

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

*Issued: November 21, 2024
Reissued: November 26, 2024
Work Session: November 26, 2024
Legislative Day No. 22: December 2, 2024*

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



OFFICE OF THE COUNTY AUDITOR

BALTIMORE COUNTY COUNCIL

December 2, 2024

NOTES TO THE AGENDA

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* Note included in reissued package

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**AGENDA
BALTIMORE COUNTY COUNCIL
LEGISLATIVE SESSION 2024, LEGISLATIVE DAY NO. 22
December 2, 2024 6:00 P.M.**

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

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CALL OF BILLS FOR FINAL READING AND VOTE

LAUREN BUCKLER, DIRECTOR, DEPARTMENT OF PUBLIC WORKS & TRANSPORTATION

- 1 Bill 83-24 – Mr. Patoka(By Req.) – CEB – Large Urban Operating Grant
4 Bill 84-24 – Mr. Patoka(By Req.) – CEB – Rural Public Transportation
7 Bill 85-24 – Mr. Patoka(By Req.) – CEB – Specialized Transportation Service

MAJOR GLEN WIEDECK, POLICE DEPARTMENT

- 10 Bill 86-24 – Mr. Patoka(By Req.) – CEB – Highway Safety Program (Speed Enforcement)
13 Bill 87-24 – Mr. Patoka(By Req.) – CEB – 2 Highway Safety Program (Distracted Driving)

RENEE COLEMAN DIRECTOR, OFFICE OF HUMAN RESOURCES

- 16 Bill 88-24 – Mr. Patoka(By Req.) – Personnel Law of Baltimore County

PETE GUTWALD, DIRECTOR, DEPARTMENT OF PERMITS, APPROVALS & INSPECTIONS

- 20 Bill 89-24 – Mr. Patoka(By Req.) – The Building Code of Baltimore County – Technical Corrections

KEVIN REED, DIRECTOR, OFFICE OF BUDGET & FINANCE

- 22 Bill 90-24 – Councilmembers Patoka & Crandell (By Req.) – The Employees' Retirement System

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- 24 Bill 91-24 – Councilmembers Young, Marks and Crandell – Pensions and Retirement – Credit for National Guard Service
25 Bill 92-24 – Mr. Young – Zoning Regs. – Uses Permitted in the Business, Major (B.M.) Zone-Contractor's Storage Yard
26 Bill 93-24 – Mr. Kach – Zoning Regs. – Housing for the Elderly – M.L.R. and M.L. Zones
27 Bill 94-24 – Mr. Jones – Zoning Regs. – Uses Permitted in the Manufacturing, Light (M.L.) Zone – Commercial Kennels
28 Bill 95-24 – Mr. Jones – Zoning Regs. – Bulk Regulations in the O.T. (Office and Technology) Zone
30 Bill 96-24 – Mr. Marks – Vehicles and Traffic – Moving Violations – Tractor-Trailers
32 Bill 97-24 – Mr. Marks – Baltimore County Floodplain Ordinance – Substantial Improvement Definition
34 Bill 98-24 – Councilmembers Marks & Crandell – Property Tax Credits – Disabled law Enforcement Officers – MTA Police Officers
35 Bill 99-24 – Mr. Ertel – Zoning Regs – Hookah and Vapor Lounges – Use Permit
40 Bill 100-24 – Mr. Crandell – Zoning Regs. – Conversion of Boarding or Rooming Houses in D.R. Zones

BILLS FOR FIRST CONSIDERATION

TERRY HICKEY, DIRECTOR, DEPARTMENT OF HOUSING & COMMUNITY DEVELOPMENT

- 41 Bill 101-24 – Mr. Patoka(By Req.) – CEB – Homeless Solutions Program – HSP (State DHCD)

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

- 44 Bill 102-24 – Mr. Patoka(By Req.) – CEB – Community Supported Agriculture (CSA) LHD Project

KEVIN REED, DIRECTOR, OFFICE OF BUDGET & FINANCE

- 47 Bill 103-24 – Mr. Patoka(By Req.) – Bond Ordinance

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- 58 Bill 104-24 – Mr. Marks - Vehicles and Traffic – Operation of a Golf Cart on County Highways

APPROVAL OF FISCAL MATTERS/CONTRACTS

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

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60 2. 3rd Amendment to Lease – St. John Properties, Inc. – Department of Health – Emergency preparedness warehouse space

CHRISTOPHER MARTIN, DIRECTOR, OFFICE OF INFORMATION TECHNOLOGY

- 64 3. Contract – One Call Concepts, Inc. – Miss Utility notification services

MISCELLANEOUS BUSINESS

COUNCIL

- 72 1. Correspondence - (a) (3) - Non-Competitive Awards (November 6, 2024)
68 2. Res. 46-24 – Mr. Marks – Amend the Perry Hall Community Plan
69 3. Res. 47-24 – Councilmembers Patoka, Ertel, Kach, Marks, Crandell & Young – Establishing 2025 Redistricting Commission

Bill 83-24 (Supplemental Appropriation)

Council District(s) All

Mr. Patoka (By Req.)

Department of Public Works and Transportation

Large Urban Operating Grant

The Administration is requesting a supplemental appropriation (as amended) of \$756,198 in federal funds (\$567,148) and County contingency funds (\$189,050 from the FY 2025 Local Share Program) to the Large Urban Operating Grant Gifts and Grants Fund program. The Department advised that the funds will be used to cover contractual costs associated with operating the County’s LOOP circulator bus service in Towson. See Exhibit A.

Fiscal Summary

Funding Source	Supplemental Appropriation	Current Appropriation	Total Appropriation
County ⁽¹⁾	\$ 189,050	--	\$ 189,050
State	--	--	--
Federal ⁽²⁾	567,148	--	567,148
Other	--	--	--
Total	<u>\$ 756,198</u>	<u>--</u>	<u>\$ 756,198</u>

⁽¹⁾ A required 25% County match of the total program cost is being provided from available contingency funds within the Local Share Program.

⁽²⁾ U.S. Department of Transportation, Federal Transit Administration funds passed through the Maryland Department of Transportation, Maryland Transit Administration (MTA).

Analysis

The Large Urban Operating Grant program provides funding to locally operated transit systems in large urban areas. The Department advised that these additional funds will be used to support operation of the LOOP, a public transit service designed to provide convenient and accessible

transportation within Baltimore County. The Department further advised that the LOOP operates a network of routes that connect key locations throughout the Towson area, including shopping centers, residential areas, and major employment hubs, with plans to expand to other areas. The Department noted that the County's circulator service aims to improve mobility for residents, reduce traffic congestion, and enhance connectivity to other transit services.

The Department advised that the proposed \$756,198 supplemental appropriation will be used to cover the costs associated with the County's contract with Dillon's Bus Service, Inc., which is responsible for services associated with the LOOP that include, but are not limited to, the day-to-day management and operation of all aspects of services, planning and operations, technology (e.g., two-way radios, vehicle location systems, security camera system and automated voice announcement equipment provided by the County), administrative/management personnel, transit vehicle maintenance, and transit information management. (The Department further advised that the County provides for the operations and administrative activities (e.g., motor fuel, advertising) of the LOOP.)

The grant period is FY 2025. The grant requires the County to provide a 25% match of the total grant award, or \$189,050, which the Department advised will be met from available contingency funds within the Local Share Program.

The Large Urban Operating Grant award reflects a portion of the funding awarded to the County through the Maryland Transit Administration's FY 2025 Locally Operated Transit System (LOTS) funding assistance program. Bills 84-24 and 85-24 on this agenda appropriate additional FY 2025 LOTS funding to the Rural Public Transportation and the Specialized Transportation Service Gifts and Grants Fund programs, respectively.

With the affirmative vote of five members of the County Council, Bill 83-24 will take effect December 15, 2024.

EXECUTIVE SUMMARY

MARYLAND TRANSIT ADMINISTRATION
LARGE URBAN GRANT SUPPLEMENTAL APPROPRIATIONS ACT

Fiscal Year 2025

The Large Urban Supplemental Appropriations Act Grant Agreement for FY25 allows Baltimore County to receive a total of \$567,148 in state funds through Maryland Department of Transportation. These additional funds, along with \$189,050 in additional County support, will be used to support operation of the LOOP. The LOOP is a public transit service designed to provide convenient and accessible transportation within Baltimore County. It operates a network of routes that connect key locations throughout the Towson area, such as shopping centers, residential areas, and major employment hubs, with plans to expand to other areas. The Circulator aims to improve mobility for residents, reduce traffic congestion, and enhance connectivity to other transit services. The project time period is from July 1, 2024 through June 30, 2025.

Prepared by: Department of Public Works and Transportation

Bill 84-24 (Supplemental Appropriation)

Council District(s) All

Mr. Patoka (By Req.)

Department of Public Works and Transportation

Rural Public Transportation

The Administration is requesting a supplemental appropriation (as amended) of federal funds totaling \$69,691 to the Rural Public Transportation Gifts and Grants Fund program. The Department advised that the funds will be used to support the salaries of current full-time and part-time CountyRide Bus Drivers I and II. See Exhibit A.

Fiscal Summary

Funding Source	Supplemental Appropriation	Current Appropriation	Total Appropriation
County ⁽¹⁾	--	\$ 229,541	\$ 229,541
State ⁽²⁾	--	20,572	20,572
Federal ⁽³⁾	\$ 69,691	137,901	207,592
Other	--	--	--
Total	<u>\$ 69,691</u>	<u>\$ 388,014</u>	<u>\$ 457,705</u>

⁽¹⁾ The grant requires the County to provide a 45% match of the total grant award, which will be met using Local Share Program funds totaling \$229,541, or approximately 50%.

⁽²⁾ Maryland Department of Transportation, Maryland Transit Administration (MTA) funds.

⁽³⁾ U.S. Department of Transportation, Federal Transit Administration funds passed through the MTA.

Analysis

The Rural Public Transportation Program provides transportation services to Baltimore County residents (60 years of age or older), disabled adult residents, and rural residents of all ages with limited access to public, private, or commercial transportation due to sparse population, long

distances, and/or lack of support services to various destinations (predominately, but not necessarily, for medical appointments). Transportation is free of charge. The Department advised that the proposed \$69,691 supplemental appropriation will be used to support the salaries of current full-time and part-time CountyRide Bus Drivers I and II.

The grant period is FY 2025. The grant requires the County to provide a 45% match of the total grant award, which will be met with Local Share Program funds totaling \$229,541, or approximately 50%.

The Rural Public Transportation grant award reflects a portion of the funding awarded to the County through the Maryland Transit Administration's FY 2025 Locally Operated Transit System (LOTS) funding assistance program. Bills 83-24 and 85-24 on this agenda appropriate additional FY 2025 LOTS funding to the Large Urban Operating Grant and the Specialized Transportation Service Gifts and Grants Fund programs, respectively.

With the affirmative vote of five members of the County Council, Bill 84-24 will take effect December 15, 2024.

EXECUTIVE SUMMARY

MARYLAND TRANSIT ADMINISTRATION
FEDERAL RURAL PUBLIC TRANSPORTATION (5311) SUPPLEMENTAL
APPROPRIATIONS ACT

Fiscal Year 2025

The Federal Rural Public Transportation (5311) Supplemental Appropriations Act Grant Agreement for FY25 allows Baltimore County to receive an additional \$69,691 in federal funds through Maryland Department of Transportation. These additional funds will be used to support the salaries of CountyRide bus drivers. CountyRide provides on-demand, Handicapped Accessible transportation services to residents of Baltimore County who are age 60+, adults with disabilities and rural residents of all ages who have limited access to public, private or commercial transportation. Rides are predominately, but not necessarily for medical visits. The Conditions of Award and Terms and Conditions of this supplement are as previously awarded for County GR-1220. The project time period is from July 1, 2024 through June 30, 2025.

Prepared by: Department of Public Works and Transportation

Bill 85-24 (Supplemental Appropriation)

Council District(s) All

Mr. Patoka (By Req.)

Department of Public Works and Transportation

Specialized Transportation Service

The Administration is requesting a supplemental appropriation (as amended) of federal funds totaling \$12,429 to the Special Transportation Service Gifts and Grants Fund program. The Department advised that the funds will be used to support the salaries of current full-time and part-time CountyRide Bus Drivers I and II. See Exhibit A.

Fiscal Summary

Funding Source	Supplemental Appropriation	Current Appropriation	Total Appropriation
County ⁽¹⁾	--	\$ 675,956	\$ 675,956
State	--	--	--
Federal ⁽²⁾	\$ 12,429	395,836	408,265
Other	--	--	--
Total	<u>\$ 12,429</u>	<u>\$ 1,071,792</u>	<u>\$ 1,084,221</u>

⁽¹⁾ The grant requires the County to provide a 25% match of the total grant award, which will be met using Local Share Program funds totaling \$675,956, or approximately 62%.

⁽²⁾ U.S. Department of Transportation, Federal Transit Administration funds passed through the Maryland Department of Transportation, Maryland Transit Administration (MTA).

Analysis

The Specialized Transportation Service Program provides general-purpose transportation (predominately, but not necessarily, for medical appointments) to supplement existing transportation services for Baltimore County residents (60 years of age or older), disabled adult residents, and rural residents with limited access to public, private, or commercial transportation.

The Department advised that the proposed \$12,429 supplemental appropriation will be used to support the salaries of current full-time and part-time CountyRide Bus Drivers I and II.

The grant period is FY 2025. The grant requires the County to provide a 25% match of the total grant award, which will be met with Local Share Program funds totaling \$675,956, or approximately 62%.

The Specialized Transportation Service grant award reflects a portion of the funding awarded to the County through the Maryland Transit Administration's FY 2025 Locally Operated Transit System (LOTS) funding assistance program. Bills 83-24 and 84-24 on this agenda appropriate additional FY 2025 LOTS funding to the Large Urban Operating and the Rural Public Transportation Gifts and Grants Fund programs, respectively.

With the affirmative vote of five members of the County Council, Bill 85-24 will take effect December 15, 2024.

EXECUTIVE SUMMARY

MARYLAND TRANSIT ADMINISTRATION
SPECIALIZED TRANSPORTATION SERVICE (SSTAP) SUPPLEMENTAL
APPROPRIATIONS ACT

Fiscal Year 2025

The Specialized Transportation Service (SSTAP) Supplemental Appropriations Act Grant Agreement for FY25 allows Baltimore County to receive an additional \$12,429 in federal funds through Maryland Department of Transportation. These additional funds will be used to support the salaries of CountyRide bus drivers. CountyRide provides on-demand, Handicapped Accessible transportation services to residents of Baltimore County who are age 60+, adults with disabilities and rural residents of all ages who have limited access to public, private or commercial transportation. Rides are predominately, but not necessarily for medical visits. The Conditions of Award and Terms and Conditions of this supplement are as previously awarded for County GR-1109. The project time period is from July 1, 2024 through June 30, 2025.

Prepared by: Department of Public Works and Transportation

Bill 86-24 (Supplemental Appropriation)

Council District(s) All

Mr. Patoka (By Req.)

Police Department

4 Highway Safety Program (Speed Enforcement)

The Administration is requesting a supplemental appropriation of federal funds totaling \$3,000 to the State Highway Safety Program, 4 Highway Safety Program (Speed Enforcement) Gifts and Grants Fund program (as amended) to increase the amount appropriated to the actual amount of the grant award. The Department advised that the funds will be used for overtime for officers conducting enforcement targeting speeding and excessive driving. See Exhibit A.

Fiscal Summary

Funding Source	Supplemental Appropriation	Current Appropriation	Total Appropriation
County	--	--	--
State	--	--	--
Federal ⁽¹⁾	\$ 3,000	\$ 35,000	\$ 38,000
Other	--	--	--
Total	<u>\$ 3,000</u>	<u>\$ 35,000</u>	<u>\$ 38,000</u>

⁽¹⁾ National Highway Transportation Safety Administration funds passed through the Maryland Department of Transportation, Maryland Highway Safety Office. No County matching funds are required.

Analysis

The Department advised that the purpose of the State Highway Safety Program, 4 Highway Safety Program (Speed Enforcement) is to support speed and aggressive driving enforcement in the County. The Department further advised that the funds will be used for overtime for officers

conducting enforcement targeting speeding and excessive driving aimed at reducing aggressive driving.

The FY 2025 Adopted Operating Budget included a \$35,000 appropriation to the State Highway Safety Program, 4 Highway Safety Program (Speed Enforcement) Gifts and Grants Fund program based on the estimated amount of the grant award at the time the Department submitted its budget request to the Office of Budget and Finance. Accordingly, this bill appropriates the additional \$3,000 to the program, increasing the total appropriation to the actual \$38,000 grant award.

The grant period is October 1, 2024 through September 30, 2025. The Department advised that no County matching funds are required.

With the affirmative vote of five members of the County Council, Bill 86-24 will take effect December 15, 2024.

Executive Summary

A grant award of \$38,000 has been received by the Baltimore County Police Department from the Maryland Department of Transportation, exceeding the approved Fiscal 2025 appropriation of \$35,000 by \$3,000. This request is for Council's approval to accept and appropriate the additional \$3,000 in funding.

The Baltimore County Police Department's Speed Enforcement Grant through the Maryland Department of Transportation funds overtime for officers who will conduct public awareness, training and media programs aimed at reducing aggressive driving.

Prepared by: Police Department

Bill 87-24 (Supplemental Appropriation)

Council District(s) All

Mr. Patoka (By Req.)

Police Department

2 Highway Safety Program (Distracted Driving)

The Administration is requesting a supplemental appropriation of federal funds (as amended) totaling \$5,000 to the 2 Highway Safety Program (Distracted Driving) Gifts and Grants Fund program to increase the amount appropriated to the actual amount of the grant award. The Department advised that the funds will be used for overtime for officers conducting initiatives to reduce distracted driving. See Exhibit A.

Fiscal Summary

Funding Source	Supplemental Appropriation	Current Appropriation	Total Appropriation
County	--	--	--
State	--	--	--
Federal ⁽¹⁾	\$ 5,000	\$ 35,000	\$ 40,000
Other	--	--	--
Total	<u>\$ 5,000</u>	<u>\$ 35,000</u>	<u>\$ 40,000</u>

⁽¹⁾ National Highway Transportation Safety Administration funds passed through the Maryland Department of Transportation, Maryland Highway Safety Office. No County matching funds are required.

Analysis

The Department advised that the purpose of the 2 Highway Safety Program (Distracted Driving) is to fund law enforcement and social media efforts targeting distracted driving. The Department further advised that the funds will be used for overtime for officers conducting enforcement targeting seatbelt violations and texting and handheld cellphone violations.

The FY 2025 Adopted Operating Budget included a \$35,000 appropriation to the 2 Highway Safety Program (Distracted Driving) Gifts and Grants Fund program based on the estimated amount of the grant award at the time the Department submitted its budget request to the Office of Budget and Finance. Accordingly, this bill appropriates the additional \$5,000 to the program, increasing the total appropriation to the actual \$40,000 grant award.

The grant period is October 1, 2024 through September 30, 2025. The Department advised that no County matching funds are required.

With the affirmative vote of five members of the County Council, Bill 87-24 will take effect December 15, 2024.

Executive Summary

A grant award of \$40,000 has been received by the Baltimore County Police Department from the Maryland Department of Transportation, exceeding the approved Fiscal 2025 appropriation of \$35,000 by \$5,000. This request is for Council's approval to accept and appropriate the additional \$5,000 in funding.

The Baltimore County Police Department's Distracted Driving Grant through the Maryland Department of Transportation funds overtime for officers who will conduct enforcement targeting seatbelt violations, texting and handheld cell phone violations to reduce distracted driving.

Prepared by: Police Department

Mr. Patoka (By Req.)

Office of Human Resources

Personnel Law of Baltimore County

Bill 88-24 implements changes to the Classification and Compensation Plan as recommended by the Personnel and Salary Advisory Board or required as a result of labor negotiations for FY 2024. The bill also states that the County Executive has approved the recommendations.

Section 1 of the bill provides that Pay Schedules VII and VIII of the Standard Salary Grades for Classified employees are amended to adjust the pay schedules effective January 1, 2025. Specifically, the adjustments reflect an across-the-board increase of 3% for a Cost-of-Living Adjustment.

Section 2 of the bill amends the pay grades for eight class titles in Section II, Classification and Compensation Plan effective January 1, 2025. Specifically, these titles are for certain supervisors in the Department of Public Works and Transportation and certain natural resources and environment specialists. Section 3 of the bill amends pay grades for class titles of Property Management Grounds Maintenance Specialist I and II and Correctional Major in Section II, Classification and Compensation Plan effective January 1, 2025 and applied retroactively to July 1, 2024.

Section 4 of the bill amends a regulation in Rule 6 regarding promotions in Section IV, Compensation Plan Regulations effective January 1, 2025. Specifically, Section 4 amends subsections B and C of Regulation 6.01, which govern the number of steps on a new pay grade an employee's salary may rise if the employee is promoted to a class with a higher grade.

The Office of Budget and Finance advised that the FY 2025 General Fund budget impact of the proposed changes totals \$206,788. See Exhibit B for the specific adjustments and associated salary cost impacts, as provided by the Office of Budget and Finance. The Office of Budget and Finance advised that the FY 2025 budget reflects the full amount of the bill.

In accordance with County Code, § 5-1-105, the Office of Budget and Finance provided an actuarial analysis, dated May 2, 2024, of the retirement-related fiscal impact of the changes to the Classification and Compensation Plan as recommended by the Personnel and Salary Advisory Board or required as a result of labor negotiations for FY 2025. The actuarial analysis assumed that “budgeted active COLAs that vary by pay schedule and group...have the following average effects: General County – 2.25% increase, General Agency – 2.25% increase, Police – 3.5% increase, Fire – 4.5% increase, and Correctional Officer and Deputy Sheriff – 3% increase.” The System's actuary provided an updated cost letter, dated October 4, 2024, which states that while the original analysis assumed that the Police SMC COLA would be similar to the rest of the Police groups at 3.5%, the "difference between Police SMC receiving a 3.0% salary COLA and being valued at a 3.5% salary COLA is de minimis." While the updated cost letter did not address the difference between Fire SMC receiving a 3.0% salary COLA and being valued at a 4.5% salary COLA (similar to the rest of the Fire groups), the Office of Budget and Finance advised that because Fire SMC represents a relatively small portion of Fire employees, the impact of Fire SMC receiving a 3.0% salary COLA is also immaterial.

With the affirmative vote of five members of the County Council and signature by the Executive, Bill 88-24 will take effect on January 1, 2025.

Executive Summary

For the purpose of amending certain Pay Schedules; amending certain job classifications, class titles, codes, and pay grades; providing for the effective date of this Act; and generally relating to the governance and compensation of the personnel of Baltimore County Government.

Prepared by: Office of Human Resources

Bill 88-24 Fiscal Impact							
I. PAY SCALE ADJUSTMENTS							
PAY SCALE ADJUSTMENTS	EFFECTIVE DATE (ON OR ABOUT)	PAY SCHEDULE	FY 2025 ADJUSTMENT NOTES	FY 2025 GF BUDGET IMPACT			
SUPERVISORY, MANAGEMENT AND CONFIDENTIAL EMPLOYEES - POLICE DEPARTMENT	1/1/2025	VII	3% COLA Mid Year, Jan 1, 2025	\$	123,601		
SUPERVISORY, MANAGEMENT AND CONFIDENTIAL EMPLOYEES - FIRE DEPARTMENT	1/1/2025	VIII	3% COLA Mid Year, Jan 1, 2025	\$	59,806		
TOTAL					\$183,407		
II. CLASSIFICATIONS AND GRADES							
REALLOCATION OF PAY GRADE	EFFECTIVE DATE	PAY SCHEDULE	CURRENT PAY GRADE	PROPOSED PAY GRADE	FY 2025 GF BUDGET IMPACT	FY 2025 IMPACT (OTHER FUNDS)	
Natural Resources Specialist II	1/1/2025	I	29	30	\$ 5,348	\$ 778	
Environmental Health Specialist I	1/1/2025	I	27	28	\$ -	\$ -	
Utilities Supervisor I	1/1/2025	VI	28	30	\$ -	\$ 4,277	
Utilities Supervisor II	1/1/2025	VI	31	32	\$ -	\$ 3,462	
Utilities Superintendent	1/1/2025	XII	1M	2M	\$ -	\$ -	
Traffic Sign And Marking Supervisor	1/1/2025	VI	28	30	\$ 1,137	\$ -	
Traffic Signal Supervisor	1/1/2025	VI	28	30	\$ 25	\$ -	
Traffic Inspection Supervisor	1/1/2025	VI	28	30	\$ -	\$ -	
Property Management Grounds Maintenance Specialist I	7/1/2024	II	H16	H17	\$ 4,418	\$ -	
Property Management Grounds Maintenance Specialist II	7/1/2024	II	H18	H19	\$ 11,363	\$ -	
Correctional Major	7/1/2024	VI-P	37	38	\$ 1,090	\$ -	
TOTAL					\$ 23,381	\$ 8,517	
TOTAL ALL ADJUSTMENTS							
					FY 2025 GF BUDGET IMPACT	FY 2025 IMPACT (OTHER FUNDS)	
					\$ 206,788	\$ 8,517	

Prepared by: Office of Budget and Finance

Bill 89-24

Council District(s) All

Mr. Patoka (By Req.)

Department of Permits, Approvals and Inspections

The Building Code of Baltimore County – Technical Corrections

Bill 89-24 makes two technical corrections to a specific section of the Baltimore County Building Code and the Baltimore County Zoning Regulations. The County most recently updated its Building Code with the enactment of Bill 49-24 on August 8, 2024.

The first technical correction is to Section 1607 of the Building Code. Bill 89-24 corrects a reference to “Table 1607.12” to Table 1607.14.” The second technical correction is to a section of the Baltimore County Zoning Regulations regarding fences. As part of the normal Building Code update, Bill 49-24 moved some sections regarding fences from the Building Code to the Zoning Regulations. However, a Building Code section regarding the maximum height of a front yard fence for a residence was inadvertently left out. This technical correction adds that section to the Zoning Regulations.

With the affirmative vote of five members of the County Council, Bill 89-24 will take effect 14 days after its enactment.

Executive Summary

Baltimore County last updated its Building Code with Bill 49-24 on August 8, 2024. At this time, Baltimore County is making two technical corrections to this legislation. One correction is in Section 1607, to correct a numerical reference to a table. The second is to add back into the Zoning Code a section of the fence regulations that was inadvertently not moved from the Building Code to the Zoning Regulations Section 427.1. These regulations limit the height of a fence in the front yard to 42 inches.

Prepared by: Department of Permits, Approvals and Inspections

Bill 90-24

Council District(s) All

Councilmembers Patoka & Crandell (By Req.)

Office of Budget and Finance

The Employees' Retirement System

Bill 90-24 consists of two items: first, to achieve consistency with State law by clarifying the Employees' Retirement System's (ERS) definition of military service and adding a provision related to members of the Maryland National Guard or a reserve component of the Armed Forces, and second, to provide a death benefit enhancement for Police personnel on Pay Schedule VII.

Military Service Clarification

The bill clarifies the definition of military service to include active duty with the Commissioned Corps of the Public Health Service, the National Oceanic and Atmospheric Administration, or the Coast and Geodetic Survey. The bill also provides service credit for military service in the Maryland National Guard or of a reserve component of the Armed Forces of the United States incurred prior to County employment, not to exceed a total of 44 months. According to the System's actuary, these changes will result in an increase to the County's FY 2026 contribution to the ERS of approximately \$571,000. In addition, the Office advised that both Workday and CPAS (pension administration software) will need to be updated in order to accommodate these changes; the cost of these updates is expected to be minimal.

Death Benefit Enhancement

The bill provides a death benefit enhancement for Police personnel on Pay Schedule VII (Police SMC) by adding a spouse DROP option upon the death of an active Police SMC ERS member who is eligible for the DROP. According to the System's actuary, the enhancement is cost neutral to the ERS by increasing the Police SMC employee contribution rate by 0.07% per year beginning January 1, 2025.

With the affirmative vote of five members of the County Council, Bill 90-24 will take effect 45 days after its enactment.

Executive Summary

This retirement bill consists of two items. First, to achieve consistency with State law by clarifying the Employees' Retirement System's (ERS) definition of military service and adding a provision related to members of the Maryland National Guard or a reserve component of the Armed Forces, and second, to provide a death benefit enhancement for police personnel on Pay Schedule VII.

Military service clarification:

- Clarifying the definition of military service to include active duty with the Commissioned Corps of the Public Health Service, the National Oceanic and Atmospheric Administration, or the Coast and Geodetic Survey.
- Providing service credit for military service in the Maryland National Guard or of a reserve component of the Armed Forces of the United States incurred prior to county employment, not to exceed a total of 44 months.

Death Benefit Enhancement:

- Provides a death benefit enhancement for Police personnel on Pay Schedule VII (Police SMC) by adding a spouse DROP option upon the death of an active Police SMC ERS member who is eligible for the DROP.
- The enhancement is cost neutral to the ERS by increasing the Police SMC employee contribution rate by 0.07% per year beginning January 1, 2025.

Prepared by: Office of Budget and Finance

Bill 91-24

Council District(s) All

Councilmembers Young, Marks & Crandell

Pensions and Retirement – Credit for National Guard Service

Bill 91-24 expands the type of National Guard service for which a member of the Employees' Retirement System (ERS) may receive credit towards their years of service. Currently, the County Code permits an ERS member to receive credit towards their years of service for any time the member served as any of the following:

- An enlisted or drafted member of the Armed Forces of the United States;
- A member in a reserve component of the Armed Forces of the United States on active duty or ordered or assigned to active duty or active duty for training that interrupts a member's service; or
- An active duty member in the Maryland National Guard, as determined and reported on the DD214 Form or other similar form.

Bill 91-24 expands the scope of eligible National Guard membership to any National Guard in the U.S. by repealing the restriction that the service must be as a member of the Maryland National Guard. According to the County's actuary, the estimated FY 2026 cost of Bill 91-24 totals \$571,000.

With the affirmative vote of five members of the County Council, Bill 91-24 will take effect July 1, 2025.

Bill 92-24

Council District(s) 1

Mr. Young

**Zoning Regs. – Uses Permitted in the Business, Major (B.M.) Zone –
Contractor’s Storage Yard**

Bill 92-24 permits a contractor’s storage yard under certain circumstances and in specific areas of the Business, Major (B.M.) Zone.

Specifically, the bill permits a contractor’s equipment storage yard in the B.M. Zone, provided that the use is only on property zoned B.M.-I.M. (Industrial, Major) and located within the Southwest Enterprise Zone mapped as of October 1, 2024. A contractor’s equipment storage yard permitted under this bill is not subject to Section 233.2 of the Baltimore County Zoning Regulations.

With the affirmative vote of five members of the County Council, Bill 92-24 will take effect 14 days after its enactment.

Bill 93-24

Council District(s) All

Mr. Kach

Zoning Regs. – Housing for the Elderly – M.L.R. and M.L. Zones

Bill 93-24 permits housing for the elderly as a principal use to a property located in the Manufacturing, Light, Restricted (M.L.R.) Zone and Manufacturing, Light (M.L.) Zone of a certain contiguous acreage.

The Baltimore County Zoning Regulations define housing for the elderly as a building, a section of a building, or a group of buildings that contains dwellings where the occupancy of the dwellings is restricted to persons 55 years of age or older or to couples where either the spouse or domestic partner is 55 years of age or older, and to any person, regardless of age, who has a physical or developmental disability.

Bill 93-24 permits housing for the elderly in the M.L.R. and M.L. Zones, provided the use is located in an M.L.R. Zone which is part of a contiguous area of 150 acres or more of industrial zoning and at least 80 percent of the dwellings are located within buildings previously developed for office or mixed use.

With the affirmative vote of five members of the County Council, Bill 93-24 will take effect 14 days after its enactment.

Bill 94-24

Council District(s) All

Mr. Jones

**Zoning Regs. – Uses Permitted in the Manufacturing, Light (M.L.) Zone –
Commercial Kennels**

Bill 94-24 permits a commercial kennel under certain circumstances in the Manufacturing, Light (M.L.) Zone. Specifically, the bill permits a commercial kennel as an auxiliary retail or service use or semi-industrial use.

The commercial kennel must be located in a planned industrial park at least 25 acres in net area in an Industrial, Major (I.M.) District and be no closer than 750 feet to any residentially used property. The building in which the commercial kennel is located must be within 400 feet at its closest point of the right of way of an interstate highway. Last, a commercial kennel permitted under the bill is not subject to the provisions of Section 421 of the Baltimore County Zoning Regulations.

With the affirmative vote of five members of the County Council, Bill 94-24 will take effect 14 days after its enactment.

Bill 95-24

Council District(s) 4

Mr. Jones

Zoning Regs. – Bulk Regulations in the O.T. (Office and Technology) Zone

Bill 95-24 amends certain bulk, height, and area regulations in the Office and Technology (O.T.) Zone in Owings Mills for certain residential uses within large commercial office parks under specific circumstances.

Background

The bill's sponsor notes that Baltimore County is currently experiencing a housing shortfall due to an insufficient supply of new and existing housing products available for purchase or rent. As stated in *Master Plan 2030*, there is a "need for 'Missing Middle' housing, such as apartments, duplexes, and rowhouses, for young professional, young families and seniors."

The bill's sponsor also notes that single-family attached units and multifamily two-over-two townhome dwelling units are an efficient and cost-effective way to provide this 'Missing Middle' housing. Certain properties within the O.T. Zone in the Owings Mills area, particularly within existing business parks, present an opportunity for the development of these types of units but require that the use, bulk, and area regulations within the O.T. Zone be updated and amended.

Bill 95-24

Bill 95-24 establishes new bulk regulations for an existing office park that, as of December 1, 2024, has at least 500,000 square feet of gross floor area, is in the O.T. Zone, and is located in Owings Mills. In addition to any uses otherwise permitted in the O.T. Zone, the bill also permits multifamily units, "two-over-two" townhomes, single-family attached units, or a mix of units within either applicable existing buildings or in newly constructed residential buildings. The addition of residential units to an existing building may not impact the applicable bulk, height, or area regulations for that building, and neither residential use of existing buildings nor the construction of new residential buildings within the applicable office park may result in any existing building being considered nonconforming.

Any newly constructed residential building is required to maintain front, side, or rear building setbacks to the original tract boundary of 10 feet. Also, such a building is not subject to a maximum or minimum building height and is not subject to any other bulk, height, area, or special regulations applicable to the underlying zoning classification or to those contained in the Comprehensive Manual of Development Policies.

Any development of a tract under the provisions of Bill 95-24 is exempt from the requirements of section 32-6-108 of the County Code and shall be approved by way of a limited exemption under section 32-4-106(b)(2) of the County Code.

With the affirmative vote of five members of the County Council, Bill 95-24 will take effect 14 days after its enactment.

Bill 96-24

Council District(s) 5

Mr. Marks

Vehicles and Traffic – Moving Violations – Tractor-Trailers

Bill 96-24 prohibits certain tractor-trailers from operating on certain areas of Earls Road, except under specific circumstances. The bill also establishes a fine for violating the prohibition and requires the Department of Public Works and Transportation (DPWT) to place appropriate signage or markers.

Background

The bill’s sponsor has received information regarding the operation of tractor-trailers on certain areas of Earls Road that may pose a risk to other drivers or property along Earls Road. Specifically, the bill’s sponsor has learned that on several occasions, tractor-trailers have nearly tipped over while navigating curves along Earls Road and have caused traffic congestion due to the wide turns on these narrow curves.

Currently, the County Code grants authority to DPWT to prohibit the operation of a tractor-trailer in any residential zone. However, the Code does not currently regulate the operation of tractor-trailers outside of residential zones.

Bill 96-24

Bill 96-24 would prohibit a tractor, trailer, or combination tractor-trailer from operating on Earls Road between Mulecart Lane (as amended) and Ebenezer Road. This prohibition does not apply to:

- service vehicles owned or operated by the County or a public utility;
- emergency vehicles of the Baltimore County Police or Fire Departments or a volunteer ambulance service; or
- delivery vehicles with an immediate and verified delivery to a property in the prohibited area.

The bill also establishes a fine of \$250 for violating this prohibition. Each day a violation exists constitutes a separate violation. Last, the bill requires DPWT to ensure that appropriate signage

or markers are placed in areas where operation of a tractor, trailer, or combination tractor-trailer is prohibited.

With the affirmative vote of five members of the County Council, Bill 96-24 will take effect 14 days after its enactment.

Bill 97-24

Council District(s) All

Mr. Marks

Baltimore County Floodplain Ordinance – Substantial Improvement Definition

Bill 97-24 amends the definition of “substantial improvement” regarding property that was damaged by certain natural events and is under the ownership of a specific type of entity.

With the enactment of Bill 6-24, Baltimore County updated its local floodplain ordinance to be in conformance with the Maryland Model Floodplain Ordinance. In general, floodplain ordinances adopt floodplain maps published by the Federal Emergency Management Agency (FEMA) that govern the availability of federal flood insurance. These ordinances also mandate specific construction standards – or prohibit certain development – in areas identified on those maps as flood-prone. Generally, flood-prone is either identified as the annual likelihood the area floods (i.e., 1% or 100-year floodplain; 0.2% or 500-year floodplain) or a mapped and categorized hazard area, such as the Coastal High Hazard Areas (V Zones) and Coastal A Zones.

Under the County’s floodplain ordinance, for any existing building or structure in certain flood-prone areas, special construction standards are required if the construction constitutes a “substantial improvement.” “Substantial improvement” means any reconstruction, rehabilitation, addition, or other improvement of a building or structure, the cost of which equals or exceeds 50 percent of the market value of the building or structure before the start of construction of the improvement. The term includes structures which have incurred substantial damage, regardless of the actual repair work performed.

Currently, substantial improvement does not include:

- Any project for improvement of a building or structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official prior to submission of an application for a permit and which are the minimum necessary to assure safe living conditions; or
- Any alteration of a historic structure, provided that the alteration will not preclude the structure’s continued designation as a historic structure.

Bill 97-24 would except from the definition of substantial construction any reconstruction, rehabilitation, addition, or other improvement of a building or structure to address damage caused by fire, storm, or other casualty, provided the building or structure is owned by a community, homeowners, or improvement association.

With the affirmative vote of five members of the County Council, Bill 97-24 will take effect 14 days after its enactment.

Bill 98-24**Council District(s) All**

Councilmembers Marks & Crandell

Property Tax Credits – Disabled Law Enforcement Officers – MDTA Police Officers

Bill 98-24 expands a local property tax credit for disabled Baltimore County law enforcement officers and certain Maryland State Troopers to certain Maryland Transportation Authority (MDTA) Police Officers who were disabled through their employment as an MDTA police officer.

Currently, the Baltimore County property tax credit for disabled law enforcement officers or rescue workers defines a “disabled worker” as a “Maryland State Trooper or Baltimore County law enforcement officer or rescue worker who has been found to be permanently and totally disabled by an administrative body or court of competent jurisdiction authorized to make such a determination; and became disabled as a result of or in the course of employment as a Maryland State Trooper or a Baltimore County law enforcement officer or while in the active service of a Baltimore County fire, rescue, or emergency medical service.” For a Maryland State Trooper, there is an extra requirement that the Trooper must have served at least one year at a Maryland State Police barracks in Baltimore County.

Bill 12-24 expanded the eligibility of the property tax credit to include Maryland State Troopers who served at least one year in a barracks in Baltimore County. Bill 98-24 further expands the eligibility of the property tax credit to an MDTA police officer who became disabled as a result of or in the course of such employment as an MDTA police officer; also, the MDTA police officer’s service must include at least one year assigned in Baltimore County. The fiscal impact of Bill 98-24 is yet to be determined; however, the Office of Budget and Finance noted that the existing tax credit for disabled law enforcement officers who served in the Baltimore County Police Department has a fiscal impact of \$160,000 annually. The Office further advised that Bill 12-24 added “thousands” in costs annually, and noted that as additional types of law enforcement officers are included in the County’s credit, the total annual fiscal impact could approach \$500,000.

With the affirmative vote of five members of the County Council, Bill 98-24 will take effect July 1, 2025.

Bill 99-24

Council District(s) All

Mr. Ertel

Zoning Regs. – Hookah and Vapor Lounges – Use Permit

Bill 99-24 establishes a use permit for a hookah lounge or a vapor lounge. Currently, hookah and vapor lounges are permitted in the Business Local (B.L.) Zone, however, the only use regulation is that they may only operate from 6:00 a.m. to 12:00 midnight. Bill 99-24 imposes several new use regulations and requires a use permit.

Hookah and Vapor Lounge Defined

A hookah lounge is defined as any facility, establishment, or location whose business operation, whether as its primary use or as an ancillary use, includes the smoking of tobacco or other substances through one or more hookah pipes (also commonly referred to as a hookah, waterpipe, shisha, or nareghile), including but not limited to establishments known variously as hookah bars, hookah lounges, or hookah cafes.

A vapor lounge is defined as any facility, establishment, or location, whether fixed or mobile, whose business operation, whether as its primary use or as an ancillary use, includes the utilization of a heating element that vaporizes a substance that releases nicotine, tobacco, flavored vapor or other substances, through one or more electronic or battery-operated delivery devices, including any device known as an electronic cigarette (also commonly referred to as e-cig, e-cigarette, e-pipe, electronic cigarillo, hookah pen, e-hookah, vape pen, vape pipe or any other electronic cigarette product), including but not limited to establishments known variously as vape bars, vape lounges, e-cigarette bars, or vape cafes.

Use Permit

Bill 99-24 permits a hookah lounge or vapor lounge to operate on a property only if there is an active use permit issued for that “premises,” which means the building or buildings on the property where a hookah lounge or vapor lounge is located, or is planned to be located, including any applicable accessory structures and off-street parking.

A use permit may only be applied for, renewed, or otherwise be held by or issued to an applicant. Bill 99-24 defines an “applicant” as the owner of a property on which a hookah lounge or vapor

lounge is located or planned to be located or a person in control of a hookah lounge or vapor lounge that is applying for or renewing a permit.

Bill 99-24 also specifically defines the terms “owner” and “person in control.” “Owner” means any person or entity that is the listed owner of a property on which a hookah lounge or vapor lounge is located or planned to be located. “Owner” may include an agent, executor, administrator, trustee, guardian, or other successor or fiduciary of a property, as applicable. “Person in control” means any person or entity who has the charge, care, or operation of a hookah lounge or vapor lounge, including any agent of the person in control who manages the hookah lounge or vapor lounge that operates on the premises. “Person in control” may include the listed owner of the premises, as applicable.

Use Permit Application

To apply for or renew a permit, an applicant must submit an application, including supporting information required by the Director of the Department of Permits, Approvals and Inspections (PAI), on a form approved by the Director and pay an application or renewal fee. Unless renewed, a permit shall expire one year from its date of issuance. A permit may not be transferred, conveyed, or sold to another person, business, or other entity.

Within 45 days of receiving an application, the PAI Director must approve the application and issue a permit or deny the application. If the application is for a renewal, the PAI Director may renew the permit if conditions or other information submitted to the Director for the initial permit or subsequent renewals have not materially changed. The PAI Director may impose reasonable conditions as part of the permit approval and issuance or renewal to ensure the health, safety, and welfare of the patrons of the hookah lounge or vapor lounge and the general public. The PAI Director shall promptly send written notice of any decision on an application to the applicant and, if applicable, state the reasons for any denial or reasonable conditions imposed.

Site Regulations

In addition to the previous requirement, a hookah lounge or vapor lounge may only operate from 6:00 a.m. to 12:00 midnight; Bill 99-24 imposes two additional site regulations. First, the lounge must be the principal use on the premises where it is located and may not be ancillary or accessory to any other use. The second new requirement is that a hookah lounge or vapor lounge may only be located at least 200 feet from any residential property, as measured from the closest point of the premises to the residential property line. Section 2 of Bill 99-24 states that a lounge that does not conform to this distance requirement may continue to operate for 120 days from the

effective date of Bill 99-24, but as of that date, the lounge must comply with the distance requirement.

Requirements of a Permit Holder

Bill 99-24 defines a “permit holder” as the person or entity in control of a hookah lounge or vapor lounge or the listed owner of a premises for which a permit is issued. The bill imposes requirements that a permit holder must meet at all times while the permit is valid.

First, a permit holder must maintain a video surveillance system that monitors all off-street parking areas and public entrances and continuously records each day the hookah lounge or vapor lounge is open, from its opening until at least two hours after 12:00 midnight or its closure to the public, whichever is earlier. A permit holder must also retain all video recordings for at least 90 days as business records kept in the normal course of business. Second, the permit holder must ensure that the hookah lounge or vapor lounge complies with all laws, regulations, and requirements, including the applicable noise levels set forth in state law and regulation. Finally, a permit holder must produce accounting or business records, including recordings of the video surveillance system, upon a written request of the PAI Director, a police officer, or a code official. The permit holder must produce these records within 15 calendar days of the request.

Suspension or Revocation of a Permit

In consultation with the Chief of Police or their designee, the PAI Director may, based on a finding by a preponderance of the evidence, suspend or revoke a permit under one or more of the following circumstances:

- if a permit holder has received multiple fines for violating the use permit regulations that the PAI Director determines are insufficient to prevent further violations of County law or regulation;
- if a permit holder has refused to produce accounting or business records as requested in writing by the PAI Director, a police officer, or a code official; or
- if it is deemed in the interest of the public health, safety, and general welfare.

When determining whether to suspend or revoke a permit for a particular circumstance or set of circumstances, the PAI Director may:

- make reasonable inferences based on the number and severity of calls for police or other emergency service involving the premises related to a public nuisance or a risk to the public health, safety, or general welfare;

- accept as prima facie evidence a report by a police officer or code official, written in the regular course of business, of the premises having been used for activities that constitute a public nuisance or a violation of federal, state, or County law or regulation, including any requirement for a use permit, that describes how such activities generated or contributed to a public nuisance; and
- find that a violation of an applicable federal, state, or County law, regulation, or requirement by the permit holder has occurred and constitutes a public nuisance or a risk to the public health, safety, or general welfare.

As part of the decision to suspend a permit, the PAI Director may impose reasonable conditions, including previously imposed conditions or additional conditions, for the lifting of a suspension, or for the stay of the revocation of a permit to ensure the health, safety, and welfare of the patrons of the hookah lounge or vapor lounge or the general public. Any condition so imposed shall be evaluated with a subsequent application for permit renewal and may be continued as a reasonable condition of such renewal. Upon a decision to suspend or revoke a permit, the Director shall promptly provide written notice to the permit holder that states the reasons for the suspension or revocation.

Immediate Suspension

Notwithstanding the normal suspension or revocation procedures, the PAI Director or the Chief of Police may order a permit holder to immediately cease all business activity or public gathering on the premises until the following business day if they determine there is an immediate threat to the health, safety, or general welfare of the patrons of the hookah lounge or vapor lounge or the general public.

In addition to an order issued to immediately cease all business, the PAI Director may order the immediate suspension of a permit pending the conclusion of the normal suspension or revocation procedures. The PAI Director shall promptly provide written notice of any order issued under this section by both mail and hand delivery. Any order for immediate suspension issued by the PAI Director may be appealed to the Board of Appeals.

Appeals

A decision or order of the PAI Director may be appealed to the Board of Appeals in accordance with § 32-3-401 of the County Code and heard de novo if it is related to the issuance, denial, or renewal of a permit or a decision or order to suspend or revoke a permit.

Penalties and Fines

A permit holder who violates any requirement of the permit is subject to a fine up to \$250 for the first violation in a 12-month period. For the second violation in that period, the fine may be up to \$500 and for any subsequent violation, the fine may be up to \$1,000. Each day a violation occurs constitutes a separate offense. Also, the owner and person in control shall be jointly and severally liable for any fines or other civil penalties imposed against the permit holder.

Further Regulations and Compliance

Bill 99-24 authorizes PAI to adopt regulations in accordance with Article 3, Title 7 of the County Code, to carry out the provisions of the bill. Last, Section 2 of the bill states that the owner of a premises where a hookah lounge or vapor lounge is located shall have 120 days from the effective date of this Act to come into compliance with the requirements of the bill.

With the affirmative vote of five members of the County Council, Bill 99-24 will take effect 14 days after its enactment.

Bill 100-24

Council District(s) 7

Mr. Crandell

Zoning Regs. – Conversion of Boarding or Rooming Houses in D.R. Zones

Bill 100-24 permits the conversion of a boarding or rooming house located in the Density Residential (D.R.) Zone in certain areas to apartments. The bill also establishes the conversion rate and requirements for such apartments.

Currently, the Baltimore County Zoning Regulations define and regulate a boarding and rooming house as separate and distinct from a building with apartment dwellings. Generally, a boarding or rooming house is a dwelling where separate bedrooms may be rented but tenants share cooking and bathing facilities, while each apartment dwelling must have separate cooking and bathing facilities. Neither the Baltimore County Code nor Zoning Regulations set forth a process for converting a boarding or rooming house into a building with apartment dwellings.

Bill 100-24 establishes a process to convert a boarding or rooming house that was lawfully approved by the Zoning Commissioner or Administrative Law Judge to apartments. However, the boarding or rooming house must be located within the Dundalk National Historic District. The conversion rate is one apartment for every two approved bedrooms. Each apartment must contain its own cooking and bathing facilities and the number of approved parking spaces shall be the same as approved in the original order of the Zoning Commissioner or Administrative Law Judge, or a number that is consistent with current regulations.

With the affirmative vote of five members of the County Council, Bill 100-24 will take effect 14 days after its enactment.

Bill 101-24 (Supplemental Appropriation)

Council District(s) All

Mr. Patoka (By Req.)

Department of Housing and Community Development

Homeless Solutions Program – HSP (State DHCD)

The Administration is requesting a supplemental appropriation of State funds (pending amendments) totaling \$580,476 to the Homeless Solutions Program – HSP (State DHCD) [Department of Housing and Community Development] Gifts and Grants Fund program. The Department advised that the funds will be used to provide homeless prevention and rapid rehousing services. See Exhibit A.

Fiscal Summary

Funding Source	Supplemental Appropriation	Current Appropriation	Total Appropriation
County	--	--	--
State ⁽¹⁾	\$ 580,476	\$ 1,224,179	\$ 1,804,655
Federal	--	--	--
Other	--	--	--
Total	<u>\$ 580,476</u>	<u>\$ 1,224,179</u>	<u>\$ 1,804,655</u>

⁽¹⁾ Maryland Department of Housing and Community Development funds. No County matching funds are required.

Analysis

The Department advised that the purpose of the Homeless Solutions Program – HSP (State DHCD) program is to facilitate the delivery of homeless prevention and rapid rehousing services

(e.g., short-term rental assistance, shelter diversion, direct cash assistance). The Department further advised that the proposed \$580,476 supplemental appropriation will be distributed among four key service providers (Baltimore County Department of Social Services, Cornerstone Franciscan Ministries, Family Crisis Center, St. Vincent de Paul), and will be submitted to the Council via the 14-day grant notification process. The Department also advised that the program will assist approximately 283 individuals/116 households throughout FYs 2025 and 2026.

The grant period is July 1, 2024 through June 30, 2026. The Department advised that no County matching funds are required.

With the affirmative vote of five members of the County Council, Bill 101-24 will take effect December 29, 2024.

Executive Summary

The Baltimore County Department of Housing and Community Development (DHCD) is seeking approval from the County Council to accept a one-time allocation of Bonus Funding in the amount of \$580,476. This funding is provided by the Maryland Department of Housing and Community Development through their allocation of State general funding and aims to bolster the initiatives already in place under the current Homeless Solutions Program allocation.

The bonus funds will be distributed among four key service providers that specialize in delivering Homeless Prevention Services and Rapid Rehousing services. These initiatives are crucial for effectively responding to the immediate needs of those facing homelessness.

DHCD anticipates that the Bonus Funding will assist approximately 283 individuals throughout fiscal year 2025 and FY 2026, helping to improve their living situations and promote greater stability within the community.

Prepared by: Department of Housing and Community Development

Bill 102-24 (Supplemental Appropriation)

Council District(s) All

Mr. Patoka (By Req.)

Department of Health and Human Services

Community Supported Agriculture (CSA) LHD Project

The Administration is requesting a supplemental appropriation of federal funds totaling \$17,000 to the Community Supported Agriculture (CSA) LHD [Local Health Department] Project Gifts and Grants Fund program. The Department advised that the funds will be used to facilitate increased acceptance of Supplemental Nutrition Assistance Program (SNAP) benefits among County farmers offering produce through CSA programs in order to improve health outcomes for low-income County residents. The Department advised that due to the grant period expiring for \$10,000 of the supplemental appropriation, it will restrict those funds. See Exhibit A.

Fiscal Summary

Funding Source	Supplemental Appropriation	Current Appropriation	Total Appropriation
County	--	--	--
State	--	--	--
Federal ⁽¹⁾	\$ 17,000	--	\$ 17,000
Other	--	--	--
Total	<u>\$ 17,000</u>	<u>--</u>	<u>\$ 17,000</u>

⁽¹⁾U.S. Department of Health and Human Services, Centers for Disease Control and Prevention funds passed through the Maryland Department of Health, Center for Chronic Disease Prevention and Control (CCDPC). No County matching funds are required.

Analysis

The Department advised that the proposed funding will support farmers in establishing a SNAP-eligible CSA program to provide healthy fruits and vegetables to low-income residents to improve

health outcomes, including supporting farmers through the application process to accept SNAP benefits using the Electronic Benefit Transfer (EBT) payment system, assisting farmers in developing SNAP-eligible food boxes, and linking SNAP-eligible families to farmers (establishing CSA membership where interested members purchase a share, and in return, receive a box of seasonal produce weekly throughout the farming season). The Department further advised that FY 2025 is the planning phase in preparing for activities that will be conducted during FY 2026, including the distribution of food boxes. The Department also advised that the funds will be used for printing, advertising, educational supplies, and indirect costs. The Department estimates that the program will serve 150 County residents in FY 2026.

The grant periods associated with the \$17,000 supplemental appropriation are July 1, 2024 through September 30, 2024 (\$10,000) and October 1, 2024 through June 30, 2025 (\$7,000). The Department advised that it was initially anticipating an extension to the grant period for the \$10,000 award, which was not granted; however, the Department needed to first apply for the \$10,000 grant in order to receive the subsequent \$7,000. The Department further advised that it will restrict \$10,000 of the appropriation. The Department advised that no County matching funds are required.

With the affirmative vote of five members of the County Council, Bill 102-24 will take effect December 29, 2024.

Executive Summary

Community Supported Agriculture Supplemental Appropriation Request

The Baltimore County Department of Health is seeking an appropriation in the amount of \$17,000 for the Community Supported Agriculture grant.

BACKGROUND

Diet-related diseases, including diabetes, heart disease, hypertension, and obesity, are among the leading causes of morbidity and mortality in the United States and disproportionately affect low-income communities where access to healthy food alternatives is limited. The rate of both adult and childhood obesity has been on the rise both nationally and in Maryland. Data from the 2022 Behavioral Risk Factor Surveillance System showed that 33.2% of Maryland adults are obese. Ten percent of Maryland residents lack adequate access to food, despite Maryland ranking as the wealthiest state with the highest median household income based on the 2021 Census data. Lack of access to nutritious food is a well-established social determinant of health. Community Supported Agriculture is a popular way for consumers to buy local, seasonal food directly from a farmer who offers a certain number of "shares" to the public. The share typically consists of a box of vegetables, but other farm products may be included. Interested consumers purchase a share (aka a "membership" or a "subscription") and, in return, receive a box (bag, basket) of seasonal produce each week throughout the farming season. Several low-income families/individuals living in low-access areas utilize federal benefits such as the Supplemental Nutrition Assistance Program aka SNAP (formerly food stamps). SNAP provides low-income Americans with monthly benefits on Electronic Benefit Transfer (EBT) cards used to purchase food at authorized retailers, which include farmers' markets. Studies have shown that families that utilize SNAP benefits eat more healthy food in locally thriving communities with an increase in income among farmers, making it a win for all.

This funding opportunity will support farmers in establishing a SNAP-eligible CSA program to provide healthy fruits and vegetables to residents to improve health outcomes. This project will also include supporting farmers through the application process to accept SNAP benefits using the Electronic Benefit Transfer (EBT) payment system, assisting farmers in developing SNAP-eligible boxes, and linking SNAP-eligible families to farmers to establish CSA membership.

PURPOSE

The goal of this project is to engage farmers with the intent of increasing access to fruits and vegetables to improve the health of families. Fiscal Year 25 is primarily a planning and engagement phase: food boxes will be distributed in Fiscal Year 26.

FISCAL

The award is \$17,000.

Prepared by: Department of Health & Human Services

Bill 103-24

Council District(s) All

Mr. Patoka (By Req.)

Office of Budget and Finance

Bond Ordinance

The Administration is requesting approval of an ordinance that authorizes the issuance, sale, and delivery of: up to \$418 million in (short-term) bond anticipation notes (BANs) for Consolidated Public Improvements (\$177 million) and Metropolitan District (\$241 million) projects; \$418 million in (the associated long-term) General Obligation (G.O.) bonds; and \$3,107,825,500 in refunding bonds (related to the entire callable amount of G.O. bond debt issued by the County between 2010 and 2024, which then could be refinanced). This ordinance also authorizes the County to purchase development rights (Installment Purchase Agreement Program) and to pursue the use of tax-advantaged bond status. The ordinance sets a \$418 million limit on the aggregate principal amount of BANs outstanding at one time.

Fiscal Summary

<u>Proposed Debt Issuance</u>	<u>Maximum Amount</u>
Consolidated Public Improvement (CPI)	\$ 177,000,000
Metropolitan District	241,000,000
Total – General Obligation Bonds	<u>\$ 418,000,000</u> ⁽¹⁾
CPI Bond Anticipation Notes (BANs)	\$ 177,000,000
Metropolitan District BANs	241,000,000
Total – BANs	<u>\$ 418,000,000</u> ⁽²⁾
CPI/Metro District Bonds (Refunding Series)	<u>\$ 3,107,825,500</u> ⁽³⁾

⁽¹⁾ Authorization for issuance expires on the latter of December 31, 2025 or upon the expiration of any outstanding BANs.

⁽²⁾ BANs are limited to no more than this amount outstanding at one time.

⁽³⁾ Represents 130% of outstanding bonds totaling \$2,390,635,000. Amount to be issued depends on interest rates, issuance costs, and other variables at the time of refunding.

Analysis

This bill authorizes the County to issue up to \$418 million in new G.O. debt, to consist of \$177 million for Consolidated Public Improvements (CPI) and \$241 million for the Metropolitan District. Specifically, the bill authorizes the issuance, sale, and delivery of: up to \$418 million in (short-term) bond anticipation notes (BANs) for CPI (\$177 million) and Metropolitan District (\$241 million) projects; \$418 million in (the associated long-term) G.O. bonds; and \$3,107,825,500 in refunding bonds (related to the entire callable amount of G.O. debt issued by the County between 2010 and 2024, which then could be refinanced). In addition, this bill authorizes the County to purchase development rights (Installment Purchase Agreement Program) and to pursue the use of tax-advantaged bond status.

Bond Anticipation Notes (BANs): BANs are short-term notes sold in anticipation of issuing long-term bonds at a later date when more favorable market conditions may occur. When issued,

long-term bond proceeds are used to retire the BANs. The bill limits the aggregate principal amount of BANs outstanding to no more than \$418 million at one time. The bill further provides that the face value of all BANs outstanding may from time to time exceed the limit. According to the bill, the BANs may be issued at a private sale in the nature of commercial paper or other variable rate demand notes, which are more flexible than issuing fixed-rate notes. Proceeds from the sale of BANs are reinvested until the funds are needed, thereby creating a legal arbitrage profit (i.e., interest earnings from investments exceeding interest cost on BANs). Issuing BANs also allows capital projects to proceed while awaiting more favorable market conditions for issuing long-term bonds. The Office advised that there are no current plans to issue commercial paper BANs; in the event that the County issues BANs, it plans to continue with non-commercial-paper, fixed-rate BANs. However, this ordinance retains the authority to issue commercial paper for flexibility purposes.

Consolidated Public Improvement (CPI) Bonds: This bill authorizes the issuance of CPI bonds, up to the following amounts, for the following types of capital improvements:

Type of Improvement	Maximum Amount
Schools	\$ 126,000,000
Public Works (roads, bridges, sidewalks, storm drains)	31,000,000
Waterway Improvements	8,000,000
Community College	6,000,000
Agricultural Land Preservation	5,000,000
Refuse Disposal	1,000,000
Total	<u>\$ 177,000,000</u>

The voters previously authorized this borrowing, on prior-year referenda, as required by the Baltimore County Charter, Section 718. The Council subsequently approved the borrowing as a funding source for the County’s capital budgets.

Repayment of the principal and interest (collectively known as debt service) on the County’s CPI debt is guaranteed by the irrevocable pledge of the full faith and credit – and unlimited taxing powers – of the County. This debt service cost is financed by General Fund revenues and is subject to the Spending Affordability Committee’s (SAC) debt service guideline, which states that County debt service, including non-general obligation debt, should not exceed 9.5% of General

Fund revenues. In addition, the County's debt policy states that the County will maintain a Debt Service to General Fund Revenues ratio in the range of 8.5% to 9.5%.

The bonds must be sold at competitive bid, except for \$5 million in Agricultural Preservation bonds (see next section, below) that may be designated for agricultural property owners according to the Installment Purchase Agreement (IPA) Program and any bonds designated as financed from the Maryland Water Infrastructure Financing Administration (MWIFA).

Agricultural Preservation Bonds/Installment Purchase Agreement (IPA) Program: In lieu of issuing all or any of the CPI bonds under the Agricultural Land Preservation Borrowing Plan Ordinance, the bill authorizes the issuance of IPAs to purchase development rights in accordance with Section 12-902 of the Local Government Article.

The IPA option was established in June 2007 to encourage agricultural landowners to sell land or land preservation easements to the County. Many landowners would have to pay high capital gains tax when selling land or easements for cash. Through the IPA Program, the County pays the purchase price in a lump sum after a period of up to 30 years, thus allowing the seller to defer capital gains tax, and the seller receives tax-exempt interest at a pre-established rate on the purchase price in the interim. The interest paid by the County is exempt both from federal and State income tax. The Office advised that other benefits of IPA bonds for landowners include better estate planning since heirs can use cash from the sale to pay estate taxes. Landowners can also sell IPAs to bond investors for cash prior to their maturities. An IPA has two payment components, interest paid semi-annually and a balloon principal payment after a period of up to 30 years. The Office advised that the County has not utilized the IPA tool in over a decade.

Metropolitan District Bonds: The purpose of the Metropolitan District bonds is to finance the construction of improvements to the Metropolitan District sewer and water system. The debt service on these bonds is financed by sewer and water assessments and charges levied against all users in the Metropolitan District. If the sewer and water revenues are insufficient to finance the debt service, the County may levy a tax on all properties in the Metropolitan District or in the County to finance any deficiency. Metropolitan District debt does not require voter approval. The Office advised that the bill will be amended to indicate that the total outstanding balance of Metropolitan District debt as of September 30, 2024, plus the net of additional Metropolitan District debt authorized by this bill, totals \$2,550,951,419. This level of Metropolitan District debt is compliant with the County Code limitation (3.2% of assessed property value).

General Obligation Refunding Bonds: This bill also authorizes the County to sell \$3,107,825,500 of refunding bonds to refinance the callable amounts of outstanding CPI and Metropolitan District bonds issued between 2010 and 2024, which total \$2,390,635,000. Exhibits A and B, respectively, list the callable bonds by issuance date for CPI bonds (\$1,179,510,000) and Metropolitan District bonds (\$1,211,125,000). The refunding bond authority totals 130% of the outstanding principal amount.

Under a refunding, the outstanding debt is “defeased” (nullified) by the issuance of new debt, the proceeds of which are placed in a trust fund. The amount of proceeds required depends on factors such as current interest rates, the remaining term of the original bonds, bid discount, and costs of issuance. The trust fund invests the proceeds in U.S. Government obligations and guarantees the debt service (interest and redemption payments) on the original debt. The County is then obligated to make debt service payments only on the new issue. Approval of the refunding is requested without an expiration date so that the Office can access the credit market as favorable market conditions occur. The benefit to the County is derived from the difference between the interest rate paid on the original debt, and the related costs and the rate to be paid on the issuance of the refunding bonds. The debt service savings to be realized due to this refinancing authorization are dependent upon the timing of the refunding and the applicable interest rates and, therefore, cannot be determined at this time.

The refunding bonds may be sold at such times and in such manner as shall be determined by the County Executive; the Executive must give the County Council prior notice of such issuance. The refunding bonds may be sold at a private, negotiated sale unless the County Executive determines that it is in the best interest of the County to sell the bonds through a competitive bid process. The Office advised that the County’s most recent refunding, which occurred via a private, negotiated sale on September 4, 2024, consisted of \$72,855,000 of Metropolitan District bonds and \$104,175,000 of CPI bonds with a net present value savings of \$2.12 million.

Tax-Advantaged Obligations: The Administration is requesting authority to take necessary action, when entitled, to ensure bonds and notes authorized by this ordinance are afforded a tax-advantaged status. The necessary actions may include, but are not limited to, covenants or agreements relating to proceeds and earnings and elections and designations as required under the Internal Revenue Code (IRC) to assure proper entitlement to a subsidy or tax credit benefit for both the issuer and holder. The County has previously issued tax-advantaged obligations (e.g., Qualified School Construction Bonds and Build America Bonds); these programs expired on December 31, 2010. However, the Office previously advised that retaining the authority to

issue tax-advantaged obligations is in the best interest of the County in the event that Congress should choose to renew these provisions.

The Office advised that in September 2024, the County refinanced the last of its outstanding Build America Bonds that were originally sold in 2010.

Administrative Costs: The Office advised that estimated one-time administrative costs associated with this borrowing ordinance total \$465,200 as follows:

Rating agencies	\$ 400,000
Bond counsel	50,000
BAN auction agent	12,000
Financial printing, advertising, other	3,200
Total	<u>\$ 465,200</u>

The Office further advised that rating agency fees for the G.O. bonds will be paid from the premium proceeds anticipated from each issuance.

Other: The bill states that any premium funds received from the sale of bonds and BANs shall be set apart in a separate account and can be used for the first interest payments on those bonds and BANs or allocated for other expenditure purposes permitted under federal income tax law. The bill also states that any earnings from the investment of proceeds of CPI bonds and BANs and Metropolitan District bonds and BANs may be treated as general revenues and applied to the general purposes of the County and Baltimore County Metropolitan District, respectively. The bill further states that the County Executive or County Administrative Officer may designate specific expenditures to be paid from such earnings. The Office previously advised that such language regarding the use of premium funds and earnings constitutes appropriation authority, despite its lack of specificity as to the amount(s), program(s), and fiscal year(s) of the expenditure authorization.

In July 2024, the County issued \$115 million in CPI bonds (new debt) at a true interest cost of 3.64% and \$45 million in Metropolitan District bonds (new debt) at a true interest cost of 4.12%, with a 5% interest rate payable by the County for both the CPI and Metropolitan District bonds. The Office advised that the County received a total of \$14.4 million in CPI bond premium and \$4.9 million in Metro bond premium funds from the issuance (net of underwriter’s discount and issuance costs). The premiums were used to fund capital projects. The Office further advised

that it chose long-term bonds over short-term BANS for issuing new debt because short-term rate increases made locking in on longer-term bond rates a more favorable alternative to BANS. The Office also advised that the decision to issue bonds or BANS in March 2025 will be determined at the time of sale.

Planned Issuance

The Office advised that in March 2025, it plans to issue up to \$177 million in CPI bonds and up to \$241 million in Metropolitan District and Maryland Water Infrastructure Financing Administration (MWIFA) bonds. The Office further advised that the Metropolitan District and CPI bond issuances will be structured to have level total payments after the first year. The Office also advised that its March 2025 CPI bonds and Metropolitan District bonds issuances are expected to have true interest costs of 3.5% and 4.0%, respectively, both with an anticipated interest rate of 5.0%. True interest costs will be subject to the market environment at the time of sale.

The Office advised that it currently projects premiums of \$20 million and \$15 million, respectively, from the March 2025 CPI and Metropolitan District bond issuances. The Office noted that the premiums will be based on bids from the underwriter. The Office further advised that the premiums will be used to pay rating agency fees (estimated at \$465,200), and the balance will be used to fund capital projects. In addition, the County expects to commit approximately \$100 million in MWIFA bonds at an anticipated interest rate of 2.5% to 3.0%, with issuances to occur at various times throughout the year.

Interest payments from the March 2025 CPI and Metropolitan District bond issuances are anticipated to begin in September 2025; principal payments from the March 2025 CPI and Metropolitan District bond issuances are anticipated to begin in March 2027. The Office advised that if the County were to issue BANS in March 2025, there would be no principal payments due in FY 2026; the decision whether to sell BANS will be determined based on the interest rate environment at the time of sale.

The Office advised that the bill will be amended to indicate that the outstanding balance of County G.O. debt as of September 30, 2024 plus the net balance of additional G.O. debt authorized by this bill, totals \$2,459,664,000. This level of outstanding debt (including pension obligation debt) is compliant with the County Charter limitation (4% of assessed property value). Projected debt as of June 30, 2025 subject to the guidelines adopted by the Spending Affordability Committee (excluding pension obligation debt) remains within maximum recommended levels. See Exhibit C.

According to the County's financial consultant Public Resources Advisory Group (PRAG) in its 2024 Debt Study, the County is anticipating a net-tax supported debt position of \$2.273 billion at the end of FY 2029, an increase of \$279.9 million from the net-tax supported debt position of \$1.993 billion that was anticipated at the end of FY 2029 in the 2023 Debt Study. The Office of Budget and Finance projects that at its planned level of borrowing and projected level of General Fund revenues, the County may begin to exceed the Spending Affordability Committee's 9.5% debt service to revenues guideline during 2025; however, as noted, projected debt as of June 30, 2025 subject to the guidelines adopted by the Spending Affordability Committee (excluding pension obligation debt) remains within maximum recommended levels.

The authority to issue the G.O. bonds proposed by Bill 103-24 expires on the latter of December 31, 2025 or upon expiration of any outstanding BANs.

Bill 103-24 will take effect 45 days after its enactment.

CHART II			
Outstanding Issues	Dated Date	Callable Maturities	Aggregate Principal Amount of Callable Bonds
Baltimore County Consolidated Public Improvement Bonds – 2010 Series B (QSCBs)	11/9/10	11/1/29	\$19,950,000
Baltimore County Taxable General Obligation Bonds – 2012 Series	12/13/12	8/1/24-8/1/27, 8/1/32, 8/1/42	\$187,270,000
Baltimore County Consolidated Public Improvement Bonds – 2015 Refunding Series	6/30/15	8/1/26-8/1/27	\$17,735,000
Baltimore County Consolidated Public Improvement Bonds – 2016 Series	3/8/16	2/1/27-2/1/36	\$58,000,000
Baltimore County Taxable General Obligation Bonds – 2016 Series	8/3/16	7/1/24-7/1/36, 7/1/46	\$121,700,000
Baltimore County Consolidated Public Improvement Bonds – 2017 Series	3/15/17	3/1/28-3/1/37	\$52,100,000
Baltimore County Consolidated Public Improvement Bonds – 2018 Series	3/16/18	3/1/29-3/1/38	\$77,310,000
Baltimore County Consolidated Public Improvement Bonds – 2019 Series	3/18/19	3/1/30-3/1/39	\$152,425,000
Baltimore County Consolidated Public Improvement Bonds – 2020 Series	3/19/20	3/1/31-3/1/40	\$157,180,000
Baltimore County Consolidated Public Improvement Bonds – 2021 Series	3/22/21	3/1/32-3/1/41	\$89,845,000
Baltimore County Consolidated Public Improvement Bonds – 2021 Refunding Series	3/22/21	8/1/32	\$11,055,000
Baltimore County Consolidated Public Improvement Bonds – 2022 Series	3/23/22	3/1/33-3/1/42	\$139,415,000
Baltimore County Consolidated Public Improvement Bonds – 2023 Series	3/24/23	3/1/34-3/1/43	\$18,590,000
Baltimore County Consolidated Public Improvement Bonds – 2024 Series	7/24/24	7/1/35-7/1/44	\$71,595,000
Baltimore County Consolidated Public Improvement Bonds – 2024 Refunding Series	7/24/24	2/1/35	\$5,340,000
Total			\$1,179,510,000

CHART III			
Outstanding Issues	Dated Date	Callable Maturities	Aggregate Principal Amount of Callable Bonds
Baltimore County Metropolitan District Bonds (75 th Issue)	12/12/12	8/1/33-8/1/39, 8/1/42	\$20,000,000
Baltimore County Metropolitan District Bonds 2012 Refunding Series	12/12/12	8/1/28-8/1/32	\$8,205,000
Baltimore County Metropolitan District Bonds 2015 Refunding Series	6/30/15	8/1/26-8/1/30	\$47,865,000
Baltimore County Metropolitan District Bonds (78 th Issue)	3/8/16	2/1/27-2/1/41, 2/1/46	\$58,000,000
Baltimore County Metropolitan District Bonds 2016 Refunding Series	3/8/16	2/1/27-2/1/38	\$64,205,000
Baltimore County Metropolitan District Bonds (79 th Issue)	3/15/17	3/1/28-3/1/37, 3/1/42, 3/1/47	\$68,000,000
Baltimore County Metropolitan District Bonds (80 th Issue)	3/16/18	3/1/29-3/1/45, 3/1/48	\$185,190,000
Baltimore County Metropolitan District Bonds (81 st Issue)	3/18/19	3/1/30-3/1/40, 3/1/44, 3/1/49	\$203,275,000
Baltimore County Metropolitan District Bonds 2019 Refunding Series	8/6/19	11/1/30-11/1/39	\$32,315,000
Baltimore County Metropolitan District Bonds (82 nd Issue)	3/19/20	3/1/31-3/1/50	\$34,050,000
Baltimore County Metropolitan District Bonds (83 rd Issue)	3/22/21	3/1/32-3/1/51	\$167,010,000
Baltimore County Metropolitan District Bonds 2021 Refunding Series	3/22/21	8/1/32-8/1/41	\$33,505,000
Baltimore County Metropolitan District Bonds (84 th Issue)	3/24/23	3/1/34-3/1/53	\$182,405,000
Baltimore County Metropolitan District Bonds (85 th Issue)	7/24/24	7/1/35-7/1/54	\$36,480,000
Baltimore County Metropolitan District Bonds 2024 Refunding Series	7/24/24	2/1/35-2/1/45	\$43,115,000
Baltimore County Metropolitan District Bonds 2024A Refunding Series	9/17/24	7/1/35-7/1/40, 7/1/42, 7/1/43	\$27,505,000
Total			\$1,211,125,000

CAPITAL BUDGET - DEBT AFFORDABILITY GUIDELINES

Debt Service⁽¹⁾ as % of General Fund Revenue

Guideline - 9.5% of General Fund Revenue ⁽²⁾	\$ 244,591,394
FY 2025 Budget	<u>(224,848,970)</u>
Under (Over) Guideline	<u>\$ 19,742,424</u>

Debt Outstanding⁽¹⁾ as % of Total Property Value

Guideline - 2.5% of Assessed Property Value	\$ 2,681,857,225
Estimated Debt Outstanding as of 6/30/2025	<u>(1,948,088,983)</u>
Under (Over) Guideline	<u>\$ 733,768,242</u>

Legal Debt Limit ⁽³⁾

Estimated Assessable Base	\$ 107,274,289,000
	x 4%
Debt Limit Equal to 4% of Assessable Base	<u>\$ 4,290,971,560</u>

Estimated Debt Outstanding as of 6/30/2025			
Public Facility Bonds	\$ 658,578,000		
Public School Bonds	949,919,000		
Pension Obligation Bonds	296,611,000		
Community College Bonds	<u>118,568,000</u>	<u>(2,023,676,000)</u>	
Under (Over) Legal Debt Limit		<u>\$ 2,267,295,560</u>	

(1) Excludes Pension Obligation and Metropolitan District bonds, and Component Unit Capital Leases not budgeted under Primary Government.

(2) Estimated total revenues as provided by the Office of Budget and Finance.

(3) Excludes Certificates of Participation, Capital Leases, and Metropolitan District bonds.

Bill 104-24

Council District(s) All

Mr. Marks

Vehicles and Traffic – Operation of a Golf Cart on County Highways

Bill 104-24 establishes a process for permitting the operation of a golf cart on certain County roads. This process is established as a time-limited pilot program which will expire on December 31, 2026 unless extended by the County Council.

In Maryland, the operation of golf carts on State, county, or municipal roads has historically been a facet of rural waterfront communities and permitted on a limited basis by the Maryland General Assembly. In its 2024 legislative session, the Maryland General Assembly enacted House Bill 43, which authorizes counties and municipalities to designate county or municipal highways under their respective jurisdictions on which a person may operate a golf cart. Baltimore County has several waterfront communities that may benefit from the flexibility of operating a golf cart in certain rural areas, but implementation of a program to designate public roads where drivers may operate a golf cart must be thoughtful in order to ensure the safety of all drivers, passengers, and pedestrians.

In general, Bill 104-24 sets the same requirements as State law regarding the operation of a golf cart on public roads. Specifically, a golf cart may only be operated between dawn and dusk and on public roads where the maximum posted speed limit does not exceed 30 miles per hour. Also, the golf cart must be equipped with lighting devices as required by State law, regulation, or policy. Last, the operator of the golf cart must possess a valid driver's license and must keep the golf cart as far to the right of the roadway as feasible.

Bill 104-24 also limits the operation of a golf cart to public roads which have proper signage stating the operation is permitted. The Department of Public Works and Transportation (DPW&T) may only place such signage on public roads authorized by a resolution passed by the County Council. A resolution authorizing golf cart signage can only do so for one Council district, meaning each Council district must receive its own authorizing resolution. Last, the DPW&T Director, in consultation with the Police Department, shall provide the Secretary of the County Council with an annual report on the use of golf carts on public roads in the County.

With the affirmative vote of five members of the County Council, Bill 104-24 will take effect 14 days after its enactment and shall expire December 31, 2026, without the necessity of further action by the County Council.

FM-2 (3rd Amendment to Lease)

Council District(s) 3

Department of Health and Human Services

Emergency Preparedness Warehouse Space

The Administration is requesting approval of a third amendment to a lease agreement with St. John Properties, Inc. for 6,000 sq. ft. of warehouse storage space at 2167-2169 Greenspring Drive in Timonium to house equipment and supplies needed to respond to public health emergencies and disasters in the County. The current lease expires December 31, 2024. The amendment, which commences January 1, 2025, extends the current 10-year lease by 5 years (through December 31, 2029). Property Management advised that the estimated cost for the additional 5-year term totals \$553,960. Property Management is unable to provide the estimated cost for the entire 20-year term, including the 5-year extension period. See Exhibit A.

Fiscal Summary

Funding Source	Lease Amendment (CY 2025 – 2029)	Current Total Compensation (CY 2010 - 2024)	Amended Total Compensation (CY 2010 – 2029)
County	--	--	--
State	--	--	--
Federal ⁽¹⁾	\$ 553,960	**	**
Other	--	--	--
Total	<u>\$ 553,960</u> ⁽²⁾	<u>**</u> ⁽³⁾	<u>**</u> ⁽³⁾

⁽¹⁾ Centers for Disease Control and Prevention, Cities Readiness Initiative funds passed through the Maryland Department of Health.

⁽²⁾ Estimated compensation for the additional 5-year term.

⁽³⁾ Estimated compensation for the current 15-year term and entire 20-year term, including the 5-year extension, is not available. Property Management advised that it only maintains 5 years of accounting records and noted that estimated total compensation for the period CY 2020-2024 totals \$461,528.

Analysis

Under the Public Health Emergency Preparedness Program, the Department must keep necessary supplies and materials on hand to respond to public health emergencies and disasters within the County. On December 21, 2009, the Council approved a 5-year lease agreement (which commenced January 1, 2009) with St. John Properties, Inc. for 3,000 sq. ft. of storage space at 2187 Greenspring Drive in Timonium for the Department's emergency preparedness and response equipment and supplies. On October 6, 2014, the Council approved the first amendment, which commenced January 1, 2015, to extend the term of the lease by 5 years (through December 31, 2019) and to increase and change the location of the leased warehouse space (to 6,000 sq. ft. at 2167-2169 Greenspring Drive). On December 2, 2019, the Council approved the second amendment, which commenced January 1, 2020, to extend the term of the lease by 5 years (through December 31, 2024).

The proposed third lease amendment extends the current 15-year term by 5 years, from January 1, 2025 through December 31, 2029. Property Management advised that the proposed amendment converts the current modified gross lease to a triple net lease, where the County will be paying lower base rent but higher/additional operating expenses. The annual rent for CY 2025 will be \$81,840 (\$6,820 per month, a decrease from \$7,755 per month in CY 2024) and will increase by 3% each year for a total of \$434,500 for the 5-year term. The County's pro-rata share (3.17%) of estimated Common Area Maintenance (CAM) costs and real estate taxes (new, previously 3.17% of taxes in excess of those assessed during a base period) and additional operating expenses will be \$13,140 in CY 2025 (\$1,095 per month, an increase from \$98 per month in CY 2024). In addition, the County will be responsible for the cost of utilities (e.g., electricity and gas) estimated at \$5,500 in CY 2025, and HVAC maintenance costs estimated at \$4,025 annually (new). The amendment also provides for the landlord to construct interior improvements to the property, which includes widening an existing doorway; Property Management advised that the improvement will allow the movement of double-stacked pallets throughout the warehouse and is estimated to cost \$3,161, which the landlord will roll into the lease at a cost of \$64.09/month (or a total of \$3,845, which includes interest). The amendment also provides that the County must maintain commercial general liability and workers' compensation insurance; updates provisions regarding HVAC warranties and repair timeframes; and provides that the landlord may terminate the lease for failure to pay after five business days prior written notice (previously 10 days). Property Management advised that the estimated lease cost for the 5-year extension period totals \$553,960 (\$434,500 in rent and \$119,460 in operating and other expenses). The amendment provides that if the funds are not otherwise made available,

the County may terminate the lease by providing 90 days prior written notice and shall pay the landlord the remaining principal related to the interior improvements based on the date of termination (previously 120 days with no penalty). All other terms and conditions remain the same.

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

EXECUTIVE SUMMARY

This Third Amendment to the lease provides for the continued property lease of 6,000 square feet of space at 2167-2169 Greenspring Avenue, Timonium, MD 21093. This is a lease for the Department of Health and Human Services LBSS/PHEP emergency preparedness warehouse space to house the items needed for a high level of readiness of emergencies.

This Third Amendment to the lease shall commence on January 1, 2025 and continue through December 31, 2029. The County shall pay the total rent of \$434,499.68 for the five-year term.

In addition to the rent, the County will be responsible for utilities, HVAC Contract, and operational expenses/ Common Area Maintenance (CAM).

Prepared by: Department of Health and Human Services

FM-3 (Contract)

Council District(s) All

Office of Information Technology

Miss Utility Notification Services

The Administration is requesting approval of a contract with One Call Concepts, Inc. to provide “Miss Utility” notification services related to County-owned underground utilities (i.e., natural gas, water, sewer, and fiber optic cabling and infrastructure equipment). The contract commences upon Council approval, continues for 2 years, and will renew automatically for eight additional 1-year periods. The contract does not specify a maximum compensation amount. The Office advised that compensation is project-driven. The Office further advised that estimated compensation totals \$477,960 for the entire 10-year term, including the renewal periods. See Exhibit A.

Fiscal Summary

Funding Source	Total Compensation	Notes
County ⁽¹⁾	\$ 477,960	⁽¹⁾ General Fund Operating Budget and Metropolitan District Fund. ⁽²⁾ Estimate for the entire 10-year term.
State	--	
Federal	--	
Other	--	
Total	\$ 477,960 ⁽²⁾	

Analysis

Under State law, utility owners are required to register the locations of their underground assets with Miss Utility’s online mapping program. Miss Utility notifies utility owners when an individual (person, firm, corporation, or other entity) plans to dig in an area where such utilities are located.

The proposed contract provides that One Call Concepts, Inc., which has owned and operated Miss Utility since 1994, will continue to provide Miss Utility notification services. The Office advised

that the contractor will identify any County-owned underground utility and notify the Department of Public Works and Transportation (for water, sewer, and gas work) and the Office of Information Technology (for fiber and infrastructure work) so that the County or its contractors may mark the underground utilities at the pending excavation site in order to prevent damage to pipes and cables. Unit prices range from \$1.06 per transmission delivery ticket to \$150 per hour for technical support.

The contract commences upon Council approval, continues for 2 years, and will renew automatically for eight additional 1-year periods, unless either party provides notice of non-renewal. The contract does not specify a maximum compensation amount. The Office advised that compensation is project-driven. The Office further advised that estimated compensation totals \$477,960 for the entire 10-year term, including the renewal periods.

The contract provides that subsequent to the first year of the contract, the contractor may request an escalation in unit prices in accordance with the Consumer Price Index – All Urban Consumers – Baltimore-Columbia-Towson – 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 180 days prior written notice, beginning at the end of the second full contract year. Either party may terminate the agreement for default by providing the defaulting party 30 days' notice to cure.

On August 1, 2011, the Council approved a similar 13-year contract (which commenced May 1, 2011) with One Call Concepts, Inc.; the contract expired April 30, 2024. The Office advised that in September 2023, it issued a purchase order under this contract for services from August 1, 2023 through June 30, 2024. The County's financial system indicates that as of November 12, 2024, expenditures/encumbrances through June 30, 2024 totaled \$449,547.

The Office advised that on September 9, 2024, the Office entered into a (retroactive) 6-month purchase order (which commenced July 1, 2024) not to exceed \$13,000 with One Call Concepts, Inc. for similar services. The Office further advised that the estimated total value of services to be provided from July 1, 2024 through the commencement of the proposed contract is \$12,000.

The Office advised that the contract was awarded on a sole-source basis since One Call Concepts, Inc., the State-approved vendor for Miss Utility notification services, has exclusive rights to the software that maintains the databases of locations of underground utilities throughout the County.

County Charter, Section 715, requires that “any contract must be approved by the County Council before it is executed if the contract is...for services for a term in excess of two years or involving the expenditure of more than \$25,000 per year...” As previously mentioned, services continued to be provided under the previous long-term agreement beyond its expiration date; this situation constitutes a violation of the aforementioned section of the County Charter.

Executive Summary

History – The previous agreement with One Call Concepts Inc for Miss Utility notifications was a multi-year contract executed in 2011 that expired in 2024. One Call Concepts, Inc. is the sole provider of these notification services and has exclusive rights to the software that maintains the databases of locations of underground utilities throughout the County.

Summary – One Call Concepts, Inc. will continue to provide Miss Utility notification services for the Department of Public Works and for the Office of Information Technology. Prior to digging, a person, firm, corporation or other entity is required by Maryland State Law to contact Miss Utility. One Call Concepts, Inc. identifies any County owned underground utility and notifies the appropriate County Agency so that they may take appropriate action to prevent damage to the underground property.

Fiscal Impact - In no event shall the compensation paid to the contractor exceed the sum of County Council approved appropriation in any contract year.

Prepared by: Office of Information Technology

Mr. Marks

Amend the Perry Hall Community Plan

Resolution 46-24 amends the Perry Hall Community Plan. Specifically, the amendments modify parking space requirements in the first Design Review Panel recommendation regarding the 3.8-mile commercial corridor of Belair Road from White Marsh Boulevard to Honeygo Boulevard.

With the passage of Resolution 43-22, the Council required that for new construction in this area, any buildings shall be placed as close to the road as possible, with limited parking in the front consisting of one-way aisle with parallel parking or one-way aisle with angled parking, and the bulk of parking should be provided at the side or in the back. Resolution 46-24 adds an exception that states that for new buildings where only one access driveway is provided to Belair Road, full bay perpendicular parking with two-way drive aisles shall be permitted in the front.

Resolution 46-24 shall take effect from the date of its passage by the County Council.

Councilmembers Patoka, Ertel, Kach, Marks, Crandell & Young

Establishing 2025 Redistricting Commission

Resolution 47-24 establishes the Baltimore County Councilmanic Redistricting Commission to recommend a redistricting map and legislation for the 2026 general election.

On July 1, 2024, the County Council enacted Bill 47-24 which amended the Baltimore County Charter to increase the number of Council districts from seven to nine starting with the 2026 election. Bill 47-24 also amended the Councilmanic redistricting process set forth in Section 207 of the Charter. On November 5, 2024, the voters of Baltimore County approved the Charter amendments enacted in Bill 47-24, including the requirement that Council districts be revised to establish nine Councilmanic districts for the 2026 election.

Bill 47-24 specifically amended Charter Section 206 to state “revisions of council districts may only be enacted in accordance with Section 207 of this Charter and may only occur: before October 1, 2025 or after each decennial census of the United States; or upon ratification of amendments to this Charter by the voters of Baltimore County to increase or decrease the number of council districts.” Bill 47-24 also amended Charter Section 207 to change the membership of the redistricting commission from five members appointed by the County Council to seven members, with one commission member nominated by each Councilmember and confirmed by the County Council.

Charter Section 207 requires the Commission to hold at least three public hearings and to recommend to the County Council legislation to revise, amend, or reconstitute the Councilmanic districts such that the districts are compact, contiguous, and substantially equal in population, with due regard given to current natural, geographic, and community boundaries. Upon receipt of the Commission’s recommendation, the County Council is required to hold at least one public hearing on the Commission’s recommendation and to adopt a final redistricting plan by legislative act in accordance with the requirements of the County Charter. In accordance with the amendments to Charter Sections 206 and 207 approved by County voters, the County Council is required to establish a Redistricting Commission to revise the Councilmanic districts for the 2026 election.

Accordingly, Resolution 47-24 states that the seven members of the Commission shall be appointed and confirmed by the County Council by January 21, 2025. The resolution also states that in accordance with the overall redistricting deadline in Charter Section 206 of October 1, 2025, the Baltimore County Councilmanic Redistricting Commission shall hold at least three public hearings and prepare a recommendation and proposed legislation, including the configuration of nine Councilmanic districts, to the County Council in accordance with Charter Section 207 on or before June 13, 2025. Last, the Redistricting Commission shall dissolve without further action by the County Council by October 31, 2025.

Resolution 47-24 shall take effect from the date of its passage by the County Council.

BALTIMORE COUNTY COUNCIL
NOTES TO THE AGENDA
APPENDIX A

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

TO: County Administrative Officer **DATE:** 11/6/24

FROM: Kevin D. Reed, Director *[Signature]* **COUNCIL MEETING**
Office of Budget & Finance **DATE:** 12/2/24

SUBJECT: Public Recordation of Announcement
of Non-Competitive Commodity Awards Charter Sec. 902(f)

Whenever a commodity Supplier Contract / Purchase Order over \$25,000 is awarded by a process other than a formal competitive bid, a copy of the Supplier Contract / Purchase Order must be provided to the Administrative Office for placement on the County Council agenda for announcement at the next session following the award of the Supplier Contract / Purchase Order. The announcement shall be recorded in the minutes of the County Council meeting, and shall be available for inspection by the public. In compliance with this procedure, supporting documentation of the awards are included and will be forwarded to the County Council.

Award Document

PO 10020684 Noregon Systems, LLC

This Purchase Order provides for the purchase of JPRO diagnostic tools. As detailed in the Sole Source Justification signed by Lauren Buckler, Noregon Systems, LLC is the manufacturer and sole source provider of the JPRO diagnostic tool. The diagnostic tool will be utilized in diagnosing issues and repairs needed on trucks and off-road equipment owned by the County. This diagnostic tool covers all makes and models of commercial trucks and equipment owned by the County which will simplify the diagnostic process and expediting maintenance and repairs in order to reduce down time.

Award Total: \$71,930.13
Award Date: 10/25/24

PO 10018841 Skyline Technology Solutions, LLC

This Purchase Order provides for the purchase of Video Sharing Portal Hardware and Software. Skyline Technology Solutions, LLC is the sole source and creator of Claris Video Management System. As detailed in the Sole Source Justification signed by Christopher Martin, Claris is a video management system used to stream CCTV video from over 2,700 Baltimore County and 7,000 Baltimore County Public School cameras on demand for use in a command center or other emergency Police uses in the event of a public safety event.

If this product was unavailable, the Police Department would lose access to camera views that might be used in case of an emergency to assess the situation and enhance public safety. The total annual renewal cost of \$72,336.00 has not increased over the last two fiscal periods.

Award Total: \$72,336.00
Award Date: 10/28/24

SCON 10002482 Sitech Chesapeake, LLC

This Supplier Contract is for the purchase of License Renewal for a GPS Tracking System utilized by Department of Public Works and Transportation. As detailed in the Sole Source Justification signed by Lauren Buckler, Sitech Chesapeake, LLC is the sole supplier of this GPS system in the State of Maryland. The County utilizes their product in all Caterpillar Equipment, including dozers and compactors, used at the landfills. These pieces of equipment come from the factory, prewired for this software. The trackers provide field access to all site designs for operators. It provides assistance with the blades on a bulldozer to ensure proper grade. Furthermore, they collect compaction data to monitor density to maximize landfill space. The system also works with a recently purchased drone, used for site surveys and other calculations. These instruments are critical for maximizing landfill space and data.

3 Year Estimated Award Total: \$64,200.00
Award Date: 10/31/24

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