

**BALTIMORE COUNTY COUNCIL
NOTES TO THE AGENDA
LEGISLATIVE SESSION 2025**

*Issued: January 9, 2025
Reissued: January 13, 2025
Reissued: January 14, 2025
Work Session: January 14, 2025
Legislative Day No.2: January 21, 2025*

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



OFFICE OF THE COUNTY AUDITOR

BALTIMORE COUNTY COUNCIL

January 21, 2025

NOTES TO THE AGENDA

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* Note included in reissued package.

**AGENDA
BALTIMORE COUNTY COUNCIL
LEGISLATIVE SESSION 2025, LEGISLATIVE DAY NO. 2
JANUARY 21, 2025 6:00 P.M.**

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

Page

CALL OF BILLS FOR FINAL READING AND VOTE

COUNCIL

- 1 Bill 105-24 – Mr. Patoka – Zoning Regs. – Special Regulations for a Cemetery in the Density, Residential 2 (D.R. 2) Zone
- 2 Bill 106-24 – Mr. Marks – Zoning Regs. – Uses permitted in the Business, Local (B.L.) Zone – Special Regulations for Commercial, Community Core (C.C.C.) Districts

BILLS FOR FIRST CONSIDERATION

LAUREN BUCKLER, DIRECTOR, DEPARTMENT OF PUBLIC WORKS & TRANSPORTATION

- 3 Bill 107-24 – Mr. Patoka(By Req.) – Posting Signs on Public Property

COUNCIL

- 5 Bill 1-25 – Mr. Marks – Zoning Regs. – Uses Permitted in the Business, Maritime Marina (B.M.M.) Zone – Marina Storage Shipping Containers
- 7 Bill 2-25 – Mr. Marks – Zoning Regs. – Farm Markets – Accessory Carry-Out Restaurant

APPROVAL OF FISCAL MATTERS/CONTRACTS

COLONEL JOSEPH CONGER, POLICE DEPARTMENT

- 9 1. Lease – St. John Properties, Inc. – Temporary space – Detective Unit Precinct 1

BOB SMITH, DIRECTOR, DEPARTMENT OF RECREATION & PARKS

- 13 2. Amendment to Contract – United Rentals North America, Inc. – Portable toilet rental and servicing

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

- 17 3. Contract – Procure Ambulance of Maryland, Inc. – Transportation Services – Medical appointments

HORACIO TABLADA, DIRECTOR, DEPARTMENT OF ENVIRONMENTAL PROTECTION & SUSTAINABILITY

- 21 4. Amendments to Contracts – (2) – Chemical analysis – Water, soil & fish tissue samples

DEBRA SHINDLE, CHIEF, PROPERTY MANAGEMENT

- 25 5. Contracts – (6) – On-call civil engineering services

CHRIS MARTIN, DIRECTOR, OFFICE OF INFORMATION TECHNOLOGY

- 29 6. Contract – Iron Mountain Information Management – Document and information lifecycle management

MISCELLANEOUS BUSINESS

COUNCIL

- 45 1. Correspondence - (a) (5) - Non-Competitive Awards (December 19, 2024)
- 34 2. Res. 50-24 – Mr. Jones – Supporting the Maryland Railway Safety Act by the Maryland General Assembly

COLONEL JOHN MCGANN, POLICE DEPARTMENT

- 35 3. Res. 1-25 – Mr. Patoka(By Req.) – Accept conditional gift – Nationwide Mutual Insurance Company – Regional Auto Theft Task Force

AMY TREXLER MANTAY, DEPUTY DIRECTOR, DEPARTMENT OF PLANNING

- 38 4. Res. 2-25 – Mr. Patoka(By Req.) – Department of Planning – Small Area Plan process

LAUREN BUCKLER, DIRECTOR, DEPARTMENT OF PUBLIC WORKS & TRANSPORTATION

- ~~WITHDRAWN 5. Res. 3-25 – Mr. Patoka(By Req.) – Amend Baltimore County Water Supply & Sewerage Plan – Cycle 42 – Issue 2401 – 5301 Keech Road~~

COUNCIL

- 40 6. Res. 4-25 – Councilmembers Marks & Crandell – Encourage the Maryland General Assembly – Rejection of beer and wine sales in grocery stores
- 42 7. Res. 5-25 – Mr. Marks – Encourage the Maryland General Assembly – Support passage of legislation to amend reserve fund mandates for Maryland condominium associations
- 8. Appointment – Mr. Young – Baltimore County Planning Board – Christopher Brody Tennant
- 9. Appointment – Mr. Kach – Baltimore County Planning Board – Mark T. Duvall
- 10. Appointment – Mr. Patoka – Baltimore County Councilmanic Redistricting Commission – Lisa Belcastro
- 11. Appointment – Mr. Kach – Baltimore County Councilmanic Redistricting Commission – Eric Rockel
- 12. Appointment – Mr. Marks – Baltimore County Councilmanic Redistricting Commission – John E. Dulina
- 13. Appointment – Mr. Ertel – Baltimore County Councilmanic Redistricting Commission – Al Harris
- 14. Appointment – Mr. Crandell – Baltimore County Councilmanic Redistricting Commission – Edward Kramer
- 15. Appointment – Mr. Young – Baltimore County Councilmanic Redistricting Commission – Ratonda Tate-Duffy
- 16. Appointment – Mr. Jones – Baltimore County Councilmanic Redistricting Commission – Linda Dorsey-Walker
- 17. Appointment – Mr. Jones – Baltimore County Planning Board – Edward Braddy

Mr. Patoka

Zoning Regs. – Special Regulations for a Cemetery in the Density Residential 2 (D.R. 2) Zone

Bill 105-24 clarifies that a cemetery in the Density Residential 2 (D.R. 2) Zone is permitted by special exception except under certain circumstances and in certain locations in which the use is permitted by-right.

Currently, Section 1B02.1 of the Zoning Regulations permits a cemetery by special exception in the D.R. 1, D.R. 2, D.R. 3.5, and D.R. 5.5 Zones. However, this section is silent as to whether a D.R.-zoned lot that was part of a cemetery with an approved special exception and was subsequently subdivided requires a special exception to remain a cemetery.

Bill 105-24 clarifies Section 1B02.1 by adding a new section to the special regulations governing cemeteries and alternative burial grounds. The new section states that a D.R. 2-zoned lot that is adjacent to an existing cemetery and was subject to an approved special exception for a cemetery at any point prior to January 1, 2024, may be used as a cemetery by right, even if the lot does not still retain the special exception. If these conditions are not met, a cemetery on a lot in the D.R. 2 Zone is still permitted by special exception.

With the affirmative vote of five members of the County Council, Bill 105-24 will take effect 14 days after its enactment.

Mr. Marks

**Zoning Regs. – Uses Permitted in the Business, Local (B.L.) Zone –
Special Regulations for Commercial, Community Core (C.C.C.) District**

Bill 106-24 permits a combination of apartments and housing for the elderly in the Business Local (B.L.) Commercial, Community Core (C.C.C.) District if located within a certain geographic area.

Currently, apartments are permitted in the B.L. C.C.C. District, but only above the first story of a building. However, elderly housing facilities and apartments restricted to those age 55 and older are permitted in any story of such a building. Bill 106-24 permits a combination of apartments and elderly housing facilities in any story of a building in the B.L. C.C.C. District if the building is located east of Perring Parkway, north and northeast of I-695, and north of MD-Route 702 and Eastern Boulevard.

With the affirmative vote of five members of the County Council, Bill 106-24 will take effect 14 days after its enactment.

Bill 107-24

Council District(s) All

Mr. Patoka (By Req.)

Department of Public Works and Transportation

Posting Signs on Public Property

Bill 107-24 removes from the County Code the general prohibition against posting a sign on a street lamppost that is owned by the County and adds “banner” to the definition of “sign” with regard to posting signs on public property. The bill also adds a provision allowing the Director of the Department of Permits, Approvals and Inspections (PAI) to issue permits for the hanging of signs from street lampposts owned by the County. See Exhibit A.

Under current law, a person may not affix a sign to, among other places, a flagpole, street lamppost, or tree that is owned by the County. Within the context of this prohibition, a “sign” means a bill, poster, placard, handbill, flyer, painting, sign, notice, advertisement, or other similar objects or matter that contains printed or written words, symbols, or pictures.

Bill 107-24 amends this prohibition to remove street lamppost and amends the definition of “sign” to include a banner. Last, Bill 107-24 adds a new section that authorizes the Director of PAI to issue a permit for the hanging of signs from street lampposts that are owned by the County. Any such permit must be issued in accordance with relevant County Codes, regulations, and policies.

The Department of Public Works and Transportation advised that it will review permit applications and, upon approval, forward to PAI for processing. The Department further advised that PAI will charge a \$100 permit fee. The Department advised that it is unable to estimate the number of permits expected to be issued annually or estimate annual revenues due to unknown demand.

Bill 107-24 shall take effect 45 days after its enactment.

Executive Summary

County residents and organizations have asked that they be permitted to hang banners from street lamp posts owned by the County. The banners would be for displaying seasonal themes, advertising specific public events, or hanging other approved signage. This legislation removes the current restriction in §23-1-102 of County Code that prohibits signage on street lamp posts and adds §23-2-103 which gives the County the ability to issue permits for the hanging of signs from County-owned street lamp posts. The permitting process includes specific regulations to ensure banners are appropriate and installed by professionals.

Prepared by: Department of Public Works and Transportation

Mr. Marks

**Zoning Regs. – Uses Permitted in the Business, Maritime Marina (B.M.M.) Zone –
Marina Storage Shipping Containers**

Bill 1-25 permits the use of shipping containers in a certain area for marina-related storage in the Business, Maritime Marina (B.M.M.) Zone under certain conditions.

The B.M.M. Zone, along with the Business Maritime Boatyard (B.M.B.) Zone and the Business Maritime Yacht Club (B.M.Y.C.) Zone), are generally classified as Business Maritime Zones. These zones were established in recognition of the County’s characteristic development pattern in which the major river tributaries providing access to the Chesapeake Bay attract both residential and maritime use. Business Maritime Zones are intended to provide for the orderly, efficient, and enjoyable use of the land areas adjacent to the County’s navigable waterways by establishing three different zones which regulate the type and intensity of water-oriented land uses. Specifically, the B.M.M. Zone was established to accommodate water-dependent facilities and associated uses at a scale in keeping with the surrounding residential community.

The dominant use in the B.M.M. Zone is marinas. While the B.M.M. Zone does permit some marina-related out-of-water storage, the Zoning Regulations have not kept up with modern storage solutions that fit the nature of these marinas as they operate today. With storage space at an increasing premium and marina business margins falling, a modular and cost-effective storage solution is required.

Bill 1-25 addresses this issue by permitting shipping containers – which may be no larger than 8 feet wide, 9 feet tall, and 40 feet long – for permanent or long-term marina-related storage under specific conditions. First, such use of shipping containers is only permitted in the Bowleys Quarters Community Action Plan 2000 area. Second, the total number of shipping containers may not exceed one container per acre of marina property, up to a maximum of five containers on a single property.

Third, there are several siting requirements. All shipping containers are subject to a 50-foot setback from any property line; may not be stacked on another shipping container; and must be placed on the marina property in a manner that does not adversely impact a neighboring property.

Last, each container must be uniformly painted in an earth tone and maintained such that it remains free from rust. Also, a shipping container authorized under the provisions of Bill 1-25 may not be used as a temporary storage unit, as defined in Section 18-2-608 of the County Code.

With the affirmative vote of five members of the County Council, Bill 1-25 will take effect 14 days after its enactment.

Bill 2-25

Council District(s) 5

Mr. Marks

Zoning Regs. – Farm Markets – Accessory Carry-Out Restaurant

Bill 2-25 permits a carry-out restaurant as an accessory use to a farm market in certain locations and under specific conditions. A “farm market” is defined in the Zoning Regulations as “an accessory or principal building or structure other than a dwelling which is used by one or more farmers for the sale of products grown, or grown and produced, primarily on their own farms or for the sale of other indigenous farm products.” The definition also states “a farm market may sell a limited amount of locally produced nonagricultural goods such as handcrafted items, homemade baked goods, homemade preserves, and jams.”

While the definition of a farm market permits most activities and sales of a regular grocer, the definition does not contemplate the on-premises preparation and sale of traditional deli or grocery hot-bar items such as fresh sandwiches, egg salads, casseroles, etc. In grocery stores, these items are traditionally prepared daily on-site or made-to-order to be included with a customer’s other grocery items at check-out and eaten off-premises.

Bill 2-25 addresses this disparity by permitting a carry-out restaurant as an accessory use to a farm market. The Zoning Regulations define a “carry-out restaurant” as “an establishment whose principal business is the sale of ready-to-consume food and beverages to customers who order their food and beverages over the counter, by telephone or by fax machine and whose principal characteristic is that food and beverages are consumed off the premises.”

While Bill 2-25 permits an accessory carry-out restaurant, the bill also limits use in several ways to maintain the current nature of farm markets. The accessory carry-out restaurant is only permitted for a farm market in the Honeygo (H) Overlay District. As stated in the carry-out restaurant definition, food prepared by the restaurant is only for consumption off-premises. Also, the accessory carry-out restaurant must be located within the same building and maintain the same hours of operation as the farm market. Last, the accessory carry-out restaurant cannot exceed 25% of the gross floor area of the farm market or sell pre-packaged food that was prepared off-premises.

With the affirmative vote of five members of the County Council, Bill 2-25 will take effect 14 days after its enactment.

FM-1 (Lease)

Council District(s) 1

Police Department

Temporary Space – Detective Unit Precinct 1

The Administration is requesting approval of an agreement with St. John Properties, Inc. to lease approximately 4,016 sq. ft. at 1504 Joh Avenue, Suites 110-120 in Halethorpe for temporary operations of the Wilkens Police Precinct detective unit during the construction of the new precinct building. The lease commences May 1, 2025 and continues for two years and 2 months (the “lease term”). Rent for the lease term totals \$140,436. Property Management estimates that additional common area maintenance (CAM) (e.g., gross mowing, parking lot maintenance, real estate taxes)/additional operating expenses, utilities, and HVAC costs for which the County is responsible will total approximately \$56,933 during the lease term. The lease includes an early occupancy agreement which enables the County to occupy the premises beginning March 1, 2025; the County is not responsible for rent during this two-month period but is responsible for the aforementioned CAM/additional operating expenses, utilities, and HVAC costs, which Property Management estimates will total \$3,280, \$850, and \$196, respectively. The County is also responsible for information technology improvement costs totaling an estimated \$72,170. See Exhibit A.

Fiscal Summary

Funding Source	Total Compensation
County ⁽¹⁾	\$ 273,865 ⁽²⁾
State	--
Federal	--
Other	--
Total	<u>\$ 273,865</u> ⁽³⁾

(1) Capital Projects Fund

(2) Includes rent (\$140,436), estimated CAM/additional operating expenses (e.g., grass mowing, parking lot maintenance, real estate taxes) (\$42,637), utilities (\$11,750), and HVAC costs (\$2,546) for the two-year and two-month lease term, plus \$4,326 in estimated CAM/additional operating costs (\$3,280) utilities (\$850), and HVAC costs (\$196) for the 2-month early occupancy period and approximately \$72,170 for information technology improvements.

(3) Estimate for the entire 2-year and 4-month period, including the early occupancy period and the lease term.

Analysis

The County will lease approximately 4,016 sq. ft. located at 1504 Joh Avenue, Suites 110-120 in Halethorpe for temporary operations of the Wilkens Police Precinct detective unit during the construction of the new precinct building. While the existing Wilkens Police Precinct building will remain open during construction of the new building, Property Management advised that the detective unit's offices are located in a separate building that will need to be demolished to enable construction of the new facility. Property Management further advised that the County plans to break ground on the new building in September 2025 and estimates that construction will be completed in August 2027.

The lease commences May 1, 2025 and continues for two-years and 2-months (through June 30, 2027). Rent increases 4% annually, and totals \$140,436 during the lease term, including \$63,252 for the first 12 months, \$65,782 for the second 12 months, and \$11,402 for the remaining two months. Property Management estimates that the County's pro-rata share of Common Area Maintenance (CAM) costs and additional operating expenses will total approximately \$42,637. In addition, the County will be responsible for the cost of utilities (e.g., electricity and gas) and HVAC costs estimated at \$11,750 and \$2,546, respectively. The County is also responsible for information technology improvement costs totaling \$72,170, as estimated by the Office of Information Technology.

The lease includes an early occupancy agreement which enables the County to occupy the premises beginning March 1, 2025; the County is not responsible for rent, but is responsible for common area maintenance (CAM) (e.g., grass mowing, parking lot maintenance, real estate taxes) and additional operating expenses, utilities, and HVAC costs, which Property Management estimates will total \$3,280, \$850, and \$196, respectively.

The lease also indicates that, in the absence of any written agreement to the contrary, upon the expiration of the lease, the County may lease the premises on a month-to-month basis at \$11,402 per month, subject to the same terms and conditions.

In the event of default, the Landlord may terminate the lease or, without terminating the lease, may relet the premises for the remainder of the term; the County will be required to pay the deficiency between the annual rent and other lease payment obligations if payments received from such reletting does not at least equal the annual rent and other sums payable by the County, as well pay as other fees (e.g., commissions, renovations) related to the reletting. The County

may assign the lease to another party with the landlord's consent. The lease does not include provisions for the County to terminate the lease prior to the expiration date.

Property Management advised that, in conjunction with the Police Department, it considered nine different locations, and the Joh Avenue location best fit the Department's needs.

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

Executive Summary

This Agreement provides for Property lease of 4,016 square feet of space at 1504 Joh Avenue, Suites 110-120, Baltimore, Maryland 21227. Lease for temporary space to house the detective unit from Precinct 1 (Wilkins) during the construction of the new precinct building.

This Agreement and Early Occupancy shall commence on March 1, 2025 and continue through June 30, 2027. The County shall pay rent of \$140,436.30 for the 2-year, 4-month period.

In addition to the rent, County will be responsible for its share of Water/Sewer, Real Estate Taxes, and landlords Operating Expenses. As well as BGE, HVAC contract and FFE/OIT for facility.

Prepared by: Police Department/Property Management

FM-2 (Contract Amendment)

Council District(s) All

Department of Recreation and Parks

Portable Toilet Rental and Servicing

The Administration is requesting approval of an amendment to a contract with United Rentals North America, Inc., to continue to provide portable toilet rental and servicing for various County agencies. The proposed amendment, which commences upon Council approval, increases the maximum compensation by \$560,811, from \$613,290 to \$1,174,101 for the entire 5-year and 4-month term. The contract commenced March 1, 2021. See Exhibit A.

Fiscal Summary

Funding Source	Contract Amendment	Current Maximum Compensation	Amended Maximum Compensation
County ⁽¹⁾	\$ 560,811	\$ 613,290	\$ 1,174,101
State	--	--	--
Federal	--	--	--
Other	--	--	--
Total	<u>\$ 560,811</u>	<u>\$ 613,290</u>	<u>\$ 1,174,101</u> ⁽²⁾

⁽¹⁾ General Fund Operating Budget.

⁽²⁾ For the entire 5-year and 4-month term.

Analysis

Under the proposed amendment, the contractor will continue to provide all labor, equipment, supplies, and related items necessary for portable toilet rental and servicing for both regular and handicapped units located at various County facilities (e.g., parks, community centers). The Department advised that the proposed amendment is necessary because the compensation for the original contract was calculated based on the Department’s sole anticipated usage. Specifically, the Department advised that the contract has since been used by other County agencies including Property Management, Health and Human Services, Public Works and

Transportation, Police, Aging, and Permits, Approvals and Inspections, resulting in greater than anticipated expenditures.

Toilet rental and servicing is billed at a monthly rate of \$82.60 to \$236, depending on the unit (regular or handicapped) and frequency of servicing required (one or two per week). Additional servicing will be billed at \$30 per unit. Holding tank rental is billed at a monthly rate of \$236 or \$472, depending on the servicing required, with additional servicing billed at \$177 per unit. Hand washing station rental is billed at \$129.80 per unit with servicing billed at \$30 per unit. The County is also responsible for reimbursing the contractor for damaged or destroyed units, subject to certain limits.

The original contract provided that prior to the commencement of each renewal period, the County may entertain a request for an escalation in unit prices in accordance with the Consumer Price Index – All Urban Consumers – United States Average – All Items (CPI-U), as published by the United States Department of Labor, Bureau of Labor Statistics at the time of the request, or up to a maximum 5% increase on the current pricing, whichever is lower. The Office of Budget and Finance, Purchasing Division advised that the County amended the contract to award an 18% price escalation in 2023 due “unprecedented cost increases, primarily due to fuel/transportation costs” during and after the pandemic. The County may terminate the agreement by providing 30 days prior written notice.

On March 1, 2021, the Council approved the original 5-year and 4-month contract not to exceed \$613,290 for the entire term, including the renewal and extension periods. The proposed amendment, which commences upon Council approval, increases the maximum compensation by \$560,811, from \$613,290 to \$1,174,101 for the entire 5-year and 4-month term. All other terms and conditions remain the same. According to the County’s financial system, as of January 3, 2025, expenditures/encumbrances under the contract totaled \$599,367.

The County awarded the original contract through a competitive procurement process; no other bids were received. According to the bid documents, there was not an M/WBE participation requirement.

The County’s financial system indicates that the County has one other contract with United Rentals North America, Inc.

County Charter, Section 715, requires that “any contract must be approved by the County Council before it is executed if the contract is...for services for a term in excess of two years or involving the expenditure of more than \$25,000 per year....” As previously mentioned, the original contract was amended absent Council approval to increase prices beyond the originally contracted escalation clause; this situation may constitute a violation of the aforementioned section of the County Charter.

Executive Summary

LEGISLATIVE ISSUE: Contract – United Rentals

STAFF MEMBER: Jennifer Schmidt

DESCRIPTION OF CONTRACT: This is a contract to provide portable toilet rental and servicing of both regular and handicapped units throughout Baltimore County.

PURPOSE OF THE REQUEST: Portable toilets are placed at various Recreation and Parks facilities throughout Baltimore County for use by recreation program participants, spectators, and park visitors. Sites include parks, community centers and school-recreation centers.

CONTRACT BACKGROUND INFORMATION: The contract was awarded to United Rentals with the initial term of 3/1/2021 – 2/28/2022 with four (4) additional one year renewal options. The contract agreement was awarded through the competitive bid process and was awarded to United Rentals. The compensation was originally not to exceed \$613,289.82. A contract amendment is being requested to increase the not to exceed amount of \$613,289.82 to \$1,174,101.02 over the entire term.

Prepared by: Department of Recreation and Parks

FM-3 (Contract)

Council District(s) All

Department of Health and Human Services

Transportation Services – Medical Appointments

The Administration is requesting approval of a contract with ProCare Ambulance of Maryland, Inc. to provide Baltimore County Medicaid recipients transportation services to and from non-emergency, medically-necessary services (e.g., doctor’s office, medical facility). The contract commences upon Council approval, continues through September 5, 2026, and will renew automatically for one additional 1-year period with the option to extend the initial term or the renewal term an additional 120 days. The contract provides that compensation may not exceed the amount appropriated for these services for the entire contract term. Estimated compensation totals \$4,964,400 for the entire 1-year and 11½-month term, including the renewal and extension periods. See Exhibit A.

Fiscal Summary

Funding Source	Total Compensation	Notes
County	--	(1) Maryland Department of Health.
State ⁽¹⁾	\$ 2,482,200	(2) U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services funds passed through the Maryland Department of Health.
Federal ⁽²⁾	2,482,200	
Other	--	(3) Estimate for the entire 1-year and 11½-month term.
Total	<u>\$ 4,964,400</u> ⁽³⁾	

Analysis

The contractor will provide non-emergency wheelchair van and ambulance transportation services to and from medically-necessary, covered services for eligible Baltimore County Medicaid recipients and non-Baltimore County Medicaid recipients (as determined by the County—e.g., recipients discharged from a County facility to their home jurisdiction or transferred from a County facility to a different facility), including transportation for recipients’ escorts, as

needed, 24 hours per day, 7 days per week. The Department advised that both community-based recipients and recipients living in long-term care facilities are eligible for transportation.

Services include transportation to and from medically-necessary, scheduled medical appointments. Additionally, the contract provides that services could include return trips from hospital emergency visits and hospital stays, and for medically-necessary, inter-hospital transfers. The Department advised, however, that the contractor will only be transporting standing-order dialysis clients. The Department is required to operate Medicaid transportation in accordance with State regulations that specify screening criteria to ensure that recipients who have no resources available to them can access transportation to needed medical care. The contractor will be reimbursed for services based on the following unit rates:

		<u>Base Rate</u>
		<u>One-Way</u>
Standard Transportation – Wheelchair Van		\$ 200.00
Basic Life Support – Ambulance		\$ 475.00
Advanced Life Support – Ambulance		\$ 625.00
Specialty Care Paramedic – Ambulance		\$ 900.00
Specialty Care RN – Ambulance		\$ 1,000.00
	<u>Ambulance</u>	<u>Wheelchair Van</u>
Every Mile >20	\$ 10.00	\$ 8.00

The contract commences upon Council approval, continues through September 5, 2026, and will renew automatically for one additional 1-year period with the option to extend the initial term or the renewal term an additional 120 days on the same terms and conditions, unless the County provides notice of non-renewal. The contract provides that compensation may not exceed the amount appropriated for these services for the entire contract term. Estimated compensation totals \$4,964,400 for the entire 1-year and 11½-month term, including the renewal and extension periods.

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

The Department requested that the proposed contract be designated as a noncompetitive 902(f) award. The Department advised that the existing contractor (Hart to Heart Ambulance Service, Inc.), has been unable to accommodate all of the clients' transportation needs. The Department further advised that the Office of Budget and Finance, Purchasing Division informally solicited four transportation providers to supplement the services provided by Hart to Heart; ProCare Ambulance of Maryland, Inc. was the only provider to submit a proposal for consideration, and the Department subsequently negotiated the rates. The Department advised that the proposed contractor will transport clients who require multiple transports weekly to dialysis services.

On September 6, 2022, the Council approved the existing 5-year and 4-month contract with Hart to Heart Ambulance Service, Inc. According to the County's financial system, as of January 2, 2025, expenditures/encumbrances under the contract totaled \$8,543,963.

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

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

Executive Summary

ProCare Ambulance of Maryland

The Department of Health is requesting approval of a contract with ProCare of Maryland. ProCare provides transportation to medically necessary medical services for Medicaid recipients who have non-restricted eligibility. Both community-based recipients and recipients living in long-term care facilities are potentially eligible for transportation. The term of the contract is through September 5, 2026 with one (1), one-year renewal option.

Background

It is the mission of the Maryland Medicaid Program to improve the health and well-being of low-income Marylanders by assuring access to medically necessary health care services. Transportation is an essential component to assuring access to health care.

Federal regulations require states to have a plan to ensure that Medicaid recipients have transportation to medically necessary medical services. The Medical Assistance Transportation Grant Program is a Medicaid entitlement program coordinated locally by the Baltimore County Department of Health under COMAR 10.09.19 Transportations Grants.

Purpose

The grant covers trips to and from medically necessary scheduled medical services, including kidney dialysis. Additionally, the grant covers return trips from hospital emergency visits; return trips from hospital stays, and medically necessary inter-hospital transfers. All modes of transport are covered (ambulance, wheelchair van, sedan/van) as appropriate. Grantees are required to operate Medicaid transportation in accordance with State regulations governing the administration of the Grant. These regulations specify screening criteria to ensure that recipients who have no resources available to them to get transportation to needed medical care.

Fiscal

The estimated cost is approximately \$4,964,400.

Prepared by: Department of Health and Human Services

FM-4 (2 Contract Amendments)

Council District(s) All

Department of Environmental Protection and Sustainability

Chemical Analysis – Water, Soil, & Fish Tissue Samples

The Administration is requesting approval of amendments to two contracts, with TestAmerica Laboratories, Inc., dba Eurofins TestAmerica, and Martel Laboratories JDS, Inc., to provide additional chemical analysis of water, soil, and fish tissue samples collected in the County’s non-tidal waterways. The proposed amendments, which commence upon Council approval, increase the combined maximum compensation by \$1,050,000, from \$150,000 to \$1,200,000 for the entire 5-year and 4-month term, including the renewal and extension periods. The contracts commenced October 4, 2021. See Exhibit A.

Fiscal Summary

Funding Source	Combined Contract Amendments	Current Combined Maximum Compensation	Amended Combined Maximum Compensation
County	*	*	*
State	--	--	--
Federal	--	--	--
Other	*	*	*
Total ⁽¹⁾	\$ 1,050,000	\$ 150,000	\$ 1,200,000 ⁽²⁾

⁽¹⁾ Capital Projects Fund, General Fund Operating Budget, and PCB settlement fund. The Department advised that the specific breakout of funding by each source is not available.

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

Analysis

Under the proposed amendments, the contractors will continue to provide all materials, labor, and incidentals necessary to perform chemical analysis of water, soil, and fish tissue samples

collected in the County's non-tidal waterways by the Department's staff. The County uses the data to assess the health of the County's waterways and provide information on the effectiveness of water quality improvement projects, to help prioritize stream restoration projects, and to aid in watershed planning activities. The Department previously advised that these services are required for the County's compliance with the National Pollutant Discharge Elimination System (NPDES) – Municipal Separate Stormwater Sewer Systems (MS4) permit and various Total Maximum Daily Load (TMDL) implementation plans. According to the Department, the proposed amendments are necessary due to a projected significant increase in PCB (Polychlorinated Biphenyls) sampling and analysis to conform with updated State requirements issued in 2022; the Department advised that the County was required to submit a monitoring plan in 2024 and is required to complete the first phase of monitoring by the end of the current MS4 permit in November 2026.

The contractors will continue to analyze water samples collected as follows: 53 current sites throughout the County that are sampled once a month, regardless of weather conditions, and 2 sites in the Scotts Level watershed, which are sampled during at least 12 storms per calendar year. The Department advised that due to the additional PCB sampling, the number of sites will increase to 68 throughout the watersheds, with possible additional subwatershed monitoring increasing the number of sites to 475. The contractors also periodically perform water chemistry analysis for the County's illicit Discharge Detection and Elimination (IDDE) Program; soil chemistry analysis for erosion and nutrient loads to surface waters; analyze fish tissue for toxins (i.e., mercury, PCBs, and chlordane); and perform sediment and water analysis for toxic pollutants. The Department advised that each contractor performs a specific list of tests and that TestAmerica Laboratories, Inc., dba Eurofins TestAmerica performs all PCB analyses, while Martel Laboratories JDS, Inc. performs the other analyses. Unit prices range from \$7 to \$1,785 depending on the contractor, item, and sampling method.

On October 4, 2021, the Council approved the original 5-year and 4-month contracts with combined compensation not to exceed \$150,000. The proposed amendments, which commence upon Council approval, increase the combined maximum compensation by \$1,050,000, from \$150,000 to \$1,200,000 for the entire 5-year and 4-month term, including the renewal and extension periods. All other terms and conditions remain the same. According to the County's financial system, as of January 2, 2025, expenditures/encumbrances under the contracts totaled \$134,370 as follows: \$67,725 to Martel Laboratories JDS, Inc. and \$66,645 to TestAmerica Laboratories, Inc., dba Eurofins TestAmerica.

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

The County awarded the original contracts through a competitive procurement process; no other bids were received. According to the bid documents, there was not an M/WBE participation requirement.

The County's financial system indicates that the County has one other contract with Martel Laboratories JDS, Inc. and no other contracts with TestAmerica Laboratories, Inc., dba Eurofins TestAmerica.

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

Executive Summary

The Baltimore County Department of Environmental Protection and Sustainability (DEPS) is requesting the services of an analytical laboratory to perform chemical analysis of water, soil and fish tissue samples collected in Baltimore County. This analysis will be in support of the County's NPDES MS4 Permit requirements and various TMDL Implementation Plans. The Contract Lab will provide a broad list of constituents with specific methodology and detection limits. The data collected from this project will be used by the County to assess the health of the County's waterways and provide information on the effectiveness of improving water quality. The data will also be used to help prioritize stream restoration projects and aid in watershed planning activities. To conform with updated State requirements DEPS will be implementing an enhanced program for testing and tracking of Polychlorinated Biphenyls (PCBs) in affected Baltimore County waterways. This enhanced program necessitates this amendment to increase the contract capacity to allow for the comprehensive tracking effort to be supported.

Prepared by: Department of Environmental Protection and Sustainability

FM-5 (6 Contracts)

Council District(s) All

Property Management

On-Call Civil Engineering Services

The Administration is requesting approval of six contracts to provide on-call civil engineering services. The six contractors are: A. Morton Thomas and Associates, Inc., Brudis & Associates, Inc., Greenman-Pederson, Inc., Whitney, Bailey, Cox & Magnani, LLC (a division of TranSystems, Inc.), Wilson T. Ballard Company, and Whitman, Requardt and Associates, LLP. Each contract commences upon Council approval, continues for 2 years, and will renew automatically for up to two additional 1-year periods. Each contract provides that the agreements shall remain in effect until the earlier of the date upon which the required services are completed or the County terminates the agreement. The contracts provide that compensation for each contractor may not exceed \$1.0 million (\$6.0 million combined) for the entire 4-plus-year term, including the renewal periods. See Exhibit A.

Fiscal Summary

Funding Source	Combined Maximum Compensation	Notes
County ⁽¹⁾	\$ 6,000,000	⁽¹⁾ Capital Projects Fund. ⁽²⁾ For the entire 4-plus-year term (\$1.0 million per contractor).
State	--	
Federal	--	
Other	--	
Total	<u>\$ 6,000,000</u> ⁽²⁾	

Analysis

The six contractors will provide on-call civil engineering site design services. Services will include feasibility studies, conceptual plans, design development plans, construction drawings, permit processing, and construction administration for County Capital Projects. The Office of Budget

and Finance, Property Management Division advised that there are no specific projects planned for these contracts at this time.

Each contract commences upon Council approval, continues for 2 years, and will renew automatically for up to two additional 1-year periods, unless the County provides notice of non-renewal. Each contract provides that the agreement shall remain in effect until the earlier of the date upon which the required services are completed or the County terminates the agreement. The contracts provide that compensation for each contractor may not exceed \$1.0 million (\$6.0 million combined) for the entire 4-plus-year term, including the renewal periods.

The County will compensate each contractor for services at the engineer's cost plus profit. Profit is limited to 10% of the combined total of direct labor costs plus overhead and payroll burden. Hourly rates and percentages for overhead, payroll burden, and profit must be within established County limits. The County will not encumber funding for the contracts at this time but rather will charge contract costs to specific projects as it assigns work tasks. Property Management advised that work will be assigned as projects become available, based on the contractors' availability and experience. The County may terminate the agreements by providing 30 days prior written notice.

The contracts stipulate that should the contractors perform work under the 2005 consent decree, the contractors shall be liable for payments of penalties charged to the County for failure by the contractors to meet or achieve deadlines or requirements. The damages payable are dependent upon the type of project and the length of delay in completing the project. Property Management advised that the County does not expect to utilize the contracts for consent decree projects.

On January 22, 2024, the Professional Services Selection Committee (PSSC) selected the six contractors based on qualifications from 15 proposals. According to the procurement documents, there is a 30% M/WBE participation requirement.

On July 1, 2019, the Council approved two similar 4-plus-year contracts with Brudis & Associates, Inc. and Clark Azar and Associates, Inc. for "Tier 1" buildings (project sites equal to or less than 15,000 sq. ft.) not to exceed \$1.0 million each (\$2.0 million combined) and two similar 4-plus-year contracts with Gannett Fleming, Inc. and Site Resources, Inc. for "Tier 2" buildings (project sites greater than 15,000 sq. ft.) not to exceed \$3.0 million each (\$6.0 million combined). On July 1, 2023, the then-County Administrative Officer approved amendments to the contracts, adding two

additional one-year renewal periods. The County's financial system indicates that as of January 3, 2025, the County expended/encumbered \$2,559,252 under the contracts: \$753,114 to Clark Azar and Associates, Inc.; \$637,029 to Brudis & Associates, Inc.; \$619,093 to Site Resources, Inc.; and \$550,016 to Gannett Fleming, Inc.

The County's financial system indicates that as of January 6, 2025, the County has one other contract with A. Morton Thomas and Associates, Inc., three other contracts with Brudis & Associates, Inc., one other contract with Greenman-Pederson, Inc., four other contracts with Whitney, Bailey, Cox & Magnani, LLC, four other contracts with Wilson T. Ballard Company, and seven other contracts with Whitman, Requardt and Associates, LLP .

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, in July 2023, the then-County Administrative Officer approved amendments to the 2019 contracts, adding two additional one-year renewal periods; this situation may constitute a violation of the aforementioned section of the County Charter.

Executive Summary

On-Call Civil Engineering Service Agreement

Property Management is requesting the approval of contracts with A. Morton Thomas and Associates, Brudis & Associates, Inc., Greenman Pedersen, Inc., Whitney, Bailey, Cox & Magnani LLC, Wilson T. Ballard Company and Whitman Requardt and Associates, LLP for Civil Engineering and Site Design services.

THE PROJECT SCOPE

A. Morton Thomas and Associates, Brudis & Associates, Inc., Greenman Pedersen, Inc., Whitney, Bailey, Cox & Magnani LLC, Wilson T. Ballard Company and Whitman Requardt and Associates, LLP were selected by the Professional Services Selection Committee on January 22, 2024 to provide Professional Civil Engineering Site/Design Services as required by OBF/Property Management Division, on an as needed basis to furnish professional services for new construction, alterations and renovations projects to include project evaluation, planning, accessibility and engineering services. (e.g., civil, structural, landscape architectural etc.) or specialty services as required by task order for Baltimore County Government buildings/facilities. This Agreement shall be effective for an original term of two (2) years from the date of execution, and may be renewed for up to two (2) additional one (1) year periods. The maximum amount payable by the County, under this Agreement, shall not exceed the total price of One Million Dollars and Zero Cents (\$1,000,000.00) for each selected Consultant.

THE CONSULTANTS

The Professional Services Selection Committee chooses six Consultants: A. Morton Thomas and Associates, Brudis & Associates, Inc., Greenman Pedersen, Inc., Whitney, Bailey, Cox & Magnani LLC, Wilson T. Ballard Company and Whitman Requardt and Associates, LLP on January 22, 2024.

ORIGINAL AGREEMENT

TOTAL: \$1,000,000.00 upset limit per Consultant

Prepared by: Property Management

Office of Information Technology

Document and Information Lifecycle Management

The Administration is requesting approval of a contract with Iron Mountain, Inc. dba Iron Mountain Information Management, LLC to provide document and information lifecycle management services. The contract commences upon Council approval and continues through January 22, 2026. The contract provides that compensation may not exceed the amount appropriated for these services for the entire contract term. The Office of Information Technology (OIT) advised that estimated compensation totals \$154,220 for the 1-year term. See Exhibit A.

Fiscal Summary

Funding Source	Total Compensation	Notes
County ⁽¹⁾	\$ 154,220	⁽¹⁾ General Fund Operating Budget and Capital Projects Fund. ⁽²⁾ Estimate for the entire 1-year term.
State	--	
Federal	--	
Other	--	
Total	<u>\$ 154,220</u> ⁽²⁾	

Analysis

On June 21, 2004, the Council approved a 20-year contract with Guardian Services Group LTD not to exceed \$2,961,440 for records management services. OIT advised that in 2010, Nova Records Management LLC/Cornerstone Records Management purchased Guardian Services Group LTD; then, in October 2013, Iron Mountain, Inc. dba Iron Mountain Information Management, LLC acquired Cornerstone/Nova. The contract expired June 30, 2024.

OIT advised that the County awarded an interim contract with Iron Mountain, Inc. dba Iron Mountain Information Management, LLC with compensation not to exceed \$25,000 as a cooperative procurement of an existing competitively-bid 5-year Port of Portland agreement that

was awarded January 22, 2021 based on qualifications and best value from two proposals received. The interim contract commenced July 1, 2024 and continued through the earlier of December 31, 2024 or the date a new contract is executed. On October 21, 2024, the Council approved an amendment to the interim contract, increasing the maximum compensation by \$76,000, from \$25,000 to \$101,000 for the entire contract term. The County's financial system reflects that on December 2, 2024, the County Administrative Officer extended the amended interim contract through the earlier of January 31, 2025 or the date a new contract is executed. OIT advised that as of January 13, 2025, the County expended/encumbered \$60,497 under the contract. OIT did not provide an estimate of the value of services to be provided during the extension period.

OIT advised that the proposed contract is also a cooperative procurement of the 2021 Port of Portland agreement. Under the proposed contract, the contractor may provide document and information lifecycle management services to include, but not limited to, records management (standard storage), open shelf and image on demand services (e.g., electronic storage), secure shredding, IT asset disposition services, data management, a data center, program management and operations services, and digitization services to assist with lifecycle management; OIT advised that it plans to utilize the records management and digitization services.

The proposed contract commences upon Council approval and continues through January 22, 2026. The contract provides that compensation may not exceed the amount appropriated for these services for the entire contract term. OIT advised that estimated compensation totals \$154,220 for the 1-year term. OIT further advised that there is not an M/WBE participation requirement.

OIT advised that Iron Mountain, Inc. may request an escalation in unit prices and that the rate adjustment may not be more than the percentage change during the preceding contract year in accordance with the Consumer Price Index – All Urban Consumers – United States City Average – Not Seasonally Adjusted – All Items (CPI-U), as published by the United States Department of Labor, Bureau of Labor Statistics. However, OIT advised that it does not expect the County to honor an escalation in unit prices because OIT anticipates bringing forward a new, long-term cooperatively procured agreement with Iron Mountain, Inc. dba Iron Mountain Information Management, LLC for Council approval.

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, the amended interim contract was extended without Council approval; this situation may constitute a violation of the aforementioned section of the County Charter.

Executive Summary

History – In 2003, the County solicited for Records Management Services under Invitation to Bid no. 204723. The solicitation was awarded in parts. Guardian Services Group LTD was selected for the records management services component of the solicitation. On 6/21/04, County Council approved a one (1) year with nineteen (19) one-year renewal options for records management services with Guardian Services Group LTD. In December 2010, Nova Records Management LLC purchased assets of Guardian Services Group Ltd. Then on October 2013, Iron Mountain, Inc dba Iron Mountain Information Management LLC, assumed responsibility of the Cornerstone/Nova agreement.

Purpose – Baltimore County requires continued services for records management services for documents. The new agreement also provides the ability for additional services such as scanning to assist with lifecycle management.

Fiscal Impact – Based on the FY24 invoices, the estimated cost increase is 77% for the same services under the new contract. Total annual cost for FY24 was \$124,550. The same invoices with the new contract pricing applied is \$220,700, which is a total increase of \$96,150. Below is a table of basic services list the current pricing and new contract pricing with the percentage of increase.

Basic Services	Current Pricing	New Contract Pricing	Increase	Percentage of increase
Storage Carton	\$ 0.17	\$ 0.29	\$ 0.12	71%
Destruction Carton	\$ 1.23	\$ 3.13	\$ 1.90	154%
Handling Charge	\$ 1.67	\$ 2.33	\$ 0.66	40%
Receiving and Entry	\$ 1.26	\$ 2.05	\$ 0.79	63%
Retrieval Carton	\$ 1.26	\$ 2.57	\$ 1.31	104%
Refile Carton	\$ 1.26	\$ 2.57	\$ 1.31	104%
Transportation (Next Day)	\$ 4.40	\$ 45.59	\$ 41.19	936%

The transportation cost is significantly higher in the new contract because the vendor is able to include Fuel Surcharges while the current contract did not allow for those charges. Industry standard pricing models have changed over the past few years to include Fuel Surcharges. Iron Mountain applies a fuel surcharge that is adjusted monthly. Adjustments to the fuel surcharge basis will be effective the first of each month and posted approximately two weeks prior to the effective date. The fuel surcharge is indexed to the National U.S. Average On-Highway Diesel Fuel Prices reported by the U.S. Department of Energy for the month prior to the adjustment. For example, the surcharge for December 2020 is based on the November 2020 National U.S. Average On-Highway Diesel Fuel Price.

The new contract allows for the following services:

- Records Management – Standard Storage
- Open Shelf & Image on Demand
- Secure Shredding
- IT Asset Disposition Services

- Data Management
- Data Center
- Program Management & Operations – Labor Categories and Rates
- Digitization Services

The Office of Information Technology is planning to use the records management and digitization services at this time. There is capital tech funding planned for the digitization. It is unknown how much will be spent on the digitization services. OIT is scheduling meetings with a few departments to discuss their needs.

Prepared by: Office of Information Technology

Mr. Jones

Supporting the Maryland Railway Safety Act by the Maryland General Assembly

Resolution 50-24 encourages the Maryland General Assembly to pass the Maryland Railway Safety Act.

The safe operation of freight and passenger trains are vital to commerce and the County Council supports efforts to keep train operations safe in Baltimore County and throughout the State. In recent years, several catastrophic train wrecks have occurred across the country wreaking havoc on the communities in which they operated, many of which have involved hazardous materials. According to information published by the Federal Railroad Administration, there have been over 2,000 rail crossing accidents per year over the last decade causing 8,494 injuries and 2,503 deaths.

The Maryland Railway Safety Act would address many of these unsafe conditions existing in the railroad industry today and is vital to ensuring safe train operations by:

- prohibiting railroads from blocking road crossings for extended periods of time;
- limiting the length of freight and work trains; and
- allowing designated collective bargaining representatives to monitor safety practices and operations;

and by requiring:

- safe staffing levels for trains and light engines;
- the certification that safety wayside detector systems are located and functional on railroad tracks; and
- a reporting system for transportation of hazardous materials or waste accessible only to the Federal Emergency Management Agency, the State's Emergency Management Agency, and local Emergency Management Agencies.

Resolution 50-24 shall take effect from the date of its passage by the County Council and a copy of this resolution shall be sent to the Governor of Maryland; the Baltimore County delegation to the Maryland General Assembly; and the Baltimore County Executive.

MB-3 (Res. 1-25) Donation

Council District(s) All

Mr. Patoka (By Req.)

Police Department

**Accept Conditional Gift – Nationwide Mutual Insurance Company –
Regional Auto Theft Task Force**

Resolution 1-25 authorizes the County to accept a conditional gift of one vehicle from Nationwide Mutual Insurance Company. The Department advised that the vehicle will be assigned to the Regional Auto Theft Task (RATT) Force, which works in conjunction with the Baltimore City Police Department to reduce automobile theft in the Baltimore Metropolitan area. The vehicle is a 2022 Acura TLX Tech valued at \$28,600. See Exhibit A.

The Department estimates the annual associated costs will total \$3,400 for gasoline (\$3,000) and maintenance and repairs (\$400). The Department advised that the Maryland Vehicle Theft Prevention Grant will cover these costs.

The Department advised that the County and Nationwide will enter into a Vehicle Use Agreement for the County to accept the vehicle as a conditional gift in order to title the vehicle to the County for a term of two years, unless Nationwide requests earlier return, or the term is extended by mutual agreement in writing. According to the agreement, Nationwide requires the Department to submit quarterly reports to include the current conditions of the vehicle; the number of times the vehicle was deployed; the number of arrests made due to the use of the vehicle; and the number of stolen vehicles recovered.

The Baltimore County Code §10-2-313 and §10-2-302 require County personal property that has become obsolete and unusable with an estimated value of \$5,000 or more to be sold in the open market or by contract; Resolution 1-25 authorizes the County to return the 2022 Acura TLX Tech upon the agreement’s expiration or request for earlier return by Nationwide.

On May 3, 2021, the Council approved Resolution 55-21, which authorized the County to accept the conditional gift of two vehicles from Nationwide, a 2015 Jeep Cherokee Laredo and a 2017

Honda Accord. The Department advised that the Vehicle Use Agreements for these vehicles have been extended through October 21, 2026.

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

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

Executive Summary

The Baltimore County Police Department received a donation from Nationwide Mutual Insurance, Company (“Nationwide”) for a 2022 Acura TLX (VIN: #19UUB5F58NA003579) with a value of \$28,600. The vehicle is in good condition. Nationwide makes vehicles available as a donation to law enforcement to combat auto theft in the Baltimore Region. This vehicle is being donated to our Regional Auto Theft Task Force for the purpose of combating auto theft and must not be equipped with emergency equipment as a condition of this donation. More specifically, this vehicle will be used in street and investigative operations involving vehicle theft. This vehicle will not be used for general law enforcement purposes and will not become a general-purpose patrol vehicle.

All costs to maintain and repair this vehicle will be paid by the Maryland Vehicle Theft Prevention Grant. There will be no costs to Baltimore County for these vehicles. The vehicle has been checked to ensure Nationwide has the titles.

The title will pass to Baltimore County and will become property of Baltimore County in accordance with the attached vehicle donation agreement for two years, with the possibility of an extension by mutual agreement, at which time Nationwide has agreed to donate a replacement vehicle.

This donation has been offered by Nationwide without any special conditions or expectations in exchange for the donation.

There are no matching funds required for this donation.

Prepared by: Police Department

Mr. Patoka (By Req.)

Department of Planning

Small Area Plan Process

Resolution 2-25 requests that the Baltimore County Department of Planning begin the Small Area Plan process, as outlined in Master Plan 2030 and that the Baltimore County Planning Board review the Small Area Plans and submit recommendations to the Council to adopt each Small Area Plan as amendments to Master Plan 2030. See Exhibit A.

With the enactment of Resolution 4-24, the Council adopted Master Plan 2030. As part of the Master Plan, a Future Land Use Map (Place Type map) was adopted that shows land use in broad terms, as a basis for guiding future land use and zoning. The Master Plan calls for the County to create Small Area Plans to give more specific and unique guidance. The Master Plan and the Place Type Map serve as the overall policy guide for developing the Small Area Plans, which are intended to provide area-specific recommendations for achieving and refining the goals and actions of the Master Plan.

Included in Master Plan 2030 was a map that divided the County into 12 areas for the Small Area Plan Process, a version of which is attached to Resolution 2-25. The Small Area Plans will build on the work of previously adopted community plans, Sustainable Community Area Plans and the themes and goals of Master Plan 2030.

The Master Plan 2030 directed the Department of Planning to begin with Small Area Plan Number 11 that includes Middle River, Essex, White Marsh, Rossville, and Bowleys Quarters. The remaining Small Area Plans (1-10 and 12) will begin after the completion of Plan Number 11, one at a time and as staff capacity allows. The Planning Board shall review each of them and recommend their adoption to the Council.

Resolution 2-25 shall take effect from the date of its passage by the County Council. A copy of this resolution will be sent to the Baltimore County Department of Planning and the Baltimore County Planning Board for further review and action.

Executive Summary

The Department of Planning is beginning the Small Area Plan Process, as outlined in Master Plan 2030 (Vision Framework, Inclusive Planning Goal 2, Action 9: Develop and implement a systematic approach to creating Small Area Community Plans countywide as a follow up to the Master Plan 2030 process.) In addition, 12 areas were identified on a map in Master Plan 2030 for Small Area Plans.

In order to ensure transparency in the process, a resolution is needed in order clearly state the intent of this effort and how plans will be developed with communities in Baltimore County in the coming years. Master Plan 2030 directed the Department of Planning to begin with Small Area Plan 11, which includes Middle River, Essex, White Marsh, Rossville, and Bowley's Quarters. Additionally, this year the County Council also approved a contract to provide staff support for developing this first plan with the firm of Ayers Saint Gross. We are currently in the preliminary planning phase for Small Area Plan 11.

The remaining Small Area Plans (1-10 and 12) will begin after the completion of Plan 11, one at a time and as staff capacity allows. The Planning Board will review each of the plans upon completion and recommend adoption to the County Council, as amendments to Master Plan 2030.

Prepared by: Department of Planning

Councilmembers Marks & Crandell

Encourage the Maryland General Assembly – Rejection of Beer and Wine Sales in Grocery Stores

Resolution 4-25 encourages the Maryland General Assembly to retain Maryland's current laws over the sale of beer and wine and reject any legislation that would allow alcohol sales in grocery stores.

In 1978, Maryland prohibited beer, wine, and distilled spirits from being sold at grocery and convenience stores, restricting the sale of these products to licensed liquor stores that must be owned by a Maryland resident and that holds only one liquor license. According to the resolution, currently, Maryland is one of three states — alongside Alaska and Rhode Island — that do not allow grocers to stock and sell beer, and one of 10 states that do not allow grocers to sell wine. According to the resolution's sponsors, this successful policy has prevented a proliferation of alcohol sales in the State and bolstered the community of locally owned liquor stores that are a valuable part of Maryland's small business economy.

In December 2024, Governor Moore announced his support for legislation that would allow beer and wine to be sold in grocery stores.

The resolution states that lifting Maryland's beer and wine sales restrictions will likely have a negative impact on our small business economy and will almost certainly result in the closing of many independent liquor stores. Maryland's current alcohol sales regulations reward passionate beer, wine, and spirit entrepreneurs who put their life savings into their stores and spend their careers understanding their customers and finding quality products to suit local tastes; the families and small businesses that currently run Maryland's independent liquor stores may struggle to compete against big corporate supermarkets and regional convenience store chains.

In 2022, Colorado residents voted to allow wine sales in grocery stores over the objections of small store owners who feared they would be forced out of business – since then, dozens of small operators have gone out of business, with as many as 400 more expected to close by the end of 2026, according to an analysis by the *Denver Gazette*. The resolution's sponsors believe that Maryland has a chance to avoid a similar blow to our small business community.

Resolution 4-25 shall take effect from the date of its passage by the County Council and a copy of this resolution shall be sent to the Governor of Maryland; the Baltimore County delegation to the Maryland General Assembly; and the Baltimore County Executive.

Mr. Marks

Encourage the Maryland General Assembly – Support Passage of Legislation to Amend Reserve Fund Mandates for Maryland Condominium Associations

Resolution 5-25 encourages the Maryland General Assembly to support and pass legislation to amend the reserve fund mandates for Maryland condominium associations.

In its 2021 legislative session, the General Assembly passed H.B. 107, which expanded state-wide a Montgomery and Prince George's County requirement that condominium associations complete a reserve study at least once every five years that; (1) states the remaining useful life of each structural, electrical, mechanical, and plumbing component of all common elements; (2) estimates the total repair or replacement cost for all such elements; and (3) sets an annual financial reserve for the Condominium association to afford all future major repairs or replacements of those common elements.

Many condominium associations are now facing looming deadlines to collect unaffordable fees and assessments from unit owners – including low-income owners and seniors on fixed incomes. In its 2024 legislative session, several members of the General Assembly proposed adequate reforms that would alleviate this financial burden.

For example, H.B. 1035 and H.B. 1187 respectively proposed the creation of a low-income unit owner grant fund and a disabled and senior reserve assistance program to subsidize the fee increases caused by reserve studies. H.B. 968 proposed an exemption whereby a condominium association may approve by an 80% vote an alternative assessment structure from the fees required under their most recent reserve study. H.B. 1262 extended initial reserve funding deadlines from three to five years and exempted condominiums with less than seven units.

The most successful reform bill on this issue of the 2024 legislative session was S.B. 1157 (cross-filed with H.B. 281). The bill was passed by the Senate and received a favorable second reading in the House, but did not receive a full House floor vote in time. The bill would have allowed updated reserve studies to give credit for maintenance costs already spent and ongoing maintenance contracts, exempted replacement costs under \$10,000 for capital components, and allowed condominium associations to create a flexible and customized funding plan, so long as it

fully funds the reserves identified by their most recent reserve study. This bill also incorporated the funding reserve deadline changes of H.B. 1262, among other amendments.

Other concepts proposed during the 2024 legislative session included permitting local governments to set up condominium reserve review commissions and re-forming the 2005 Task Force on Common Ownership Communities.

While the General Assembly may explore different paths, Resolution 5-25 expresses that the Baltimore County Council encourages the General Assembly to ensure that the end-result of condominium reserve reform legislation be the alleviation of unaffordable condominium unit assessments or fees on owners that are already financially stressed.

Resolution 5-25 shall take effect from the date of its passage by the County Council and a copy of this resolution shall be sent to the Governor of Maryland; the Baltimore County delegation to the Maryland General Assembly; and the Baltimore County Executive.

BALTIMORE COUNTY COUNCIL
NOTES TO THE AGENDA
APPENDIX A

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

TO: County Administrative Officer **DATE:** 12/19/24
FROM: Kevin D. Reed, Director **COUNCIL MEETING**
 Office of Budget & Finance **DATE:** 1/21/25
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 10022345

Baltimore Gas & Electric Co

This Purchase Order is for the purchase and installation of electric equipment from Baltimore Gas & Electric Co. at 116 Woodwind Road, Bldg. 486, as part of the Woodwind Sewage Pumping Station Replacement Project, Contract No. 21269 SX0 and BGE W.O. # 18571833. Baltimore Gas & Electric Co. is the sole electrical utility provider for Baltimore County, Maryland.

Award Total: \$60,405.00
 Award Date: 12/17/24

SCON 10002664

Columbia Rubber Corporation

This Supplier Contract is for the purchase of industrial conveyer belts and parts. As detailed in the 902f Justification signed by Lauren Buckler, Columbia Rubber specializes in industrial settings such as aggregate, recycling, power and paper industries. The County utilizes their belts for the single stream operation at the Central Acceptance Facility (CAF). Since CAF's operation began in 2017, Columbia Rubber Corporation has a superior construction compared to the overlap method of construction. Utilizing these belts through Columbia Rubber, has reduced belt failures and associated downtime of the single stream operation.

5 Year Estimated Award Total: \$326,000.00
 Award Date: 12/10/24

SCON 10002554

Edward G Rahll & Sons, Inc.

This Supplier Contract is for the purchase of low cost pre-packaged fresh produce. As detailed in the 902f Justification signed by Mark Millspaugh, the Department of Social Services, provide the pre-packaged local fresh produce at

community events and for community health initiatives. Edward G Rahl & Sons, Inc. has maintained the same costs for over 4 years even though there has been a significant rise in food costs. The vendor locally source produce from Baltimore County farmers and has the ability to delivery throughout Baltimore County. All deliveries are made directly to sites in a climate-controlled truck with no additional delivery cost. The Department of Social Services has been utilizing this vendor to provide fresh food to over 20 community partner sites, and provides a quicker turnaround time without additional cost, unlike other comparable vendors.

5 Year Estimated Award Total: \$36,000.00
Award Date: 12/10/24

SCON 10002697 POSM Software, LLC

This Supplier Contract is for the purchase of software for CCTV and POSM GIS Server. As detailed in the Sole Source Justification signed by Lauren Buckler, the County utilizes POSM software and server in planning maintenance and repair of sewer asset management. The CCTV software allows Utilities to inspect the County's sewer and storm drain systems. The POSM Server stores all the CCTV videos and allows the videos and data to be accessed for projects such as the Sewer Rehab/Repair/Replace program. POSM software requires an up-to-date license to utilize, upgrade, and receive support. If the service was not available then the Bureau of Utilities could not plan future maintenance and repair projects.

5 Year Estimated Award Total: \$86,250.00
Award Date: 12/10/24

SCON 10002665 Vapex Environmental Technologies, LLC

This Supplier Contract is for the purchase of Vapex parts and supplies for Vapex Odor Control Units that release o-zone to neutralize hydrogen sulfide. As detailed in the Sole Source Justification signed by Lauren Buckler, the County utilizes their system at several sewage pump stations to provides relief to nearby residents from odors and ensures the equipment lasts longer. Replacing the Vapex units would cost approximately \$176,000.00 per unit, thus maintaining the units already installed is in the best interest for the County.

5 Year Estimated Award Total: \$300,000.00
Award Date: 12/10/24

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