Westside Men's Shelter in Catonsville. The Department advised that the amendments are necessary to avoid an interruption in services while the County processes a Request for Proposals for the operation of the shelters and completes shelter renovations. The terms of both contracts expire September 28, 2023. The proposed amendments commence September 29, 2023 and continue until the earlier of June 30, 2024 or the date the County executes new agreements. Compensation may not exceed the amount appropriated for these services. The proposed amendment for CAN increases the estimated compensation by \$2,794,890, from \$15,897,026 to \$18,691,916, and the proposed amendment for SVDP increases the estimated compensation by \$872,936, from \$4,477,097 to \$5,350,033, for the entire amended 5-year and 6-month term, including the renewal and extension periods. The original contracts commenced January 1, 2019. See Exhibits A and B.

Fiscal Summary

Funding Source	Combined Contract Amendments	Combined Current Total Compensation	Combined Amended Total Compensation
County ⁽¹⁾	\$ 3,667,826	\$ 20,374,123	\$ 24,041,949
State	--	--	--
Federal	--	--	--
Other	--	--	--
Total	\$ 3,667,826 ⁽²⁾	\$ 20,374,123 ⁽³⁾	\$ 24,041,949 ⁽²⁾

⁽¹⁾ General Fund Operating Budget.

⁽²⁾ Estimate for the entire amended 5-year and 6-month term.

⁽³⁾ Estimate for the current 4-year and 9-month term.

Analysis

Under the proposed amendments, CAN will continue operating the three facilities at the County-owned Eastern Family Resource Center (EFRC) in Rosedale, including the Eastside Women and Family Shelter (220 beds), the Eastside Men’s Shelter (15 beds), and the Eastside Family Transitional Shelter (10 units/maximum of 38 beds), and the County-owned Westside Men’s Shelter in Catonsville (125 beds); SVDP will continue operating the County-owned Hannah More Shelter for women and families (85 beds) in Reisterstown. The contractors are responsible for providing residents with a safe, supportive, and sanitary environment; three meals per day; and toiletries, bedding, clothing, and other supplies. In addition, the contractors coordinate services for their residents in order to meet the residents’ goals and assist them in transitioning to self-sufficiency, including case management, health and mental health care, employment, housing, transportation, and, at the Eastside Women and Family Shelter and the Hannah More Shelter, services for young and school-age children.

The Eastside Men’s Shelter, the Eastside Women and Family Shelter, and the Westside Men’s Shelter are, at times, used as freezing weather shelters (available from November 1 to April 15) in accordance with the County’s freezing weather “Code Blue” plan. During these times, the maximum capacity of the shelters increase as follows: Eastside Men’s Shelter from 15 to 50 beds; Eastside Women and Family Shelter from 220 to 250 beds; and Westside Men’s Shelter from 125 to 154 beds. The Department advised that the County’s shelter facilities served a total of 1,587 individuals in FY 2023 (CAN served 1,341 and SVDP served 246).

On December 17, 2018, the Council approved the original 4-year and 9-month contracts (which commenced January 1, 2019); the contracts expire September 28, 2023. The Department advised that the proposed amendments are necessary to avoid an interruption in services while the County processes a Request for Proposals for the operation of the shelters and completes shelter renovations (the extent of which are to be determined by Property Management). The Department further advised that as of June 30, 2023, the County has expended \$19,703,238 under these contracts (\$15,362,516 to CAN and \$4,340,722 to SVDP).

The proposed amendments commence September 29, 2023 and continue until the earlier of June 30, 2024 or the date the County executes new agreements. (The Department expects to complete the RFP process by March or April 2024.) Compensation may not exceed the amount appropriated for these services. Estimated compensation for the amendment period totals \$2,794,890 for CAN and \$872,936 for SVDP. The proposed amendments increase the estimated compensation under both contracts by \$3,667,826, from \$20,374,123 to \$24,041,949, for the entire amended 5-year and 6-month term, including the renewal and extension periods. All other terms and conditions remain the same. The County may terminate the agreements by providing 30 days prior written notice.

The County awarded the original contracts through a competitive procurement and negotiation 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

St. Vincent De Paul of Baltimore, Inc.

The Baltimore County Department of Health and Human Services is requesting County Council approval of a contract extension. The requested extension would lengthen the duration of a contractual agreement between the County and St. Vincent De Paul of Baltimore, Inc. (SVDP) that establishes SVDP as the on-site operator of the Emergency shelter located at the Hannah More Center in Reisterstown. The contract was first agreed to in 2018.

At this time, the County seeks approval of amendment #1, which would extend the contract that expires on September 28, 2023. The extension would continue for a period not to exceed the earlier of two dates:
Date#1: The date upon which the parties execute a new agreement for FY 2025 shelter operations resulting from a forthcoming Request-for-Proposal's process expected to take place in 2023.
Date #2: June 30, 2024.

The request to extend the current contract to operate county shelters for the homeless is to provide stability and continuity in management while the following are completed:

- renovations within the shelter are taking place,
- The Department of Housing and Community Development (DHCD) is reviewing, updating and approving the Standard Operating Procedures guide
- Processing the Request for Proposals (RFP) for the operation of County shelters at EFRC and Hannah More and awarding new shelter management contract takes place.

Prepared by: Department of Health and Human Services

EXECUTIVE SUMMARY

Community Assistance Network, Inc.

The Baltimore County Department of Health and Human Services is requesting County Council approval of a contract extension between the County and the Community Assistance Network (CAN). The requested extension would lengthen the duration of a contractual agreement between the County and the Community Assistance Network (CAN) that establishes CAN as the on-site operator of the Emergency shelters located at the Eastern Family Resource Center and the Westside Men's Shelter in Catonsville. The contract was first agreed to in 2018.

At this time, the County seeks approval of Amendment #1, which would extend the contract that expires on September 28, 2023. The extension would continue for a period not to exceed the earlier of two dates:

Date#1: The date upon which the parties execute a new agreement for FY 2025 shelter operations resulting from a forthcoming Request-for-Proposal's process expected to take place in 2023.

Date #2: June 30, 2024.

The request to extend the current contract to operate county shelters for the homeless is to provide stability and continuity in management while the following are completed:

- renovations within the shelter are taking place,
- The Department of Housing and Community Development (DHCD) is reviewing, updating and approving the Standard Operating Procedures guide
- Processing the Request for Proposals (RFP) for the operation of County shelters at EFRC and Hannah More and awarding new shelter management contract takes place.

Prepared by: Department of Health and Human Services

FM-9 (Contract)

Council District(s) 7

Property Management

Repair/Renovation – Swimming Pool – Dundalk YMCA Swim Center

The Administration is requesting approval of a contract with Lothorian, LLC to provide repair and renovation services for the County-owned swimming pool at the Dundalk YMCA Swim Center. The contract commences upon Council approval and continues through the date upon which the the project is completed (estimated to be January 31, 2025). Compensation may not exceed \$907,545. See Exhibit A.

Fiscal Summary

Funding Source	Maximum Compensation	Notes
County⁽¹⁾	\$ 907,545	⁽¹⁾ Capital Projects Fund.
State	--	
Federal	--	
Other	--	
Total	<u>\$ 907,545</u>	

Analysis

Lothorian, LLC will provide all labor, materials, and equipment “to effectively renovate” the concrete swimming pool at the County-owned YMCA Swim Center in Dundalk, and will “coordinate shop drawings and work with [the County’s] general contractor and the work of related trades.” Under the proposed agreement, the contractor will guarantee the concrete shell and under pool piping to be free of defects for three years, the finishes for five years, and the pool equipment for one year.

Property Management advised that two previous contractors performed repair work on the pool in 2019 at a cost of \$77,356; however, the pool continued to experience issues resulting in major

water loss, and it has been closed to the public since July 2020. On June 1, 2022, the County engaged on-call architect Johnson, Mirmiran & Thompson, Inc. (JMT) to prepare construction documents, to oversee the technical aspects of the County's bidding/negotiation process, and to perform construction administration services for the repair/renovation of the Dundalk Y swim center pool. JMT's County-approved proposal for its work totaled \$405,767 (as of August 10, 2023), including \$150,264 for its subcontractor Lothorian, LLC to perform an extensive evaluation of the pool and equipment and involving "tile removal and pipe removal at shell" direct costs.

Under the proposed contract, Lothorian, LLC will provide services to include installing pipes, drains, a sand filter system, stainless steel ladders/rails, gas pool heaters, a new interior surface, tile flooring with a waterproof membrane system, and replacement grating for the perimeter stainless steel gutter; repairing interior pool cracks; connecting pool fill lines; waterproofing the interior surface of the concrete pool shell; and polishing existing stainless steel perimeter swimming pool gutter.

The contract commences upon Council approval and continues through the date upon which the project is completed (estimated to be January 31, 2025). Compensation may not exceed \$907,545. Property Management advised that the Capital Budget also includes funding for a 10% contingency (\$90,755). The County may terminate the agreement by providing written notice.

Property Management advised that the Department of Public Works and Transportation plans to conduct a bid process for adjacent work from November 1, 2023, to April 30, 2024; this work includes structural concrete repair, ceiling repair and finishes, new mechanical equipment, and new lighting, valued at \$2,593,500, and JMT will continue to oversee the technical aspects of this procurement and construction process (Lothorian will continue to serve as JMT's subcontractor on this work). Property Management advised that Lothorian, LLC's work will occur between June and December 2024. The expected construction timeline for all work is May 1, 2024 to January 31, 2025.

Property Management requested that the proposed contract be characterized as a service contract rather than a capital improvement contract and designated as a noncompetitive 902(f) award secured in the best interest of the County. Property Management advised that the contractor has extensive experience with this style and era of pool, as well as with this pool specifically, as Lothorian completed a 2007 renovation to the pool that added a control room to the pool deck as well as filtration upgrades.

County Code, Section 10-2-502 provides that for capital improvement projects “constructed by contract, competitive bids or proposals shall be secured.” However, as noted, the Administration is requesting that this contract be classified as a service contract, rather than a capital improvement contract.

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

Property Management is requesting approval of a Purchase Order for Lothorian, LLC, in the amount of \$907,545 for pool repair and renovation to Dundalk Y Swim Center.

The term of the contract will begin when executed by the County Council, for consideration on September 18, 2023 through the date upon which the bidder has fully performed the project, scope of work, and services indicated in the Purchase Order. The DPWT bid process for the adjacent work is expected to occur from November 1, 2023 to April 30, 2024. Lothorian's work at site will be in conjunction with, and occur at the same time as, the scope that is outside of their proposal. The expected construction timeline is from May 1, 2024 to January 31, 2025.

Prepared by: Property Management

FM-10 (Contract Amendment)

Council District(s) All

Property Management

Maintenance/Repairs – Exterior Lighting – County-Owned Properties

The Administration is requesting an amendment to a contract with Lighting Maintenance, Inc. to continue to provide exterior lighting maintenance and repair services at County-owned and/or operated athletic fields, parking lots, courts, buildings, and parks/parkland. The proposed amendment, which commences upon Council approval, increases the maximum compensation of the contract by \$3,020,789, from \$1,479,211 to \$4,500,000, for the entire 5-year and 4-month term, including the renewal and extension periods. The original contract commenced April 17, 2023. See Exhibit A.

Fiscal Summary

Funding Source	Contract Amendment	Current Maximum Compensation	Amended Maximum Compensation
County ⁽¹⁾	\$ 3,020,789	\$ 1,479,211	\$ 4,500,000
State	--	--	--
Federal	--	--	--
Other	--	--	--
Total	\$ 3,020,789 ⁽²⁾	\$ 1,479,211 ⁽²⁾	\$ 4,500,000 ⁽²⁾

⁽¹⁾ General Fund Operating Budget and/or Capital Projects Fund, depending on the nature of the work.

⁽²⁾ For the entire 5-year and 4-month term, including the renewal and extension periods.

Analysis

The contractor provides all labor, materials, tools, equipment, and supervision for the maintenance and repair of exterior lighting at County-owned and/or operated athletic fields, parking lots, courts, buildings, and parks/parkland. The contractor replaces components (e.g., lamps, ballasts, poles, wiring) and provides repairs and preventative maintenance as requested.

The contractor is required to report to the site within 24 hours of notice for non-emergencies and within 2 hours of notice in an emergency. Property Management advised that the proposed amendment is necessary due a recent major wind event that resulted in the unanticipated need to remove and replace light poles on the artificial turf field at Eastern Regional Park. (Property Management advised that after one pole fell, it proactively assessed the remaining poles.)

Hourly labor rates are \$50 or \$55 for a journeyman electrician and \$45 or \$50 for an electrician's helper, depending on regular or overtime hours. Property Management advised that for County-financed construction projects valued at more than \$300,000, the contractor and all subcontractors must comply with the Prevailing Wage and Local Hiring Law; for these projects, the contractor charges a 75% mark-up on the hourly labor rates (i.e., \$87.50 or \$96.25 for a journeyman electrician and \$78.75 or \$87.50 for an electrician's helper, depending on regular or overtime hours). The contractor's mark-up is 20% on materials and 5% on equipment rental and parking lot or court surface repair.

On April 17, 2023, the Council approved the original 5-year and 4-month contract with compensation not to exceed \$1,479,211. The County's financial system indicates that as of August 29, 2023, expenditures/encumbrances under the contract totaled \$1,457,726. The proposed amendment, which commences upon Council approval, increases the maximum compensation by \$3,020,789 to \$4,500,000 for the entire 5-year and 4-month term, including the renewal and extension periods. All other terms and conditions remain the same.

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 original contract through a competitive procurement process based on low bid from three bids received. According to the bid documents, there is a 30% M/WBE participation requirement.

The County currently has three on-call contracts for electrical services, including one contract with Lighting Maintenance, Inc. (approved on September 6, 2022). Property Management further that the County has expended/encumbered \$574,596 under such on-call contracts.

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

Property Management is requesting the approval of an amendment to the contract for Lighting Maintenance, Inc. to provide on-call athletic field, parking lot, and exterior lighting maintenance and repair services throughout the County.

Currently on SCON-10001652, there is \$52,986.35 of the NTE available.

Total compensation will increase from One Million, Four Hundred Seventy-Nine Thousand, Two Hundred Eleven Dollars (\$1,479,211.00) to Four Million, Five Hundred Thousand Dollars (\$4,500,000.00) upon approval from the County Council. This would provide a \$3,020,789 increase to continue to provide exterior lighting services throughout the County.

Paragraph 2.3 of each Agreement shall be deleted and replaced with the following:

“In no event shall the compensation paid to the Contractor under this Agreement exceed the sum of Four Million, Five Hundred Thousand Dollars (\$4,500,000.00) during the entire term of this Agreement including renewals thereof.”

All other terms, conditions, and provisions of the Agreement remain in full force and effect. The current expiration date is April 16, 2028.

Prepared by: Property Management

FM-11 (Lease)

Council District(s) 4

Property Management

104-106 Business Center Dr., 21136 – HHS WIC Program

The Administration is requesting approval of a lease agreement with 135 E. Main St., LLLP by its agent, St. John Properties, Inc., for 3,900 sq. ft. of space at 104-106 Business Center Drive in Reisterstown for the operation of the Health Department's Women, Infants, and Children (WIC) program. The lease commences July 1, 2024 and continues for 15 years (through June 30, 2039). Rent for the 15-year term totals \$1,068,314. In addition to the rent, the County is responsible for its pro-rata share of the common area maintenance (CAM) fees (e.g., electric, parking lot maintenance, landscaping, trash removal) and utilities/operating expenses, which Property Management estimates will total approximately \$171,340 and \$15,722, respectively, during the lease term. The County is also responsible for \$114,081 of the \$211,581 initial build-out costs; the landlord will pay \$97,500. The lease includes an early occupancy agreement which enables the County to occupy the premises February 1, 2024. The County is not responsible for rent during this 5-month period but is responsible for the aforementioned CAM and utilities/operating expenses, which Property Management estimates will total \$4379 and \$520, respectively. See Exhibit A.

Fiscal Summary

Funding Source	Total Cost
County ⁽¹⁾	\$ 114,081
State	--
Federal ⁽²⁾	1,260,275
Other ⁽³⁾	97,500
Total	<u>\$ 1,471,856</u>

- ⁽¹⁾ Capital Projects Fund (for the County’s portion of the buildout costs).
- ⁽²⁾ U.S. Department of Agriculture funds passed through the Maryland Department of Health’s WIC program. Includes rent (\$1,068,314) and estimated CAM (\$171,340) and utilities/operating expenses (\$15,722), for the 15-year lease term and \$4,899 in estimated CAM (\$4,379) and utilities/operating costs (\$520) for the 5-month early occupancy period.
- ⁽³⁾ Landlord contribution toward initial build-out costs.

Analysis

The County will lease approximately 3,900 sq. ft. of space located at 104-106 Business Center Drive in Reisterstown for the operation of the Health Department’s WIC program. Property Management advised that the current lease (approximately 2,300 sq. ft. in the Chartley Park Center in Reisterstown) is set to expire October 31, 2023, and the landlord needs the space; however, the landlord has agreed to allow the County to use the space until January 31, 2024. Property Management further advised that the new location was selected because it is less than 1.5 miles from the current location, which will allow continuity of service with minimal inconvenience and has easy access to public transportation, and the larger space will better accommodate the heavy volume of clients the Chartley location currently services. The Health Department advised that 2,500 clients were served at this site in FY 2023.

The lease commences July 1, 2024 and continues for 15 years (through June 30, 2039). Annual rent for the first year is \$58,500 (\$15/sq. ft.) and is scheduled to increase 2.75% annually. Rent for the entire 15-year term totals \$1,068,314. In addition to the rent, the County is responsible for its pro-rata share of the CAM fees (e.g., electric, parking lot maintenance, landscaping, trash removal) and utilities/operating expenses, which Property Management estimates will total approximately \$171,340 and \$15, 722, respectively, during the lease term. The County is also responsible for \$114,081 of initial build-out costs (e.g., sprinkler installation, minor changes in floorplan) totaling \$211,581; the landlord will pay \$97,500. The lease includes an early occupancy

agreement which enables the County to occupy the premises beginning February 1, 2024; the County is not responsible for rent during this 5-month period but is responsible for the aforementioned CAM and utilities/operating expenses, which Property Management estimates will total \$4,379 and \$520, respectively.

The County may terminate the lease should sufficient funds not be appropriated. The landlord may terminate the lease in the event of default.

County Charter, Section 715, requires Council approval of leases of real or leasehold property in excess of \$25,000 in the aggregate.

EXECUTIVE SUMMARY

The Administration is requesting the approval of a lease with St. John Properties, Inc. to relocate the Baltimore County Health Department's Women, Infants, and Children (WIC) program.

The Health Department currently leases space in the Chartley shopping center for its WIC program. The current lease is set to expire October 31, 2023 however, the landlord has agreed to allow the County to be in holdover until January 31, 2024. The current landlord needs this location for future needs and is not willing to renew the existing lease at that location. The current landlord could not meet the space needs and build out requirement for the new location in any of their existing other available rental spaces.

Property Management worked with the realtor to find a new site that would fit the current and future needs of the Health Department. The location, at 104/106 Business Center Drive, was selected because it is less than 1.5 miles from the current location, which will allow continuity of service with minimal inconvenience and has easy access to public transportation. The new space is 3,900 square feet, compared to the previous location of approximately 2,300 square feet. The larger space will better accommodate the heavy volume of clients the Chartley location serves.

The rental cost per square foot in this proposed lease is in line with the rate we pay at the current location, as the current lease is \$14.98/square foot and the new location is \$15.00/square foot. St. John is offering free rent for the first 5 months, a value of \$24,375, and is providing a \$97,500 (\$25/square foot) credit towards the cost of the build out. The 15-year lease will be funded through the Health Department's operating funds.

St. John is able to complete a build out at this location in a condensed timeline in order to allow WIC staff to move in the end of January 2024. The County's buildout cost, \$114,081, was included in the FY24 210P036 Capital funds.

Prepared by: Property Management

MB-1 (Res. 28-23)

Council District(s) 3 & 5

Mr. Jones (By Req.)

Department of Planning

**Maryland Agricultural Land Preservation Foundation FY 23 Easement Cycle –
(4) – Agricultural Easements**

The Administration is requesting approval of the County’s contribution toward the State’s purchase of 4 development rights easements totaling approximately 270.3 acres through the Maryland Agricultural Land Preservation Foundation FY 2023 easement cycle. The request would provide \$488,109 of County matching funds to the State for the purchase of the easements. The combined purchase price of the easements totals \$2,467,544. The 4 properties are located within Agricultural Preservation Priority Areas. See Exhibits A and B.

Fiscal Summary

Funding Source	Combined Purchase Price	Notes
County ⁽¹⁾	\$ 488,109	⁽¹⁾ Capital Projects Fund.
State ⁽²⁾	1,979,435	⁽²⁾ Maryland Agricultural Land Preservation Foundation.
Federal	--	⁽³⁾ Total of State-approved purchase prices.
Other	--	
Total	<u>\$ 2,467,544</u> ⁽³⁾	

Analysis

On September 6, 2022 (Resolution 34-22), the Council approved 12 recommended easement applications to be submitted to the State for purchase consideration. The Department of Planning and the Baltimore County Agricultural Land Preservation Advisory Board ranked the 12 properties

based on an analysis of the benefits per acre (including soil analysis) and costs per acre. The Department advised that the State made easement purchase offers to 4 of the 12 property owners, and the 4 property owners accepted the offers; all 4 properties are located within designated Agricultural Preservation Priority Areas.

The Department advised that the easements are held by the Maryland Agricultural Land Preservation Foundation (Foundation); the County and the Baltimore County Land Preservation Advisory Board review landowner requests for approved activities, and the County monitors compliance. The Foundation purchases the easements with the State and County funds. Agricultural Article §2-511 of the Annotated Code of Maryland establishes minimum and maximum purchase prices for the Foundation easements at 25% and 75% of the fair market value of the land, respectively (unless the owner’s asking price is less than 25% of the fair market value).

Purchases of easements by the Foundation may be made from the State’s general allotment allocation, the State’s matching allocation, and the reallocation of any remaining general allotment funds after allocations to all counties have been made. General allotment funds do not require a county contribution; matching fund purchases require a county to contribute at least 40% of the amount not funded by the general allotment fund. The Department advised that the 4 easement purchases will be funded with \$1,979,435 of State matching and general allotment funds and \$488,109 of County matching funds for a total cost of \$2,467,544. The County matching funds may be financed by General Funds (PAYGO) and General Obligation bonds.

The 4 easements to be purchased are located in the 3rd and 5th Councilmanic Districts. The related acreages and the County’s share of the purchase prices are as follows:

<u>Property Owner(s)</u>	<u>Council District</u>	<u>Easement Acres ⁽¹⁾</u>	<u>County Share of Easement Cost</u>	<u>Total Easement Cost</u>
Alexander, John R.	3	50.05	\$ 140,140	\$ 350,350
Richardson’s Farm, Inc.	5	70.35	298,278	745,694
Rogge, Diane	3	14.00	39,200	98,000
Wilson Revocable Trusts	3	135.86	10,491	1,273,500
Total		<u>270.26</u>	<u>\$ 488,109</u>	<u>\$ 2,467,544</u>

(1) Reflects acreage per Resolution 28-23, which the Department advised may differ slightly from Resolution 34-22 due to minor acreage adjustments and/or acreage for which the landowner is not paid pursuant to State policy.

The Department advised that approval of these purchases will add approximately 270.25 acres to the 26,201 acres of farmland currently preserved through the Foundation in Baltimore County. On October 17, 2022, the Council approved the County's contribution toward the State's purchase of 6 development rights easements totaling approximately 613.2 acres through the Foundation's FY 2022 easement cycle. The Department advised that the total acreage preserved in the County through all preservation programs as of July 2023 is 70,640; the County's goal is at least 80,000 acres.

The Annotated Code of Maryland, Agriculture Article (Title 2, Subtitle 5), and the Baltimore County Code, Article 24, Land Preservation (Titles 2 and 3), require Council approval of development rights easements to be purchased by the Foundation.

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

**BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF PLANNING**

**Stephen Lafferty, Director
Executive Summary**

This resolution is to approve the County's contribution towards the purchase of four agricultural easements through the Maryland Agricultural Land Preservation Foundation FY 23 easement cycle.

The Department of Planning requests the County Council approve \$488,108.84 in Matching Funds for the purchase of four (4) agricultural easements on 270 acres. The total cost of the easements is \$2,467,544.10 with State funds making up the difference.

County Council Resolution 34-22 (September 6, 2022) approved and ranked twelve (12) applications to sell an easement to the Maryland Agricultural Land Preservation Foundation. Appraisals were conducted and offers were extended based upon state funding, County's commitment of funds, and priority order set by County Council Resolution 34-22. The farm acreage indicated on this Resolution for easement offers may differ from that on Resolution 34-22 because of minor acreage adjustments and/or acreage for which the landowner is not paid such as the acre around an existing dwelling.

The Maryland Agricultural Land Preservation Foundation Easement Program is an integral part of the County's preservation strategy with its emphasis on protecting highly productive farmland to foster the farming industry in the State. The County's land preservation goal is at least 80,000 acres. As of July 2023, the total acreage of preserved land in the County through all programs is 70,640 acres.

All four of these farms are outside the URDL, within Tier 4 areas, and within the 2020 Master Plan delineated Agricultural Priority Preservation Areas. A map indicating the location of the four proposed easements is attached and a brief description of each property is provided below:

Name: Alexander, John Robert Jr.

Address: 18909 Graystone Rd, White Hall, MD 21161 (Map 17, Parcel 392)

Proposed Easement Acreage: 50.05

County Council District: 3rd

Zoning/Tier: RC 2

Master Plan Land Management Area: Agricultural Priority Preservation Area

Farm Ownership/Operation: Leased corn/soybeans

Name: Richardson's Farm, Inc.

Address: 727 Earls Beach Rd, White Marsh, MD 21220 (Map 83, Parcels 443, 589)

Proposed Easement Acreage: 70.3485

County Council District: 5th

Zoning/Tier: RC 2/RC 50 Tier 4

Master Plan Land Management Area: Agricultural Priority Preservation Area
Farm Ownership/Operation: Owner operated & leased-vegetables (irrigated)

Name: Rogge, Diane

Address: Brinton Rd, Baldwin, MD 21013 (Map 54, Parcel 374)

Proposed Easement Acreage: 14

County Council District: 3rd

Zoning/Tier: RC 2/ Tier 4

Master Plan Land Management Area: Agricultural Priority Preservation Area

Farm Ownership/Operation: Owner operated, grain (corn/soy) rotation

Name: Wilson Revocable Trusts (Wilson, Scott and Sharon Clabaugh, Trustees)

Address: 21128 Lentz Rd, Parkton, MD 21120 (Map 7, Parcels 90, 36, 242)

Proposed Easement Acreage: 135.8560

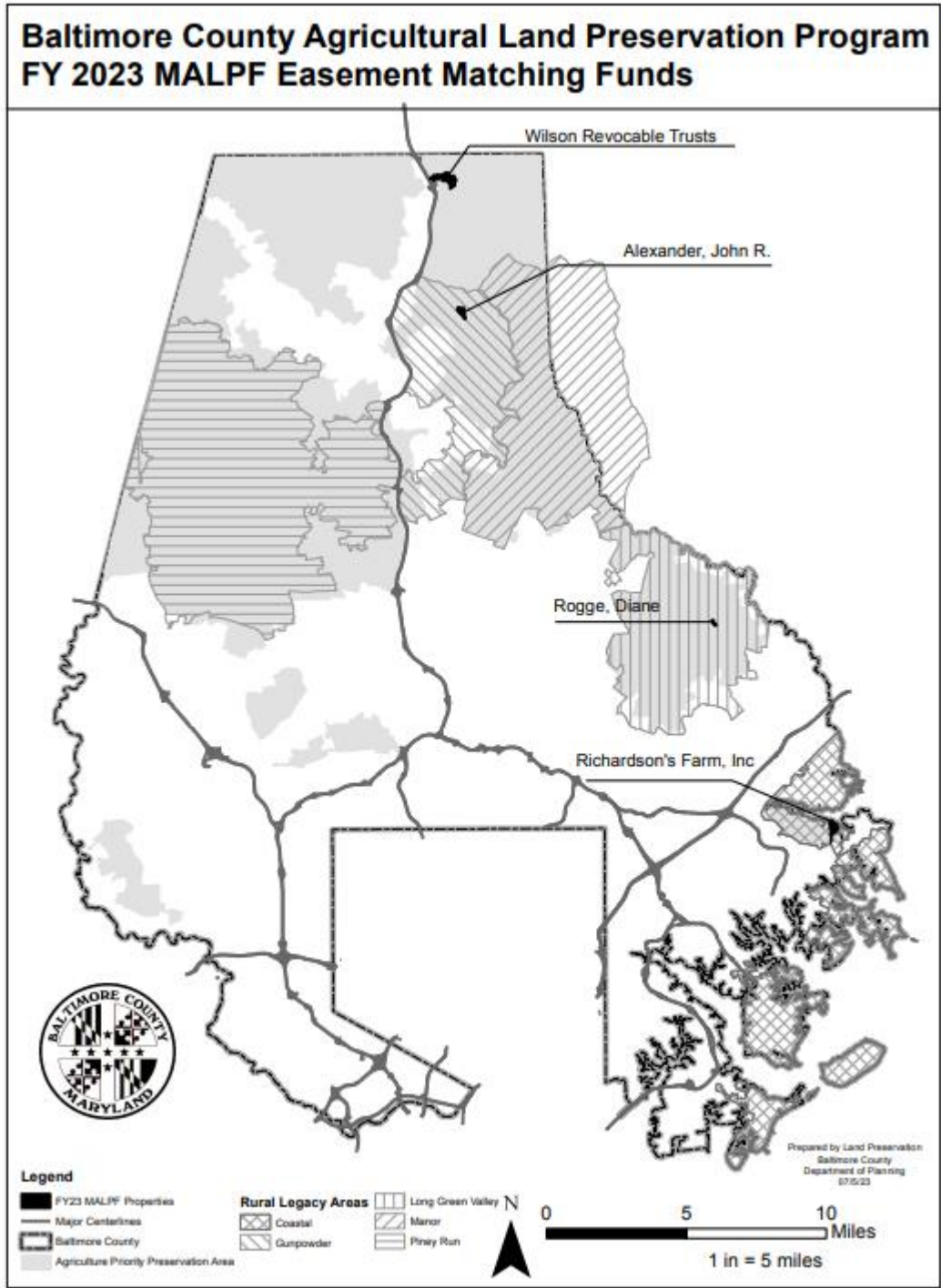
County Council District: 3rd

Zoning/Tier: RC 2 / Tier 4

Master Plan Land Management Area: Agricultural Preservation Priority Area

Farm Ownership/Operation: Leased-row crops

Prepared by: Department of Planning



Prepared by: Department of Planning

MB-2 (Res. 29-23)

Council District(s) 3

Mr. Jones (By Req.)

Department of Planning

**Approval of Applications – Sale of Development Rights Easements –
Agricultural Land Preservation Foundation**

Resolution 29-23 approves 9 applications for the sale of developmental rights easements on agricultural properties totaling approximately 558.1 acres pursuant to the Maryland Agricultural Land Preservation Foundation (Foundation) FY 2024 easement cycle. See Exhibits A and B.

Fiscal Summary

This resolution has no immediate fiscal impact to the County since the related purchases of the development rights easements will occur separately at a later date. The Foundation uses State funds and County matching funds to acquire easements on farms and woodlands. The purchases are subject to funding availability and County Council approval.

Analysis

The Department of Planning and the Baltimore County Agricultural Land Preservation Advisory Board (the Advisory Board) recommended and ranked the 9 properties (with 24 associated development rights) totaling approximately 558.1 acres in priority order. After the resolution is approved, the Foundation may extend offers to purchase the easements in the order of the ranking and the landowner's easement offer price, depending upon the availability of State funds and County matching funds, and subject to County Council approval of the purchase. The Foundation purchases the easements with State and County funds. Agricultural Article §2-511 of the Annotated Code of Maryland establishes minimum and maximum purchase prices for the

Foundation easements at 25% and 75% of the fair market value of the land, respectively (unless the owner’s asking price is less than 25% of the fair market value).

The Department advised that the Advisory Board reviewed each property and determined the priority ranking based on factors such as contribution to agricultural economy, land quality, soils, number of development rights, acres of contiguous protected ground, and environmental benefit.

In accordance with Agricultural Article §§2-501 to 2-519 of the Annotated Code of Maryland, the rankings are to remain confidential until the completion of the acquisition cycle. The Department advised that on June 14, 2023, the Advisory Board approved the priority ranking of the following 9 properties, which are located in the 3rd Councilmanic District, and are listed in alphabetical order by name of the property owner(s).

<u>Property Owner(s) (Alphabetical Order)</u>	<u>Easement Acreage</u>
Clear Meadow, LLC	100.98
Clear Meadow, LLC	29.57
Foster, Richard M.	116.26
Hendrix, Bryan & Constance	52.48
Landa, Craig & Rebecca	47.76
Merryman, Jack & Virginia Roil	84.57
Morfoot Living Trust	54.63
Schafer, Herbert J., Jr.	38.90
Yeager, Steven-Trustee	32.95
Total	<u>558.10</u>

The public hearing for this matter will be held at the Council’s work session on September 12, 2023.

The Department advised that the County has preserved 26,201 acres of farmland through the Maryland Agricultural Land Preservation Program as of July 2023. The Department further advised that the County has preserved a total of 70,640 acres through all preservation programs as of July 2023; the County’s goal is at least 80,000 acres.

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

**BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF PLANNING**

**Stephen Lafferty, Director
Executive Summary**

Subject: Resolution to Approve Applications and Ranking of Applications to the Maryland Agricultural Land Preservation Foundation FY 24 Easement Purchase Cycle.

The Department of Planning recommends the approval of 9 applications and the ranking of same on 558 +/- easement acres by landowners to sell an easement to the Maryland Agricultural Land Preservation Foundation (Foundation) FY 24 Easement Purchase Cycle. The 9 properties have 24 associated development rights that would be extinguished through the easements.

The Department received and reviewed 9 applications. The Baltimore County Agricultural Land Preservation Advisory Board (Advisory Board) reviewed each farm and analyzed and ranked on factors such as contribution to agricultural economy, quality of the land, soils, number of development rights, acres of contiguous protected ground, environmental benefit and other factors. The Advisory Board voted on June 14, 2023 to recommend the 9 applications.

In accordance with the Agricultural Article Section 2-501 to 2-519 of the Annotated Code of Maryland the ranking is to remain confidential until the completion of the acquisition cycle. Therefore, the Resolution lists the farms in alphabetical order. A public hearing on the applications is required and it is requested that it be held at the County Council Work Session on September 12, 2023.

The following applications are recommended for approval in the ranking order on a separately provided confidential list:

Name: Clear Meadow, LLC
Address: Bond Rd, Parkton, MD 21120 (Map 7, Parcels 206, 164; Tax Map 8, Parcel 19)
Proposed Easement Acreage: 100.979
County Council District: 3rd
Zoning/Tier: RC 2
Master Plan Land Management Area: Agricultural Priority Preservation Area
Farm Ownership/Operation: Owner Operation: Corn, Wheat, Soybean Rotation

Name: Clear Meadow, LLC
Address: York Rd, Freeland, MD 21053 (Map 3, Parcel 35)
Proposed Easement Acreage: 29.573
County Council District: 3rd
Zoning/Tier: RC 2
Master Plan Land Management Area: Agricultural Priority Preservation Area
Farm Ownership/Operation: Owner Operation: Corn, Wheat, Soybean Rotation

Name: Foster, Richard M.
Address: 1039 Mt. Carmel Rd, Parkton, MD 21120 (Map 21, Parcels 25 & 63)
Proposed Easement Acreage: 116.26
County Council District: 3rd

Zoning/Tier: RC 2/ Tier 4

Master Plan Land Management Area: Agricultural Priority Preservation Area

Farm Ownership/Operation: Owner operated, grain (corn/soy) rotation

Name: Hendrix, Bryan & Constance

Address: 2624 W Ruhl Rd, Freeland, MD 21053 (Map 6, Parcels 346 (lot 1), 56 (lot 1), 322, 323, 100)

Proposed Easement Acreage: 52.4824

County Council District: 3rd

Zoning/Tier: RC 2

Master Plan Land Management Area: Agricultural Priority Preservation Area

Farm Ownership/Operation: Owner operation: hay, corn, beans

Name: Landa, Craig & Rebecca

Address: 21012 Middletown Rd, Freeland, MD 21053 (Map 5, Parcel 20)

Proposed Easement Acreage: 47.757

County Council District: 3rd

Zoning/Tier: RC 2

Master Plan Land Management Area: Agricultural Priority Preservation Area

Farm Ownership/Operation: Owner operated-pasture

Name: Merryman, Jack & Virginia Roil

Address: 3319 Mt. Zion Rd, Upperco, MD 21155 (Map 26, Parcel 10)

Proposed Easement Acreage: 84.57

County Council District: 3rd

Zoning/Tier: RC 2/ Tier 4

Master Plan Land Management Area: Agricultural Priority Preservation Area

Farm Ownership/Operation: Leased, grain (corn/soy) rotation

Name: Morfoot Living Trust

Address: 4217 Black Rock Rd, Upperco, MD 21155 (Map 20, Parcel 97)

Proposed Easement Acreage: 54.632

County Council District: 3rd

Zoning/Tier: RC 2

Master Plan Land Management Area: Agricultural Priority Preservation Area

Farm Ownership/Operation: Owner operated-row crops

Name: Schafer, Herbert J. Jr.

Address: 21113 West Liberty Rd, Parkton, MD 21120 (Map 8, Parcel 247)

Proposed Easement Acreage: 38.902

County Council District: 3rd

Zoning/Tier: RC 2/RC 7

Master Plan Land Management Area: Agricultural Priority Preservation Area

Farm Ownership/Operation: Leased corn/soybeans

Name: Yeager, Steven-Trustee

Address: 21206 Ridge Rd, Freeland, MD 21053 (Map 6, Parcel 189)

Proposed Easement Acreage: 32.946

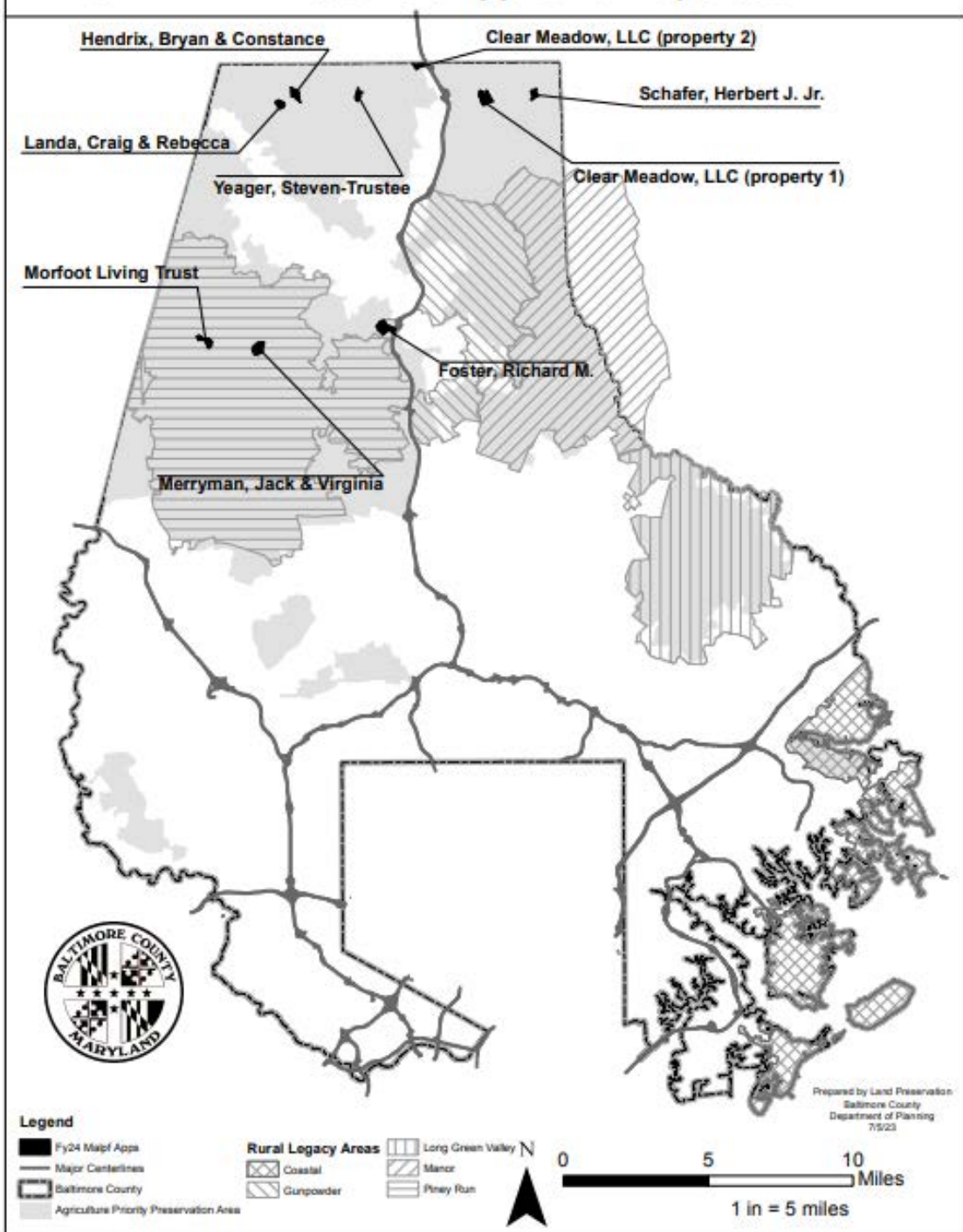
County Council District: 3rd

Zoning/Tier: RC 2

Master Plan Land Management Area: Agricultural Priority Preservation Area
Farm Ownership/Operation: Leased-grain

Prepared by: Department of Planning

Baltimore County Agricultural Land Preservation Program FY 2024 MALPF Easement Applicant Properties



Prepared by: Department of Planning