

**BALTIMORE COUNTY COUNCIL
NOTES TO THE AGENDA
LEGISLATIVE SESSION 2018**

*Issued: January 4, 2018
Work Session: January 9, 2018
Legislative Day No. 2: January 16, 2018*

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



OFFICE OF THE COUNTY AUDITOR

BALTIMORE COUNTY COUNCIL

January 16, 2018

NOTES TO THE AGENDA

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**BALTIMORE COUNTY COUNCIL AGENDA
LEGISLATIVE SESSION 2018, LEGISLATIVE DAY NO. 2
JANUARY 16, 2018 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

MAJOR JAY LANDSMAN/CAPTAIN JOE CONGER, POLICE DEPARTMENT

1 Bill 73-17 – Mr. Quirk(By Req.) – CEB – NIBRS Conversion Grant

COLONEL STEVEN HLAVACH, POLICE DEPARTMENT

4 Bill 74-17 – Mr. Quirk(By Req.) – CEB – GOCCP ICAC Grant

KYRLE PREIS, CHIEF, FIRE DEPARTMENT

6 Bill 75-17 – Mr. Quirk(By Req.) – CEB – SAFER Grant

KEVIN REED, DEPARTMENT OF HEALTH AND HUMAN SERVICES

8 Bill 76-17 – Mr. Quirk(By Req.) – CEB – Local Management Board

APPROVAL OF FISCAL MATTERS/CONTRACTS

KEITH DORSEY, DIRECTOR, OFFICE OF BUDGET AND FINANCE

11 1. Contract – Popowski Brothers, Inc. d/b/a PBI Restoration – Emergency fire/water mitigation services-OBF

TIM SHERIDAN, COURT ADMINISTRATOR, CIRCUIT COURT

15 2. Contract Amendment – Jeffrey Dobson, Esq. – Foreclosure review services - CC

AMY GROSSI, REAL ESTATE COMPLIANCE

18 3. Contract – Abbey Square Apartments, LLC – Purchase of drainage/utility easement area-147-149 Nunnery Lane, Catonsville-REC

MISCELLANEOUS BUSINESS

COUNCIL

27 1. Correspondence - (a)(1) - Non-Competitive Awards (December 8, 2017)
28 (b)(4) – Non-Competitive Awards (December 13, 2017)

STEVE WALSH, DIRECTOR, DEPARTMENT OF PUBLIC WORKS

21 2. Res. 5-18 – Mr. Quirk(By Req.) – Adoption of the 2017 Triennial Review of the Baltimore County Water Supply & Sewerage Plan
22 3. Res. 6-18 – Mr. Quirk(By Req.) – Amend the Baltimore County Water Supply & Sewerage Plan
24 4. Res. 7-18 – Mr. Quirk(By Req.) – Sanitary Sewer Extension – Turkey Point area

COUNCIL

5. Res. 8-18 – Mr. Jones – Property Tax Exemption – DAV – Gary Roundtree
6. Res. 9-18 – Mr. Marks – Property Tax Exemption – DAV – Tony E. Price
7. Res. 10-18 – Mrs. Bevins – Property Tax Exemption – DAV – Dalious T. Brown
8. Res. 11-18 – Mrs. Bevins – Property Tax Exemption – DAV – Warren L. Miller
9. Res. 12-18 – Mr. Crandell – Property Tax Exemption – DAV – Surviving Spouse – Paula M. Dasch

Bill 73-17 (Supplemental Appropriation)

Council District(s) All

Mr. Quirk (By Req.)

Police Department

NIBRS Conversion Grant

The Administration is requesting a supplemental appropriation of federal funds totaling \$970,880 to the National Incident Based Reporting System (NIBRS) Conversion Grant Gifts and Grants Fund program. The funds will be used by the Office of Information Technology for consulting and software engineering services to assist the Police Department with its transition from Uniform Crime Report (UCR) summary reporting of criminal incidents to incident based crime reporting, in alignment with the federal National Incident Based Reporting System. The Department advised that under NIBRS, the crime data it collects will be enhanced with more detailed information on each reported incident. See Exhibit A.

Fiscal Summary

Funding Source	Supplemental Appropriation	Current Appropriation	Total Appropriation
County	--	--	--
State	--	--	--
Federal ⁽¹⁾	\$ 970,880	--	\$ 970,880
Other	--	--	--
Total	<u>\$ 970,880</u>	<u>--</u>	<u>\$ 970,880</u>

⁽¹⁾U.S. Department of Justice, Bureau of Justice Statistics funds. No County matching funds are required.

Analysis

The Department advised that the Federal Bureau of Investigation/Criminal Justice Information System (FBI/CJIS) has decided to change large police agencies from Uniform Crime Report

(UCR) summary reporting of criminal incidents to the National Incident Based Reporting System (NIBRS). The Department advised that under NIBRS, the crime data it collects will be enhanced with more detailed information on each reported incident, and will contribute to a better understanding of law enforcement needs within the County, the State, and the nation.

The proposed grant funds will be used to pay for consulting (\$396,880) and software engineering (\$574,000) services to assist the Office of Information Technology with system conversion and modification of the Police Department's legacy databases to include NIBRS data requirements. The Department estimates that conversion to the new system will be completed in September 2019.

The grant period is October 1, 2017 through September 30, 2019. No County matching funds are required.

With the affirmative vote of five members of the County Council, Bill 73-17 will take effect January 29, 2018.



COUNCIL ACTION REQUEST FORM EXECUTIVE SUMMARY

A supplemental appropriation in the amount of \$970,880.00 has been made to the Baltimore County Police Department by the U.S. Department of Justice, Bureau of Justice Statistics. This request is for Council's approval to accept and appropriate the \$970,880.00 in FY 2018 funding as awarded by the U.S. Department of Justice, Bureau of Justice Statistics.

The Department supports the Federal Bureau of Investigation/Criminal Justice Information System (FBI/CJIS) decision to facilitate the transition of large police agencies from Uniform Crime Report (UCR) summary reporting of criminal incidents to the National Incident Based Reporting System (NIBRS) incident based reporting system. With this grant award, crime data collected by the Department will be enhanced with more detailed information on the reported incident as required under the NIBRS. This enhanced data will contribute to a better understanding of law enforcement needs within the county, the state of Maryland and the nation.

The NIBRS Conversion Grant funding will be utilized to assist the Department with its transition from the summary reporting system to the incident based reporting system. The grant award includes consultant services to assist the Office of Information and Technology in managing this large and complex undertaking and to provide software engineering services to modify the Police Department's legacy databases to include the NIBRS data requirements.

Prepared by: Police Department

Bill 74-17 (Supplemental Appropriation)

Council District(s) All

Mr. Quirk (By Req.)

Police Department

GOCCP ICAC Grant

The Administration is requesting a supplemental appropriation of State funds totaling \$10,700 to the Governor's Office of Crime Control and Prevention (GOCCP) Internet Crimes Against Children (ICAC) Grant Gifts and Grants Fund program. The funds will be used to purchase data processing equipment, software, and peripherals, which will assist the County's Police Department in developing and implementing strategies specifically intended to investigate and prosecute Internet crimes against children.

Fiscal Summary

<u>Funding Source</u>	<u>Supplemental Appropriation</u>	<u>Current Appropriation</u>	<u>Total Appropriation</u>
County	--	--	--
State ⁽¹⁾	\$ 10,700	--	\$ 10,700
Federal	--	--	--
Other	--	--	--
Total	<u>\$ 10,700</u>	<u>--</u>	<u>\$ 10,700</u>

⁽¹⁾ Governor's Office of Crime Control and Prevention funds. No County matching funds are required.

Analysis

The GOCCP ICAC program provides funding to local law enforcement agencies for salaries, training, and equipment to be used for the investigation and prosecution of Internet crimes against children. The \$10,700 supplemental appropriation will be used to purchase data processing equipment, software, and peripherals, which will assist the Department with further developing

and implementing strategies specifically intended to investigate and prosecute Internet crimes against children in Baltimore County and the State of Maryland.

The grant period is FY 2018. No County matching funds are required.

With the affirmative vote of five members of the County Council, Bill 74-17 will take effect January 29, 2018.

Bill 75-17 (Supplemental Appropriation)

Council District(s) All

Mr. Quirk (By Req.)

Fire Department

SAFER Grant

The Administration is requesting a supplemental appropriation of federal funds totaling \$1,519,368 to the Staffing for Adequate Fire and Emergency Response (SAFER) Grant Gifts and Grants Fund program. The funds will be used for the salaries and fringe benefits of 16 probationary firefighter positions for three years.

Fiscal Summary

Funding Source	Supplemental Appropriation	Current Appropriation	Total Appropriation
County ⁽¹⁾	--	--	--
State	--	--	--
Federal ⁽²⁾	\$ 1,519,368	--	\$ 1,519,368
Other	--	--	--
Total	<u>\$ 1,519,368</u>	<u>--</u>	<u>\$ 1,519,368</u>

⁽¹⁾ The County is required to provide a 25% match of the total project cost (\$2,463,840) for the first two years of the grant award (\$205,320 in years 1 and 2) and a 65% match for the third year (\$533,832), for a total of \$944,472. The first year's matching requirement will be met through the FY 2018 General Fund Operating Budget (Fire Department programs and Office of Budget and Finance fringe benefit programs) and the second and third years through the FY 2019 and FY 2020 Local Share Program budgets.

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

Analysis

The SAFER program provides funding to help increase or maintain the number of trained frontline firefighters. The goal of the program is to enhance the Department's ability to comply with staffing,

response, and operational standards established by the National Fire Protection Association (NFPA).

The proposed \$1,519,368 in grant funding will be used to support the salaries (\$1,060,508) and fringe benefits (\$458,860) of 16 probational firefighter positions for three years. The Department advised that the prospective employees for the 16 positions have been recruited and are expected to begin training in February 2018. Upon individuals' completion of training at the Fire-Rescue Academy, the new probationary firefighters will be assigned to a County career station based on current staffing needs at that time. The Department advised that these 16 positions increase the total number of budgeted firefighters to 695 for FY 2018.

The grant period is January 24, 2018 through January 23, 2021. The County is required to provide a 25% match of the total project cost (\$2,463,840) for the first two years, (\$205,320 in years 1 and 2), and a 65% match for the third year (\$533,832), for a total of \$944,472. The Department advised that the first year's match will be met through the FY 2018 General Fund Operating Budget (Fire Department programs and Office of Budget and Finance fringe benefit programs), and the second and third years' matches will be met through the FY 2019 and FY 2020 Local Share Program budgets. The Department also advised that at the end of the grant period, approximately \$940,384 in County General Funds will be needed annually to continue funding these positions, dependent on each employee's promotional path and fringe benefit costs.

With the affirmative vote of five members of the County Council, Bill 75-17 will take effect January 29, 2018.

Bill 76-17 (Supplemental Appropriation)

Council District(s) All

Mr. Quirk (By Req.)

Department of Health and Human Services

Local Management Board

The Administration is requesting a supplemental appropriation of State funds totaling \$75,000 to the Local Management Board Gifts and Grants Fund program. The funds will be used to hire a part-time (34 hours-per-week) Local Care Team Coordinator to provide coordination and support to the Local Care Team to ensure County youth with intensive needs (mental health and/or developmental disabilities) receive the necessary support and resources to live in the community successfully. See Exhibit A.

Fiscal Summary

Funding Source	Supplemental Appropriation	Current Appropriation	Total Appropriation
County	--	--	--
State ⁽¹⁾	\$ 75,000	\$ 325,531	\$ 400,531
Federal	--	--	--
Other	--	--	--
Total	<u>\$ 75,000</u>	<u>\$ 325,531</u>	<u>\$ 400,531</u>

⁽¹⁾ Governor's Office for Children funds. No County matching funds are required.

Analysis

The County's Local Care Team (LCT) is comprised of representatives from several County (Department of Social Services, Baltimore County Public Schools, Department of Health, and Local Management Board) and State (Developmental Disabilities Administration, Department of Juvenile Services, Behavioral Health Administration, and Division of Rehabilitation Services)

agencies that serve youth as well as a parent/parent advocate. The LCT meets regularly to review cases of youth who are in need of a residential placement due to complex needs related to mental health and/or developmental disabilities.

The Department advised that the Children's Cabinet is establishing an LCT Coordinator within each jurisdiction's Local Management Board. The LCT Coordinator will provide staff support to the LCT to ensure that youth with intensive needs receive comprehensive support services in order to return or divert them from preventable out-of-home and out-of-state placements. Specifically, the LCT Coordinator will ensure a coordinated system for case referral to the LCT including tracking referrals and services, maintaining a comprehensive resource database, collecting and reporting data, and ensuring follow-up services. The LCT Coordinator will also be responsible for facilitating parent involvement in LCT meetings. The Department advised that the LCT is expected to serve approximately 30 clients during the 6-month grant period.

The proposed \$75,000 supplemental appropriation will be used to support the salary and fringe benefits (\$65,055) of a part-time (34 hours-per-week) LCT Coordinator for 6 months, in addition to data processing equipment (i.e., laptop, printer, and conference phone - \$3,200), professional services (i.e., independent audit - \$2,800), and miscellaneous expenses (e.g., travel expenses, supplies - \$3,595).

The grant period is January 1, 2018 through June 30, 2018. No County matching funds are required.

With the affirmative vote of five members of the County Council, Bill 76-17 will take effect January 29, 2018.



COUNCIL ACTION REQUEST FORM EXECUTIVE SUMMARY

Local Management Board

The Department of Health and Human Services/Local Management Board (LMB) is requesting a supplemental appropriation in the amount of \$75,000. This funding will support the salary and fringe benefits of a Local Care Team Coordinator. This will increase the current appropriation to \$400,531 for FY 2018.

Background

The Local Care Team (LCT) is comprised of representatives from Baltimore County agencies that serve youth, including the local Department of Social Services, the local Department of Juvenile Services, the local School system, the local Department of Health and Human Services, Bureau of Behavioral Health, the Local Management Board, the Developmental Disabilities Administration, and the Department of Rehabilitative Services. This team meets regularly to review cases of youth who are in need of a residential placement due to complex needs related to mental health and/or developmental disabilities.

Purpose

The Maryland Children's Cabinet has designed the LCT to be the central point for coordinated case management and as a point of access to services for children and youth with complex needs.

The Children's Cabinet is establishing an LCT Coordinator with each Local Management Board to be funded by the State.

Fiscal

The \$75,000 award are state funds from the Maryland Governor's Office for Children. This amount is for half year funding in FY 2018 that will support the salary and fringe benefits of a 34 hr./week LCT Coordinator.

Provided by: Department of Health and Human
Services

FM-1 (Contract)

Council District(s) All

Office of Budget and Finance

Emergency Fire/Water Mitigation Services

The Administration is requesting approval of a contract with Popowski Brothers, Inc. to provide emergency fire and water remediation/mitigation, restoration/reconstruction services in County-owned and/or operated buildings as needed. The contract commences upon Council approval, continues through August 31, 2018, and will automatically renew for four additional 1-year periods. The contract does not specify a maximum compensation for the initial approximate 7½-month term or for the entire approximate 4-year and 7½-month term. Compensation may not exceed the amount appropriated for these services during the entire contract term. Estimated compensation totals \$1,282,095 for the entire 4-year and 7½-month term, including the renewal periods. See Exhibit A.

Fiscal Summary

Funding Source	Total Compensation	Notes
County ⁽¹⁾	\$ 1,282,095	⁽¹⁾ General Fund Operating Budget or Capital Projects Fund, depending on the nature of the work.
State	--	⁽²⁾ Estimated compensation for the entire approximate 4-year and 7½-month term, including the renewal periods. The contract does not specify a maximum compensation for the initial approximate 7½-month term or for the entire approximate 4-year and 7½-month term. Compensation may not exceed the amount appropriated for these services during the entire contract term.
Federal	--	
Other	--	
Total	\$ 1,282,095 ⁽²⁾	

Analysis

The contractor will furnish all labor, materials, equipment, tools, and incidentals needed to perform on-call emergency remediation/mitigation, restoration/reconstruction services, including electronic equipment and electronic media and document recovery and restoration, in County-

owned and/or operated buildings due to fire, flood, sewer back-up, smoke, water, and mold damages. Services will be provided 24-hours-per-day, 7-days-per-week.

Hourly rates for labor range from \$24.61 to \$63, depending on the worker's skill level and time status (regular or overtime). The contractor's mark-up for materials, equipment rentals, and subcontractor costs is 20%.

The contract commences upon Council approval, continues through August 31, 2018, and will automatically renew for four additional 1-year periods on the same terms and conditions, unless the County provides notice of non-renewal. The contract does not specify a maximum compensation for the initial approximate 7½-month term or for the entire approximate 4-year and 7½-month term. Compensation may not exceed the amount appropriated for these services during the entire contract term. Estimated compensation totals \$1,282,095 for the entire approximate 4-year and 7½-month term, including the renewal periods. The County may terminate the agreement by providing 30 days prior written notice.

The contract was awarded as a piggyback of an existing competitively-bid University of Maryland contract awarded on September 1, 2017 that expires August 31, 2022. The Office advised that the University of Maryland awarded the contract based on lowest responsible and responsive bid. For each of the four renewal years, the University of Maryland contract allows the contractor to request increases to the contract rates in accordance with the Consumer Price Index – All Urban Consumers (CPI-U), U.S. City Average, as published by the United States Department of Labor, Bureau of Labor Statistics at the time of the request. The Office advised that the contractor will be required to submit to the County requests for rate increases for the renewal years.

On March 20, 2017, the Council approved a similar 5-month contract with Popowski Brothers, Inc. not to exceed \$200,000. The contract was awarded as a piggyback of an existing competitively-bid University of Maryland contract. The contract expired August 31, 2017. The Office had advised that it planned to enter into another contract for services upon expiration, and that the University of Maryland was re-bidding its contract with the possibility of the County piggybacking the new agreement. The County's financial system indicated that expenditures under this contract totaled \$20,382. On December 4, 2017, an emergency contract with Popowski Brothers, Inc. for \$34,092 to perform water and equipment mitigation services at the County Courts Building was presented to the Council as a Correspondence item.

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....”



**COUNCIL ACTION REQUEST FORM
EXECUTIVE SUMMARY**

Property Management is requesting approval of a contract for Popowski Brothers, Inc. dba PBI Restoration Resources (Piggyback Bid Univ. of Maryland Contract No. 88522-PBI dated 9/1/2017 all of which are hereby incorporated into and made a part of this Agreement) to provide all labor, supervision, materials, equipment, supplies, and incidentals needed to perform emergency remediation/mitigation, restoration/reconstruction services, on an as-needed basis in any Baltimore County owned and/or operated building, in accordance with the University of Maryland Contract No. 88522-PBI, dated September 1, 2017, as amended. This Agreement shall be effective when executed by the County. In the event the County Council approves this Agreement, the term shall continue through August 31, 2018.

The Contractor shall furnish all labor, supervision, materials, equipment, supplies, and incidentals needed to perform emergency remediation/mitigation, restoration/reconstruction services including electronic equipment and electronic media recovery and restoration, document recovery and restoration services, due to fire, flood, sewer backups, smoke or mold damage, etc. on a twenty-four (24) hour, seven (7) days a week, three hundred sixty-five (365) days a year, on an as-needed basis in any Baltimore County owned and/or operated building.

Hourly rates for labor for Remediation: Project Coordinator range from \$42.00-\$63.00, Field Superintendent (Lead Technician) \$42.00-\$63.00, Project Estimator \$42.00-\$63.00, Assistant/Cleaning Technician \$28.00-\$42.00, Electronics Technician \$42.00-\$63.00, Packers \$28.00-\$42.00, Inventory Clerk \$42.00-\$63.00, based on regular or over time designation. The cost for Restoration/Reconstruction: General Laborer (Acoustical Treatments) \$35.40, Carpenter-General Framer \$38.96, Painter \$29.51, Drywall Installer/Finisher \$29.51, Finisher/Carpenter \$38.96, Electrician \$59.03, Cleaning Technician \$24.61. The cost of Materials, Equipment Rental, and Subcontractor includes a 20% mark-up.

Prepared by: Office of Budget and Finance

FM-2 (Contract Amendment)

Council District(s) All

Circuit Court

Foreclosure Review Services

The Administration is requesting an amendment to a contract with Jeffrey Dobson to continue to provide foreclosure review services for the Circuit Court. The proposed amendment increases the maximum compensation by \$30,000, from \$25,000 to \$55,000, for the entire 1-year term. The original contract commenced July 1, 2017. See Exhibit A.

Fiscal Summary

Funding Source	Contract Amendment	Current Maximum Compensation	Amended Maximum Compensation
County ⁽¹⁾	\$ 30,000	\$ 25,000	\$ 55,000
State	--	--	--
Federal	--	--	--
Other	--	--	--
Total	<u>\$ 30,000</u> ⁽²⁾	<u>\$ 25,000</u>	<u>\$ 55,000</u> ⁽³⁾

⁽¹⁾ General Fund Operating Budget.

⁽²⁾ Additional compensation for the entire 1-year term.

⁽³⁾ Maximum compensation for the entire 1-year term.

Analysis

The Circuit Court advised that it processes approximately 200-250 foreclosure cases per month and contracts with foreclosure specialists (attorneys and law students) to review case files for compliance with Maryland law. The Court also advised that it has contracted with Mr. Jeffrey Dobson since 2014 to provide foreclosure review services. The Court further advised that the proposed amendment is necessary since its other foreclosure specialist has relocated from the area, and Mr. Dobson is reviewing more foreclosure cases than expected. (The Court also

contracts with one part-time (10 hours/week) law clerk to provide these services and advised that it is in the process of training a second law clerk.) As of January 2, 2018, the County's financial system indicated expenditures under this contract totaled \$22,160.

On August 20, 2017, the County entered into the original contract, which commenced July 1, 2017, not to exceed \$25,000 for the entire 1-year term. The contract states that Mr. Dobson will be compensated \$32 per hour for foreclosure review services. The proposed amendment increases the maximum compensation paid to Mr. Dobson by \$30,000, from \$25,000 to \$55,000, for the entire 1-year term. All other terms and conditions remain the same. Either party may terminate the agreement by providing notice.

The Court advised that the original contract was awarded based on qualifications, value, and experience; the Court advised that Mr. Dobson previously served the Court as a law clerk. As of January 2, 2018, the County's financial system indicated that amounts paid to this contractor for foreclosure review services were \$14,410, \$35,190, and \$30,948 for FY's 2015, 2016, and 2017, respectively.

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, compensation amounts to this contractor exceeded \$25,000 in FY 2016 and FY 2017 without Council approval. We believe these instances constitute violations of the aforementioned section of the County Charter.



COUNCIL ACTION REQUEST FORM EXECUTIVE SUMMARY

The Circuit Court for Baltimore County processes approximately 200 to 250 foreclosure cases per month. The Court contracts with foreclosure specialists to review the files for compliance with Maryland law. The Court contracts attorneys and law students and pays them hourly based upon their experience. Last fiscal year the Court contracted with two attorneys and one law clerk.

One of the contractual attorneys has moved out of the area. The other experienced foreclosure specialist will hit the \$25,000 fiscal year amount sometime in late January or early February 2018.

The Court is seeking County Council approval to pay the remaining experienced Foreclosure Specialist more than the \$25,000 per year limit placed on no-bid contracts. It would be implausible to find anyone experienced in foreclosure processing such as the current contractor. (Mr. Dobson has been processing foreclosures for the Court since 2014, and has developed systems and checklists that have been used by the bench to create foreclosure processing policy. Further Mr. Dobson trains the other Foreclosure Specialists, and is a licensed MD attorney with a decade of experience.) His experience working contractually with the Circuit Court since 2014 is unique, and the bench has come to rely upon his expertise in the area of foreclosures.

If the foreclosure filing rate continues on its current trajectory (about 200 filings per month), the contractor would likely earn approximately \$55,000 for the year through June 30, 2018. Consequently, the Court seeks County Council approval of a contract with the Foreclosure Specialist, Jeffrey Dobson, with a maximum amount of \$55,000 per fiscal year as opposed to the current contract with a limit of \$25,000 for this fiscal year.

Prepared by: Circuit Court

FM-3 (Contract)

Council District(s) 1

Department of Permits, Approvals and Inspections

Purchase of Drainage/Utility Easement Area – 147-149 Nunnery Lane, Catonsville

The Administration is requesting approval of a contract to acquire property totaling approximately 0.074 acre for \$9,317 to be used for the construction of a new public sanitary sewer as part of the Academy Heights Relief project. Abbey Square Apartments, LLC currently owns the property, which is located at 147-149 Nunnery Lane in Catonsville. The property is zoned DR-16 (Density Residential – 16 units/acre). The acquisition will be used for drainage and utility easement and temporary construction areas. See Exhibit A.

Fiscal Summary

Funding Source	Purchase Price	Notes
County ⁽¹⁾	\$ 9,317	⁽¹⁾ Capital Projects Fund (Metropolitan District).
State	--	
Federal	--	
Other	--	
Total	\$ 9,317	

Analysis

Robert W. Kline, staff appraiser, completed an appraisal of the property in April 2017, recommending a value of \$9,317. After review and analysis, S. David Nantz, review appraiser, concurred with the appraisal, recommending the respective amount as just compensation for the acquisition. The Department of Permits, Approvals and Inspections – Real Estate Compliance Division advised that the property owner accepted the County’s offer.

The 0.074-acre property to be acquired is part of a 2.21-acre parcel that is improved with two detached three-story brick garden apartment buildings containing 38 residential apartment units

(Abbey Square Apartments). Any site improvements or landscaping damaged during construction will be restored by the contractor, and ingress and egress to the properties will be maintained during construction.

The Department advised that four acquisitions are needed for this project, three of which require Council approval. This is the third property to be presented for Council approval. The Council approved the first two acquisitions, located at 5743 and 5745 Edmondson Avenue, on September 18, 2017.

The Department of Public Works advised that the Academy Heights Relief project will construct a new 2,350-foot public sanitary sewer line between Stratford Road and Overbrook Road to prevent future sewage backups in the basements in the Academy Heights area. Estimated project costs total \$2.25 million, including \$1.9 million for construction. As of December 28, 2017, \$324,242 has been expended/encumbered for this project, excluding the cost of this acquisition. The Department also advised that construction could begin 6 to 9 months after all right-of-way clearances are obtained; a specific construction date is not currently available.

County Charter, Section 715, requires Council approval of real property acquisitions where the purchase price exceeds \$5,000.



**COUNCIL ACTION REQUEST FORM
EXECUTIVE SUMMARY**

PROGRAM TITLE: Academy Heights Relief

PROJECT NO.: 201-0077-7144

FISCAL MATTER: Contract of Sale

PROPERTY OWNERS: Abbey Square Apartments, LLC

PROPERTY INTEREST TO
BE ACQUIRED: *Drainage and Utility Easement Area containing
0.049 acre (2,120 sq. ft.) +/-*
*Temporary Construction Easement Area containing
0.025 acre (1,075 sq. ft.) +/-*

LOCATION: 147-149 Nunnery Lane
Catonsville, MD 21228

CONSIDERATION \$9,317.00

PURPOSE OF PROJECT: To construct a new public sanitary sewer.

LIMITS OF PROJECT: From Stratford Road to Overbrook Road.

Prepared by: Department of Permits, Approvals &
Inspections

MB-2 (Res. 5-18)**Council District(s) All**

Mr. Quirk (By Req.)

Department of Public Works

Adoption of the 2017 Triennial Review of the Baltimore County Water Supply & Sewerage Plan

Resolution 5-18 adopts the report of the 2017 Triennial Review of the Baltimore County Water Supply and Sewerage Plan.

Title 9, Subtitle 5 of the Environment Article of the Annotated Code of Maryland requires the County to adopt a comprehensive 10-year water supply and sewerage plan. State law also requires the County to review its plan every three years and submit a report of the review to the Maryland Department of the Environment (MDE).

The last separate triennial review report was approved by the County Council, following the recommendation of the Planning Board, in 2014 (Resolution 116-14). The 2014 Triennial Review was approved by MDE in a letter dated May 21, 2015.

The new Triennial Review was due for submission in 2017. The review includes updated population projections and reports on the status of the public water and sewer infrastructure and private on-site well and septic system issues, and demonstrates consistency with *Master Plan 2020* and all applicable County and State requirements for water and sewer planning.

The Planning Board held a public hearing on the report on July 20, 2017 and voted at its regular meeting of September 7, 2017 to adopt the 2017 Triennial Review and recommend that it be forwarded to the County Council for further action. The Council's public hearing will occur at the work session on January 9, 2018.

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

MB-3 (Res. 6-18)

Council District(s) 3 & 4

Mr. Quirk (By Req.)

Department of Public Works

Amend the Baltimore County Water Supply & Sewerage Plan

Resolution 6-18 amends the Baltimore County Water Supply and Sewerage Plan (Cycle 35). Amendments to the Plan are made annually in accordance with the Executive Orders of April 11, 1990, July 22, 2003, and August 28, 2009.

On July 20, 2017, the Planning Board held an advertised public hearing on two requested amendments to the Plan and reported the results of the hearing to the County Executive. The requests were reviewed by the Department of Environmental Protection and Sustainability, the Department of Public Works, the Department of Planning, and the Planning Board, and both requests were approved. Planning Board approval occurred on September 7, 2017. The County Executive reviewed the proposed amendments and submitted them to the Council for approval. Resolution 6-18 adopts the recommendation for these two requests.

Upon County Council approval, the amendments to the Plan will be submitted to the Maryland Department of the Environment which has 90 days within which to act on the amendments. If approved, the amendments become part of the regulatory Plan.

Symbols used to describe the various water and sewer designations in the Plan are:

W = Water	S = Sewer
1. S-1 and W-1:	Existing water and/or sewer area.
2. S-2 and W-2:	Not utilized.
3. S-3 and W-3:	Capital facilities area - in order to provide service, facilities need to be built and money is in the current year's Capital Budget or the ensuing 5 years' estimated budgets. Facilities are subject to budget limitations, petitions made for service, public works agreements, etc.

- 4. S-4 and W-4: Not utilized.
- 5. S-5 and W-5: Master Plan area - capital facilities are required to support the Land Use Master Plan. However, these areas are usually not in the Metropolitan District and the owners must petition to be included.
- 6. S-6 and W-6: Areas of future consideration for Metropolitan District facilities.
- 7. S-7 and W-7: No planned Metropolitan District facilities.

The amendments to the Plan are as follows:

<u>Council District</u>	<u>Area/Property Name</u>	<u>Current Designation</u>	<u>Proposed Designation</u>
3	Pearlstone Center	W-7, S-7	W-7, S-7 With an increase for on-site well water supply and sewerage disposal from 12,000 gpd to 28,500 gpd to support building improvements.
4	Randallstown Animal Hospital	W-7, S-7	W-3, S-3 Current well and septic systems are at risk of failure due to the small lot size and nature of use.

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

MB-4 (Res. 7-18)

Council District(s) 7

Mr. Quirk (By Req.)

Department of Public Works

Sanitary Sewer Extension – Turkey Point Area

Resolution 7-18 approves an extension of the County’s sanitary sewer system in the Turkey Point area in Essex. The extension will serve four improved properties on Tickwood Road.

Fiscal Summary

Funding Source	Construction Cost	Notes
County ⁽¹⁾	\$ 49,184	⁽¹⁾ Capital Projects Fund – Metropolitan District; includes \$7,256 County contribution above the self-supporting project cost.
State	--	
Federal	--	⁽²⁾ Property owners’ responsibility to be paid over 40 years through front-foot assessments and construction loan charges.
Other ⁽²⁾	158,049	
Total	\$ 207,233	

Analysis

Section 20-1-119 of the Baltimore County Code (2015) authorizes the extension of the water and sewer system to serve existing housing units without meeting the normal requirement of the Metropolitan District Act that the project be self-supporting. This section authorizes an exception if a project is judged necessary due to existing unsanitary sewage conditions. However, the system extension is conditioned upon the holding of a public hearing at which the Department of Public Works must notify the affected property owner(s) of all project costs. The hearing for the proposed extension was held on December 4, 2017. The law also requires the County Council to approve the extension by adoption of a resolution.

According to the Administration, a determination has been made that a significant health problem exists in the affected area. The extension of the sanitary sewer system will eliminate the problem by halting discharge of surface sewerage into the public area and the resulting well contamination.

The Administration also advised that construction costs for the project total \$207,233. The County will assume a portion of the cost, and the balance will be paid by the property owners through front-foot assessment and associated construction loan charges over a 40-year period. The County's responsibility is \$49,184 (including a \$7,256 County contribution above the self-supporting project cost); the property owners' responsibility is \$158,049.


This resolution 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: Fred Homan
Administrative Officer

DATE: 12/08/17

FROM: Keith Dorsey, Director
Office of Budget & Finance 

**COUNCIL MEETING
DATE:** 1/16/18

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

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

Purchase Order

PO 10861 Van Dyk Baler Corp

The County utilizes a Bollegraf Recycling System as part of its operations at the Single Stream Facility at the Central Acceptance Facility in Cockeysville. Van Dyk Recycling Solutions, the company that installed the County's current system, is the sole provider of Bollegraf Recycling Solutions in North and Latin America markets. The two companies together provide recycling and processing equipment manufacturing, design, engineering, and comprehensive consulting services. Van Dyk provides installation, maintenance services, and inspection services through a software program proprietary to Van Dyk and Bollegraf Recycling Solutions. Van Dyk is the sole provider of the Bollegraf equipment in question that would be compatible with the County's present system.

The current system's star screens design is in need of upgrade to allow for a better sort of fiber mixes out of the existing recycling stream. This in turn will increase the quality of fiber bales making them far more desirable to market buyers (and in turn generate more revenue) and to stay ahead of market concerns of contamination levels which ultimately affect commodity value. Additionally, the new star screens incorporate a design that will require less maintenance as they are less likely to become tangled by other debris in the stream, thereby decreasing the amount of cleaning and other down time.

Total: \$516,246.00
Award Date: 12/8/17


c: M. Field,
T. Peddicord,
L. Smelkinson

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

MB-1(b)

TO: Fred Homan
Administrative Officer

DATE: 12/13/17

FROM: Keith Dorsey, Director
Office of Budget & Finance 

COUNCIL MEETING
DATE: 1/16/18

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

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

Purchase Order

PO 10890 Verizon – Superstructure Replacement On Bridge B-0237 – Verizon Relocation

This purchase order represents relocation of distribution facilities on Bridge B-0237, Old Court Road over Bens Run. Verizon owns the distribution facilities and is the only source for this relocation work.

Total: \$75,246.00
Award Date: 12/12/17

PO 10879 Brawner Builders Inc. – County Office Building, Emergency Overhead Protection

This emergency justification request is due to the immediate need of emergency overhead protection and investigation due to falling stone façade at the County Office Building located at 111 W. Chesapeake Avenue, Towson, MD. Brawner Builders was contracted because they are familiar with the County Office Building and its construction as they had just finished interior repairs to the southwest stairwell. Brawner also has the professional expertise to install the temporary overhead protection and preform the emergency investigation of the exterior stone façade. The necessity of the immediate acquiring of this service is to protect the safety of the public.

Total: \$128,950.00
Award Date: 12/12/17

MA 3563 Ecoflo Inc. – Recycling of Gasoline - at the Eastern Sanitary Landfill, Central Acceptance Facility, and other County facilities as required.

Emergency modification to Master Agreement 3563.

The solicitation for Recycling of Contaminated Gasoline was published in March, 2017 as a Request for Quotation. Based on past experience, the cost of the services was not expected to exceed \$25,000 per year. An award was made to Ecoflo with a not-to-exceed cap of \$25,000 for a two year agreement (one year Initial Term, one renewal option).

At the time it was not exactly clear what the effect of the County assuming the operation of additional sites from MES would have on the actual volume known. Additionally, the cost per gallon to recycle contaminated gasoline increased significantly under the Master Agreement 3563. The new contract is \$1.52 higher per gallon than the price paid under the previous awarded contract. The volume and cost of gasoline recycling for CAF & ESL combined is now expected to exceed the original \$25,000 compensation cap. Based on current volume, the estimated costs for FY18 are 15,000 gallons X \$2.75/gallon = \$41,250.00.

Estimated Total: \$95,000.00
Award Date: 12/13/17

MA 3760 Renegade Brands, Nano X Detergent and Odor Eliminator

Renegade Brands is the manufacturer of Nano0145-Nano X Soak/Detergent and Sweat X Sport Xtreme Order Eliminator, proprietary formula products that are pH neutral and designated to provide advance cleaning by dislodging and removing embedded soot, particulates, bacteria, and related odors from garments.

Nano0145-Nano X Soak/Detergent and Sweat X Sport Xtreme Order Eliminator have a neutral pH which reduces the probability of skin irritation and with the proprietary formula exfoliate embedded soot and bacteria that can be trapped in uniforms, firefighting hoods, and other garments worn under the turnout gear after exposure to smoke/toxic conditions. Embedded soot contains carcinogenic materials, therefore, a cleaner capable of removing the toxins from garment worn under firefighting gear may reduce the risk of exposure to the carcinogenic materials. The odor eliminator can remove the odors associated with the toxic soot which can reduce nasal irritation to anyone around garment. A cleaning of wash and wear uniforms, firefighting hoods, and other issued garments worn during exposures to hazardous conditions is not included in the contract and handled at each individual fire station. There are other cleaning products, however, they do not exfoliate embedded soot, is not pH neutral, and is used for routine cleaning purposes.

Total: \$24,758.00
Award Date: 12/13/17

c: M. Field,
T. Peddicord,
L. Smelkinson