

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

*Issued: February 8, 2024
Reissued: February 9, 2024
Work Session: February 13, 2024
Legislative Day No. 4: February 20, 2024*

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



OFFICE OF THE COUNTY AUDITOR

BALTIMORE COUNTY COUNCIL

February 20, 2024

NOTES TO THE AGENDA

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* Note included in reissued package

**AGENDA
BALTIMORE COUNTY COUNCIL
LEGISLATIVE SESSION 2024, LEGISLATIVE DAY NO. 4
FEBRUARY 20, 2024 6:00 P.M.**

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

Page

CALL OF BILLS FOR FINAL READING AND VOTE

COUNCIL

- 1 Bill 1-24 – Mr. Kach – Zoning Regs. – Uses Permitted in the Business, Major (B.M.) and Manufacturing, Light (M.L.) Zones – Residential Uses in Hunt Valley
- 3 Bill 2-24 – Mr. Young - Zoning Regulations – Live Musical Entertainment – M.H. Zone

APPROVAL OF FISCAL MATTERS/CONTRACTS

RAMONA BROWN CARTER, DEI PROGRAM MANAGER, OFFICE OF HUMAN RESOURCES

- 4 1. Contract – Daniel Sims Consulting Group, LLC – Enterprise-wide equity assessment - OHR

TERRY HICKEY, DIRECTOR, DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

- 8 2. Contract – The Equal Rights Center, Inc. – Fair housing testing services – DHCD

DEBRA SHINDLE, PROPERTY MANAGEMENT

- 12 3. Contract – Siemens Industry – Installation/maintenance of pneumatic control systems - PM
- 16 4. Contracts – (4) – Space planning and design services - PM

MISCELLANEOUS BUSINESS

COUNCIL

- 28 1. Correspondence - (a) (3) - Non-Competitive Awards (January 22, 2024)
2. Appointment – Mr. Patoka(By Req.) – Baltimore County Adult Public Guardianship Review Board – Barry Goldstein

STEVE LAFFERTY, DIRECTOR, DEPARTMENT OF PLANNING

- 20 3. Res. 4-24 – All Councilmembers – Adoption of Master Plan 2030

COUNCIL

- 23 4. Res. 6-24 – Councilmembers Young, Marks, Crandell, Patoka & Jones–Amending the Rules of Procedure for the Baltimore County Council

Bill 1-24

Council District(s) 3

Mr. Kach

Zoning Regs. – Uses Permitted in the Business, Major (B.M.) and Manufacturing, Light (M.L.) Zones – Residential Uses in Hunt Valley

Bill 1-24 permits certain residential uses under certain circumstances in the Business, Major (B.M.) and Manufacturing, Light (M.L.) zones.

A development tract, which may include one or more lots under common ownership, in the B.M. or M.L. zones is permitted to have certain residential uses if the development tract is:

- at least 15 and no greater than 18 net acres in size;
- within the Hunt Valley/Timonium Master Plan Focus Area; and
- located west of York Road, south of Shawan Road and, at its closest point, within 1,500 feet of the B.M.-Commercial, Town Center Core (C.T.) District of Hunt Valley.

The specific residential uses permitted are multi-family units in the form of stacked townhomes and/or single-family attached units. However, the gross residential density of this use on a particular development tract may not exceed the lesser of 16 dwelling units per acre or 290 dwelling units.

Residential uses permitted under Bill 1-24 may not be subject to any other bulk, height, area, or special regulations applicable to the underlying zoning classification or those contained in the Comprehensive Manual of Development Policies.

Bill 1-24 includes setback and property barrier requirements for the residential uses. Specifically, the residential uses must maintain front, side, and rear building setbacks to external property lines of 10 feet and a maximum building height of 60 feet. However, there is an exception to require a 50-foot building setback to edge of paving of Shawan Road and the ramp from Interstate 83. Also, fencing must be provided along Shawan Road and the ramp from Interstate 83. Last, architectural acoustic features may be required to provide sound attenuation for the project from adjacent roadways.

In lieu of providing the total amount of open space required by § 32-6-108 of the County Code, a development that includes residential uses as permitted under Bill 1-24 may request an open space waiver as long as a minimum of 75,000 square feet of open space is provided, at least 30,000 square feet of which must be in the form of a centrally located community green, with the remainder being divided into at least three smaller open space areas within the site. The open space waiver fee shall be the fee applicable to the Commercial, Community Core (C.C.C.) District.

At the request of the bill's sponsor, the Council voted at its February 5 legislative session to extend the vote on Bill 1-24 until its legislative session on February 20. The bill will be discussed at the work session on February 13.

With the affirmative vote of five members of the County Council, Bill 1-24 will take effect 14 days after its enactment.

Bill 2-24

Council District(s) All

Mr. Young

Zoning Regulations – Live Musical Entertainment – M.H. Zone

Bill 2-24 permits live musical entertainment in the Manufacturing, Heavy (M.H.) Zone. Currently, live musical entertainment is only permitted on property located in the Business Local (B.L.), Business Local Restricted (B.L.R.), Community Business (C.B.), Business Major (B.M.), Business Roadside (B.R.), Business Maritime Marina (B.M.M.), Business Maritime Boatyard (B.M.B.), Business Maritime Yacht Club (B.M.Y.C.), and Manufacturing Light (M.L.) Zones as an accessory use to a principal use in accordance with section 449 of the Zoning Regulations. The owner of a property in the M.H. Zone (or lessor if authorized in writing by a qualifying owner) will be required to obtain a live musical entertainment use permit issued by the Director of the Department of Permits, Approvals and Inspections in the same manner as required for such use in the B.L., B.L.R, C.B., B.M., B.R., B.M.M., B.M.B., B.M.Y.C., and M.L. Zones. In addition, the use must follow all applicable requirements set forth in section 449.

With the affirmative vote of five members of the County Council, Bill 2-24 will take effect 14 days after its enactment.

FM-1 (Contract)

Council District(s) All

Office of Human Resources

Enterprise-Wide Equity Assessment

The Administration is requesting approval of a contract with Daniel Sims Consulting Group, LLC to conduct an enterprise-wide equity assessment. The contract commences upon Council approval and continues through the County’s final acceptance of all three phases of the equity assessment, which the Office estimates will take approximately 18 months. The contract provides that compensation may not exceed \$280,494. See Exhibit A.

Fiscal Summary

Funding Source	Maximum Compensation	Notes
County	--	⁽¹⁾ U.S. Department of the Treasury, American Rescue Plan Act (ARPA) funds.
State	--	
Federal ⁽¹⁾	\$ 280,494	
Other	--	
Total	<u>\$ 280,494</u>	

Analysis

The contractor will conduct an enterprise-wide equity assessment, including evaluating current County policies and programs, developing a Diversity, Equity, and Inclusion (DEI) strategic plan, and providing DEI training to County employees. The Office advised that the assessment will establish enterprise DEI standards that will support the monitoring, managing, and evaluation of County government in areas of fair and equitable decision-making.

The assessment will be completed in three phases, as follows:

- Phase 1 – The DEI Evaluation (\$198,069) will include collecting, organizing, reviewing, analyzing, interpreting, and assessing policies, programs, and practices that directly or indirectly impact County staff, businesses, and residents regarding their race, color, ethnicity, linguistics, national origin, gender, disability, age, sexual orientation, gender identity, religion, or other sociocultural factors. The evaluation will include identifying relevant stakeholders; conducting interviews and listening sessions; conducting quantitative surveys; analyzing stakeholder interests and influence; and assessing communication and engagement strategies. The contractor will review the County’s policies, services, organizational structure, program funding and expenses, and staff demographics. At the conclusion of Phase 1, the contractor will compile and present its findings in a benchmarking and assessment report.
- Phase 2 - DEI Strategic Plan Development (\$23,300) will include the development of a draft strategic framework based on the contractor’s evaluation. The draft framework will include data analysis; goals, objectives, and strategies/tactics; an outline of responsible partners and roles; and expected measures and outcomes. At the conclusion of Phase 2, the contractor will present its framework publicly.
- Phase 3 - DEI Training for County Leaders, Managers, Supervisors, and Staff (\$59,125) will include the design and facilitation of three unique sets of training modules: a customer relations and engagement series for frontline employees; workplace and situational management for mid-level employees; and hiring principles for departmental and other senior leaders. The contractor will create a Baltimore County Equity Growth Matrix, a tool to support data-driven decision making that aligns with the County’s strategic goals and values.

The contract commences upon Council approval and continues through the County’s final acceptance of all three phases of the equity assessment, which the Office estimates will take approximately 18 months. The contract provides that compensation may not exceed \$280,494 for the entire term. The County may terminate the agreement by providing 30 days prior written notice.

The County awarded the contract through a competitive procurement process based on qualifications and experience from seven proposals received. According to the procurement documents, there is a 30% M/WBE participation requirement.

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

Executive Summary

The Office of Human Resources- Division of Diversity, Equity & Inclusion (DEI) wishes to engage Daniel Sims Consulting Group, LLC, to conduct an Enterprise-Wide Equity Assessment. The Equity Assessment will identify areas of opportunities where the County's performance can be strengthened in order to best meet the needs of the community. The proposed scope of work includes three (3) phases as follows:

DEI Evaluation – Phase 1 (estimated timeframe – 7 – 9 months)

The DEI Evaluation will specifically collect, organize, review, analyze, interpret, and assess policies, programs, and practices that directly or indirectly impact County staff, businesses, and residents regarding their race, color, ethnicity, linguistics, national origin, gender, disability, age, sexual orientation, gender identity, religion, or other socioculturally significant factors.

DEI Strategic Plan Development – Phase 2 (estimated timeframe 3 – 4 months)

The DEI Strategic Plan should be complimentary to the Baltimore County Enterprise Strategic Plan, Goal 3: Equitable Decision-making and consider findings outlined in Phase 1: DEI Evaluation. The DEI Strategic Plan will consider strengths, gaps, and industry best practices to reach the desired strategies and actions to be defined.

DEI Training for County Leaders, Managers Supervisors & Staff – Phase 3 (estimated timeframe 2 – 3 months)

The DEI Training will consider the findings outlined in the DEI Evaluation as well as the mission, vision and values of the DEI Strategic Plan. The training shall consider knowledge and understanding in the areas of diversity, equity and inclusion and how to apply in customer service delivery.

The training tailored to County Leaders, Managers and Supervisors shall also include an overview, use of an Equity Tool and how to incorporate into operational, policy, and budgetary decision-making.

The Contractor was selected through a competitive solicitation (Request for Proposal No. P-10000120), based upon their qualifications, experience and best and final price proposal. The Contract shall commence upon approval of the County Council and shall continue through the County's final acceptance of all three (3) phases of the assessment. The proposed Contract contains a 30% Minority/Women Business Enterprise Subcontracting Goal.

Funding is available through the American Rescue Plan Act (ARPA) Grant No. GR-1265. In no event shall the total compensation paid to the Contractor during the entire term of this Agreement exceed the sum of \$280,494.00. Funds will be encumbered by Purchase Order after approval of this Agreement by the County Council.

Prepared by: Office of Human Resources

FM-2 (Contract)

Council District(s) All

Department of Housing and Community Development

Fair Housing Testing Services

The Administration is requesting approval of a contract with The Equal Rights Center, Inc. to provide fair housing testing services throughout the County. The contract commences upon Council approval, continues through June 30, 2024, and will renew automatically for four additional 1-year periods with the option to extend the initial term or any renewal term an additional 90 days. The contract provides that compensation may not exceed \$250,000 for the entire approximate 4-year and 7-month term, including the renewal and extension periods. See Exhibit A.

Fiscal Summary

Funding Source	Maximum Compensation	Notes
County	--	(1) U.S. Department of Housing and Urban Development (HUD), Community Development Block Grant funds. (2) For the approximate 4-year and 7-month term.
State	--	
Federal ⁽¹⁾	\$ 250,000	
Other	--	
Total	<u>\$ 250,000</u> ⁽²⁾	

Analysis

The Department advised that as a federal Community Development Block Grant recipient, the County is obligated to “affirmatively further fair housing” through encouraging fair housing opportunities throughout the County and broadening community participation in the process. The Department further advised that the County is required to fund fair housing services in accordance with the 2020 Regional Analysis of Impediments to Fair Housing, the 2016 U.S. Department of Housing and Urban Development (HUD) - Baltimore County Conciliation Agreement and Voluntary Compliance Agreement (VCA), and the County’s FY 2020 – FY 2024 Consolidated

Plan; the five components of these affirmative fair housing services include: outreach, training, discrimination testing, complaints and referrals, and tenant-landlord counseling and advocacy.

The proposed contractor will provide the fair housing testing component, which the Department advised must be conducted by a qualified, third-party housing enforcement organization; the remaining services are provided under a separate contract (as noted below). The contractor will design, coordinate, analyze, and report on testing, measuring the quality, quantity, and content of opportunities provided to potential renters, home buyers, and mortgage seekers by random and selected housing professionals servicing Baltimore County constituents using the most expanded list of protected classes under federal, state, and local fair housing law.

The contract commences upon Council approval, continues through June 30, 2024 and will renew automatically for four additional 1-year periods with the option to extend the initial term or any renewal term an additional 90 days on the same terms and conditions, unless the County provides notice of non-renewal. The contract provides that compensation may not exceed \$250,000 for the entire approximate 4-year and 7-month term, including the renewal and extension periods. The County may terminate the agreement by providing 30 days prior written notice.

The Department requested that the proposed contract be designated as a noncompetitive 902(f) award; the Department advised that The Equal Rights Center, Inc. is the only regional provider capable of fulfilling the testing activities required under the terms of the VCA.

On June 6, 2022, the Council approved a 6-year and 3-month contract (which commenced July 1, 2022) with Maryland Consumer Rights Coalition, Inc. (now known as Economic Action Maryland), not to exceed the amount appropriated to provide all five components of the fair housing services. The Department advised that the County has terminated for convenience (effective September 18, 2023) the portion of the contract related to testing services, and The Equal Rights Center, Inc. will assume the testing services under the proposed contract. The Department advised that as of February 9, 2024, costs incurred for services under the contract total \$161,722, including \$37,000 for testing.

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, through the Department of Housing and Community Development (“DHCD”), is seeking County Council approval to enter into a term agreement with Equal Rights Center, Inc. (“ERC”) to perform fair housing testing services throughout the County. Needs pertinent to these services have been deemed a requirement under the 2020 Regional Analysis of Impediments to Fair Housing, the 2016 HUD-Baltimore County Voluntary Conciliation Agreement (“VCA”) and the Baltimore County Consolidated Plan to ensure that the County is upholding its obligation to Affirmatively Further Fair Housing (“AFFH”) as a recipient jurisdiction of federal funding, including Community Development Block Grant (“CDBG”) funds.

The VCA requires the County to fund fair housing testing activities annually, and those activities must be conducted by a qualified, third-party fair housing enforcement organization. The County is precluded from performing these services itself. The County has recently determined that the current provider is unable to complete the required testing program in a manner that fully meets the County’s fair housing obligations. DHCD has identified ERC as a highly qualified, nationally recognized leader in the field of fair housing advocacy and enforcement, and the only regional vendor capable of fulfilling the testing activities required under the VCA. Another jurisdiction in the region, Anne Arundel County, recently contracted with ERC to conduct fair housing testing and is currently satisfied with their services. The scope of the testing services requires the contractor to design, coordinate, analyze and report on testing, measuring the quality, quantity and content of opportunities provided to potential renters, home buyers and mortgage seekers by random, and selected, housing professionals servicing Baltimore County constituents using the most expanded list of protected classes under federal, state and local fair housing law.

The initial term will commence upon County Council approval and continue through June 30, 2024, with up to four (4) one-year renewals, which aligns with the existing term for the fair housing services contract covering other required services approved by County Council in June 2022. The annual compensation to deliver the fair housing testing services described above will be \$50,000 per year utilizing the County’s CDBG funds.

Prepared by: Department of Housing and Community Development

FM-3 (Contract)

Council District(s) All

Property Management

Installation/Maintenance of Pneumatic Control Systems

The Administration is requesting approval of a contract with Siemens Industry, Inc. to provide software maintenance for building automation systems (BAS)-controlled HVAC equipment, as well as HVAC pneumatic control systems maintenance as needed, in 14 County-owned and/or operated facilities. The contract commences upon Council approval, continues for 5 years, and may be extended an additional 120 days. The contract provides that compensation may not exceed the amount appropriated for these services for the entire contract term. Property Management advised that estimated compensation totals \$3,689,899 for the entire 5-year and 4-month term, including the extension period. See Exhibit A.

Fiscal Summary

Funding Source	Total Compensation	Notes
County ⁽¹⁾	\$ 3,689,899	⁽¹⁾ General Fund Operating Budget. ⁽²⁾ Estimate for the entire 5-year and 4-month term.
State	--	
Federal	--	
Other	--	
Total	<u>\$ 3,689,899</u> ⁽²⁾	

Analysis

The contractor will provide software maintenance for building automation systems (BAS)-controlled HVAC equipment, as well as HVAC pneumatic control systems maintenance as needed, in the following 14 County-owned and/or operated facilities: Agricultural Center; Animal Shelter; Catonsville, Randallstown, Rosedale, and Towson Libraries; Drumcastle Garage; Fullerton Maintenance Shop; Dundalk Fire Station; Dundalk Police Precinct; Liberty Road Family Center; Courts Building; Lansdowne Health Center; and Detention Center. The contract requires

emergency services to be provided 24 hours per day, 7 days per week, including holidays, and responded to within 4 hours.

The County will pay the contractor in accordance with the following schedule, with increases ranging from 5.2% to 6.6%:

<u>Year</u>	<u>Annual Payment</u>
2024	\$ 655,990
2025	693,005
2026	738,708
2027	777,017
2028	825,179
	<u>\$ 3,689,899</u>

Property Management advised that repairs will be billed at an additional hourly rate of \$212 to \$546 depending on the worker (e.g., HVAC mechanic, Security Engineer) and time status (i.e., regular or overtime).

The contract commences upon Council approval, continues for 5 years, and may be extended an additional 120 days on the same terms and conditions, unless the County provides notice of non-renewal. The contract provides that compensation may not exceed the amount appropriated for these services for the entire contract term. Property Management advised that estimated compensation totals \$3,689,899 for the entire 5-year and 4-month term, including the extension period. The County may terminate the agreement by providing 30 days prior written notice.

Property Management requested that the proposed contract be designated as a noncompetitive 902(f) award due to the proprietary nature of the building control equipment to be maintained.

On November 5, 2018, the Council approved a similar 5-year and 4-month contract with Siemens Industry, Inc. for services at 12 County-owned and/or operated facilities. On July 1, 2019, the Council approved an amendment to add the Detention Center to the contract. The County's financial system indicates that as of January 29, 2024, expenditures/encumbrances under the contract totaled \$2,842,106. (Property Management advised that the proposed contract adds the Dundalk Fire Station and Lansdowne Health Center because these locations recently received Siemens systems; the Police Department's Pistol Range is not included in the proposed contract because it no longer has a Siemens system.)

Currently, Siemens Industry, Inc. has one other contract with the County.

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 contract with Siemens Industry, Inc. to provide software maintenance as part of a building automation system (BAS) to control HVAC equipment. The BAS works in conjunction with various HVAC equipment and allows remote monitoring of temperatures to assist in troubleshooting equipment and temperature monitoring.

In no event shall the total compensation paid to the Contractor under this Agreement exceed the sum of the County Council approved appropriation during the entire term of this Agreement. This Agreement shall be effective when executed by the County and shall continue through five (5) years (the "Initial Term"). The County shall have the option of extending this Agreement at the end of the Initial Term for an additional 120 days, on the same terms and conditions.

The Agreement shall remain in effect for an Initial Term of 5 Years. Year 1-\$655,990.00 annually, Year 2-\$693,004.95 annually, Year 3-\$738,707.65 annually, Year 4-\$777,017.18 annually, and Year 5-\$825,178.96 annually.

Prepared By: Property Management

FM-4 (4 Contracts)

Council District(s) All

Property Management

Space Planning and Design Services

The Administration is requesting approval of four contracts, with Johnson, Mirmiran & Thompson, Inc., Leuterio Thomas, LLC, Murphy & Dittenhafer, Inc., and Frederick Ward Associates, Inc., to provide space planning and design services for commercial offices in Baltimore County-owned and/or operated facilities. Each contract commences upon Council approval, continues for 1 year, and will renew automatically for four additional 1-year periods with the option to extend the initial term or any renewal term an additional 120 days. The contracts provide that compensation for all contractors combined may not exceed \$600,000 for the entire 5-year and 4-month term, including the renewal and extension periods. See Exhibit A.

Fiscal Summary

Funding Source	Combined Maximum Compensation	Notes
County ⁽¹⁾	\$ 600,000	(1) Property Management advised that Capital Projects Funds will be used primarily since most projects are expected to exceed \$5,000. (2) For the entire 5-year and 4-month term.
State	--	
Federal	--	
Other	--	
Total	\$ 600,000	⁽²⁾

Analysis

The contractors will provide all labor, materials, and incidentals required to perform space planning and design services for commercial offices in Baltimore County-owned and/or operated facilities. Services include detailed furniture layouts, financial feasibility and other special studies, furniture inventory, drawing and document preparation and review, and project cost estimates.

Hourly rates for space planning services and for design services for newly constructed or renovated buildings range from \$75 to \$135 and \$85 to \$135, respectively, depending on the contractor. Hourly rates for subcontracting range from \$85 to \$175, depending on the contractor. Property Management advised that work will be distributed among the contractors via a competitive bid for each project; if services are required in an urgent situation (e.g., tight deadline with a leased property), the contractor with the quickest response time will be selected.

Each contract commences upon Council approval, continues for 1 year, and will renew automatically for four additional 1-year periods with the option to extend the initial term or any renewal term an additional 120 days on the same terms and conditions, unless the County provides notice of non-renewal. The contracts provide that compensation for all contractors combined may not exceed \$600,000 for the entire 5-year and 4-month term, including the renewal and extension periods.

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

The County awarded the contracts through a competitive procurement process based on qualifications and experience from eight proposals received; Property Management advised that four proposals were deemed non-responsive. According to the bid documents, there is a 20% M/WBE participation requirement.

On December 17, 2018, the Council approved five similar 5-year and 4-month contracts, with Johnson, Mirmiran & Thompson, Inc., Manns Woodward Studios, Inc., Murphy & Dittenhafer Inc., Mimar Ponte Mellor of DC, Architects and Engineers, LLC, and Frederick Ward Associates, Inc., with combined compensation not to exceed \$400,000. The County's financial system indicates that as of January 30, 2024, the County expended/encumbered \$288,074 under the contracts: \$225,623 to Murphy & Dittenhafer Inc., \$28,032 to Johnson, Mirmiran & Thompson, Inc., \$23,025 to Manns Woodward Studios, Inc., \$11,394 to Frederick Ward Associates, Inc., and \$0 to Mimar Ponte Mellor of DC, Architects and Engineers, LLC.

The County's financial system indicates that as of January 30, 2024, the County has eight other contracts with Johnson, Mirmiran & Thompson, Inc. and one other contract with each of Murphy & Dittenhafer Inc., Frederick Ward Associates, Inc., and Leuterio Thomas, LLC.

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 a contract with Murphy & Dittenhafer, Inc., Johnson, Mirmiran & Thompson, Inc., Frederick Ward Associates, Inc., and Leuterio Thomas, LLC for space planning and program design services for commercial offices.

In no event shall the total compensation paid to the Contractor exceed the sum of Six Hundred Thousand Dollars and Zero Cents (\$600,000.00) during the entire term of this Agreement, including renewals thereof. This Agreement shall be effective when it has been executed by the County and shall continue through one year (the "Initial Term"). The County reserves the right to automatically renew this Agreement for four (4) additional one (1) year renewal options on the same terms and conditions. The County shall have the option of extending this Agreement at the end of the Initial Term or any renewal term for an additional 120 days on the same terms and conditions.

This Agreement has a MBE/WBE goal of 20%.

Prior to the commencement of subsequent renewal terms, the County may entertain a request for an escalation in accordance with the current 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.

Prepared by: Property Management

MB-3 (Res. 4-24)

Council District(s) All

All Councilmembers

Department of Planning

Adoption of Master Plan 2030

Resolution 4-24 adopts Master Plan 2030 as the County’s land use and development comprehensive plan.

Section 3-303 of the Land Use Article of the Maryland Code requires that, at least once every 10 years, a local jurisdiction reviews and updates their comprehensive plan. This requirement is also found in Section 522.1(a)(1) of the County Charter, which states “the Department of Planning shall have the responsibility and duty of planning for Baltimore County, including: (1) Preparing, at least every ten years, and revising, a master plan; monitoring the implementation of the master plan; and preparing at least every two years a report to the county executive and county council on the progress achieved toward implementation of the master plan.”

Form and Requirements of the Master Plan

As required under Section 523 of the Charter, the Master Plan is a composite of mapped and written proposals setting forth comprehensive objectives, policies, and standards to serve as a guide for the development of the County. Section 32-2-202(a) of the County Code further explains that the Master Plan “shall be made with the general purpose of guiding and accomplishing a coordinated, adjusted, and harmonious development of the County and its environs which will, in accordance with present and future needs, best promote health, safety, morals, order, convenience, prosperity, and general welfare, as well as efficiency and economy in the process of development and maintenance of property values previously established.”

Under Subtitle 1 of Title 3, Division 1 of the Land Use Article of the Maryland Code, the County’s Master Plan must have specific elements. These include discrete subject matters, such as transportation, water and mineral resources, development regulations, land use, housing, community facilities, and sensitive areas. State law also requires that the Plan contain a goals and objectives element that states the County’s principles, policies, and standards to guide the

development and economic and social well-being of the County. Under Section 3-202 of the State Land Use Article, the elements of the plan may be expressed in words, graphics, or any other appropriate form. The elements of the plan shall be interrelated and each element shall describe how it relates to each of the other elements.

In addition to the State requirements, Section 32-2-202 of the County Code requires the Master Plan to include:

- “Land use, circulation, and a report presenting the objectives, assumptions, standards, and principles that are embodied in the interlocking portions of the Master Plan;
- A composite of mapped and written proposals to guide the physical development of the county;
- Adequate provision for traffic and recreation;
- The promotion of safety from fire and other damages;
- Adequate provision for light and air;
- The promotion of good civic design and arrangements;
- The wise and efficient expenditure of public funds; and
- Adequate provision for public utilities and other public requirements.”

The County Code, Section 32-2-203, also sets forth several optional areas the Master Plan may address.

Procedure for Master Plan Adoption

Section 3-202(a) of the State Land Use Article states that the Planning Board (i.e., the County’s recognized Planning Commission) shall make and approve a plan and recommend the plan to the legislative body for adoption. The Planning Board may recommend adoption of the whole plan; successive parts of the plan, which correspond to geographic sections or divisions of the local jurisdiction; and an amendment to the plan.

Under the County Charter and Section 32-2-201 of the Code, the Department of Planning at the direction of the Planning Board prepares a proposed Master Plan. The Planning Board must hold at least one public hearing on the proposal, after which the Board may propose amendments to the proposal and ultimately adopt a Master Plan, either as a whole or severally, and either for the entire County or for any logical unit for planning. During this process, the Planning Board (or the Department of Planning at the direction of the Planning Board) must give due consideration to the probable ability of the County to carry out, in the period covered by the current capital program

and in successive periods covered by future capital programs, the various public or quasi-public projects covered in the plan without the imposition of unreasonable financial burdens, and conduct comprehensive surveys and studies of present conditions and the prospects for future growth of the County.

Upon receipt of the Master Plan from the Department of Planning, the County Council shall accept or modify and then adopt it by resolution.

The Council voted at its February 5 legislative session to defer the vote on Resolution 4-24 until its legislative session on February 20. The resolution will be discussed at the work session on February 13.

Resolution 4-24 shall take effect from the date of its passage by the County Council.

MB-4 (Res. 6-24)

Council District(s) All

Councilmembers Young, Marks, Crandell, Patoka and Jones

Amending the Rules of Procedure for the Baltimore County Council

Resolution 6-24 is a comprehensive update and modernization of the Council's Rules of Procedure. The resolution changes the Council process for consideration of bills, formalizes several unwritten customs, and modernizes outdated language or obsolete references.

Consideration of Bills and Amendments

Currently, the Rules of Procedure require a bill to be placed on an agenda, at minimum, three times and follow an approximately 30-day cycle: first, for introduction at a legislative meeting, where only the bill title and number are read; second, at the work session preceding the final vote, where the bill is discussed; and third, at the legislative meeting approximately one month after introduction, when the bill either receives a final vote or is extended to the following legislative meeting. Amendments to a bill are only introduced and considered at the legislative meeting when the final vote is scheduled.

Resolution 6-24 sets forth a new schedule for consideration of bills and amendments, whereby a bill will still follow a 30-day cycle, but will appear on an agenda at least four times, and amendments may be introduced earlier in the legislative process.

After introduction at a legislative meeting, a bill is placed on the agenda for the next regularly scheduled work session, which typically occurs on Tuesday of the following week. This bill is marked as a bill for first consideration. A note summarizing the bill and its fiscal impact must be prepared by the Secretary and Auditor and published prior to this work session. The bill is then discussed at the work session and subject to public comment. After first consideration, the bill is placed on the agenda for the next regularly scheduled work session (typically held two weeks later) and marked as a bill for second consideration; the Secretary and Auditor must update the note as necessary with additional information and a summary of any introduced amendments. Finally, the bill is placed on the agenda for the legislative meeting immediately following second consideration for a final reading and vote.

Introduction of Amendments

After a bill is introduced, a Councilmember may introduce amendments for consideration and discussion at any work session or legislative meeting where the bill appears on the agenda. However, amendments are not voted on until the legislative meeting at which the bill is set for final reading and vote. An amendment may be introduced by a regular process or a rules suspension process.

Introduction of an amendment under the regular process occurs when the amendment has been circulated to all Councilmembers and posted on the Council's website by a certain deadline. For work sessions, the deadline is two hours before the start of the work session. For legislative meetings, the deadline is 10:00 a.m. on the legislative meeting day when the bill is scheduled for final reading and vote. An amendment that is introduced under the regular process may be withdrawn by the lead sponsor at any time prior to the call for a vote on the amendment.

An amendment may be introduced under the rules suspension process only at the legislative meeting for which the bill is scheduled for final reading and vote. In order for a Councilmember to introduce an amendment under this process, there must first be a motion to suspend the Council's Rules for the purpose of introducing the amendment. The motion to suspend the rules must pass by an affirmative vote of five Councilmembers. If the rules are suspended, the amendment may be introduced.

Technical amendments that were not introduced under the regular process, but which do not alter the substance of a bill, may be introduced at any time prior to the bill's final vote without a vote to suspend the rules. Passage of an amendment requires the affirmative vote of at least four Councilmembers, regardless of the process through which it was introduced.

Introduction of County Executive Legislation

Resolution 6-24 also clarifies the process for introducing bills or resolutions by request of the County Executive. Currently, if the County Executive wishes to introduce a bill or resolution, it is transmitted to the Council Chair for consideration. As a matter of custom and courtesy, the Chair introduces the bill or resolution under the Chair's name with the statement "by request of County Executive." Resolution 6-24 formalizes this process. The new rule requires the bill or resolution to follow the normal filing deadline for Council bills or resolutions. The rule also sets forth that, in the event the Chair does not introduce a bill or resolution submitted for introduction by the County

Executive or withdraws a bill or resolution so introduced, the Chair shall notify the County Executive in writing at least two hours before the legislative meeting at which the bill or resolution is scheduled for introduction or final reading and vote.

Withdrawal of Bills or Resolutions

Resolution 6-24 sets forth a new rule regarding the withdrawal of a bill or resolution. Currently, the rules do not contemplate the withdrawal of a legislative item. However, the Council's custom has been to permit the sponsor of a bill or resolution to withdraw it at any time until final reading and vote. The new Rule 16 formalizes this custom by allowing the sponsor to withdraw a bill or resolution at any time prior to the final reading and vote by notifying the Secretary. Rule 16 also sets forth that in the event that a bill or resolution has more than one sponsor, only the lead sponsor has the authority to withdraw it.

Consideration of Resolutions

Currently, the Council's Rules of Procedure do not fully set forth the process by which a resolution is considered and approved. Resolutions are only referenced as an item that may appear on the agenda. The informal custom for consideration of resolutions is that they appear on the work session immediately following introduction and receive a final vote at the next legislative meeting, which generally places resolutions on a two-week cycle.

Resolution 6-24 formalizes the process for consideration of resolutions by adopting some procedures similar to those for consideration of bills while retaining the current two-week cycle for resolutions. The introduction of a resolution will follow some of the same procedures as a bill and must be in a form set forth by the Secretary. Specifically, resolutions must follow the new Rules 24, 25, and 28, which respectively govern the reprinting of bills, the reading of bills, and the call of bills for final reading and vote. While the rules will now require a resolution to be discussed at a work session and be subject to public comment, the new requirements of first and second consideration are not applied to resolutions.

Except for a resolution for the approval of a Planned Unit Development (PUD), a resolution may be considered for final reading and vote at the next scheduled legislative meeting following introduction. Currently, the sponsor of a resolution may defer indefinitely the final reading and vote on a resolution. A new rule sets a deadline for final vote. If no Council action is taken on a resolution within 45 days of its introduction, the resolution shall expire and fail.

Testimony at Work Sessions and Public Hearings

Currently, the Council's Rules of Procedure set forth rules for allowing speakers to give testimony at special hearings. This nomenclature for meetings to take public testimony is obsolete. Today, the Council takes public testimony at two types of meetings: work sessions and public hearings. Accordingly, Resolution 6-24 updates the Rules of Procedure for Special Hearings to reflect the Council's current nomenclature for these meetings as well as the Council's current process for registering speakers and taking public testimony.


Technical Updates and Modernization

Resolution 6-24 enacts a host of technical changes and updates. All gendered language such as "Chairman" and "Councilman" have been updated to be gender-neutral. Inconsistencies in several terms, phrases, and numbers have been amended to be the same across the entire body of rules. Obsolete references to special meetings under the County Charter have been updated to the Charter's current nomenclature of emergency sessions. Rule numbers have also been updated.

Resolution 6-24 shall take effect on April 1, 2024.

BALTIMORE COUNTY COUNCIL
NOTES TO THE AGENDA
APPENDIX A

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

TO: Administrative Officer **DATE:** 1/22/24
FROM: Kevin D. Reed, Director  **COUNCIL MEETING**
Office of Budget & Finance **DATE:** 2/20/24
SUBJECT: Public Recordation of Announcement
of Non-Competitive Awards Charter Sec. 902(f)

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

Award Document

PO 10013111 Metrasens, Inc.

This Purchase Order is for the purchase of two new contraband detection systems manufactured by Metrasens, Inc.

According to the 902(f) Justification dated 09/21/2023 from Director Pesterfield, these devices are able to detect cell phones, weapons and contraband.

The devices aid Correctional staff in finding potentially contrabanded items or activities. The purchase includes software updates, upgrades, battery replacement, telephone support and a discount on repairs for accidental damage.

Award Total: \$34,980.00
Award Date: 1/12/24

PO 10013114 Foster & Freeman USA, Inc.

This Purchase Order is for the purchase of four Crime Lite Auto Kits for use by the Crime Scene Unit.

According to the Sole Source Justification dated 10/26/2023 from Chief Robert McMullough, light kits will enable the Crime Scene Unit to gather evidence more efficiently. This device allows for both magnification and alternate light source capabilities in wavelengths required with the corresponding filters for the chemicals used in Forensic Services.

One (1) kit will replace seven (7) separate lights currently utilized by the Unit. The crime scene lights currently in use was purchased in 2008 and have reached the end of their useful life.

Award Total: \$146,390.55
Award Date: 1/12/24

PO 10012807

Automated Control Concepts, LLC

This Purchase Order is for an upgrade to the SCADA system through Automated Control Concepts, Inc.

According to the 902(f) Justification dated 10/06/2023 from D'Andrea Walker, the County needs the ability to upgrade to the service side of the SCADA (Supervisory Control and Data Acquisition) system to ensure compatibility with Windows 10, which is used County wide. Currently the system runs on the outdated Windows 7 operating system, which can no longer be patched and updated to comply with the County security protocols.

This will allow the agency to maintain remote access to the SCADA systems in the Sewage Pumping Stations, as well as install regular updates to maintain security. Without security, the SCADA system is vulnerable to outside threats. There are no alternatives to the upgrade, so the SCADA system would remain secure. The SCADA system is a consent decree requirement for alarming the sewage pumps stations and aiding in preventing sewage overflows. If the SCADA is not operational, then the alarms and data that the County uses to determine pump station operations would not be available. The stations could overflow without notice causing an unsafe environmental and a potential health hazard to the general public.

Award Total: \$118,415.00

Award Date: 1/12/24

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