

*BALTIMORE COUNTY COUNCIL  
NOTES TO THE AGENDA  
LEGISLATIVE SESSION 2020*

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*Issued: January 23, 2020  
Work Session: January 28, 2020  
Legislative Day No. 3: February 3, 2020*

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



OFFICE OF THE COUNTY AUDITOR

**BALTIMORE COUNTY COUNCIL**

**February 3, 2020**

**NOTES TO THE AGENDA**

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**AGENDA  
BALTIMORE COUNTY COUNCIL  
LEGISLATIVE SESSION 2020, LEGISLATIVE DAY NO. 3  
FEBRUARY 3, 2020 6:00 P.M.**

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

**Page**

**CALL OF BILLS FOR FINAL READING AND VOTE**

**RENEE COLEMAN, OFFICE OF HUMAN RESOURCES**

- 1 Bill 1-20 – Mr. Quirk(By Req.) – Personnel Law of Baltimore County

**COUNCIL**

- 2 Bill 2-20 – Mr. Patoka – Assembly Areas-Capital Improvement and Capital Construction-Assistive Listening System Requirements

**APPROVAL OF FISCAL MATTERS/CONTRACTS**

**STEVE WALSH, DIRECTOR, DEPARTMENT OF PUBLIC WORKS**

- 4 1. Contract – Northwest Recycling, LLC – Snow removal and deicing services - DPW

**AMY GROSSI, DEPARTMENT OF PERMITS, APPROVALS & INSPECTIONS**

- 8 2. Contract of Sale – Pamela Marie Valis, Karen Elaine Davis and Melinda A. Hipsley- 300 Church Lane, 21208-REC  
11 3. Contract of Sale – Rayn & Richard Warren – 9922 Pulaski Highway, 21220- Mohrs Lane Bridge #143-REC

**MISCELLANEOUS BUSINESS**

**COUNCIL**

- 14 1. Res. 14-20 – Mr. Crandell – Property Tax Exemption – DAV – Gordon Riffe  
2. Res. 21-20 – Councilmembers Kach, Marks & Patoka – Rules of Procedure – Baltimore County Council  
3. Res. 22-20 – Mr. Patoka – Property Tax Exemption – DAV – Craig Rabinowitz

**Bill 1-20**

**Council District(s) All**

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**Mr. Quirk (By Req.)**

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**Office of Human Resources**

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**Personnel Law of Baltimore County**

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Bill 1-20 implements a change to the Classification and Compensation Plans as recommended by the Personnel and Salary Advisory Board and approved by the County Executive.

Bill 1-20 adds a new code, class title, and salary grade to Section II, Classification and Grades. Specifically, the bill adds the job of Forensic Biologist Technical Leader at the 2M salary grade with the code 10.551. The current 2M salary grade ranges from \$63,908 to \$99,567.

With the affirmative vote of five members of the County Council and signature by the County Executive, Bill 1-20 will take effect February 16, 2020.

Bill 2-20

Council District(s) All

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**Mr. Patoka**

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**Assembly Areas – Capital Improvement and Capital Construction –  
Assistive Listening System Requirements**

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Bill 2-20 requires a recipient of County funds to install an assistive listening system during the construction or renovation of an assembly area if that area uses or requires the use of a public address system and a County contract has been executed to enable the construction or renovation. The bill also modifies the composition and duties of the Commission on Disabilities to include the deaf or hard of hearing community and their needs.

In 2019, the Governor signed SB 1014 and HB 1192 into law. The legislation requires any recipient of State funds to install an assistive listening system in an assembly area during the construction or renovation of the assembly area if it uses or requires the use of a public address system, if a State contract has been executed to enable the construction or renovation of the assembly area.

An “assistive listening system” (ALS) is an amplification system using transmitters to send sound from its source to the listener with a direct, wireless connection, such as a hearing induction loop system that couples to a personal hearing device or a hearing induction loop receiver. An “assembly area” is any indoor area in a building or facility that is used for entertainment, education, or civic gatherings that has a public address system.

The State legislation, while providing an excellent framework, is not broad enough in scope to encompass all government-funded capital improvement projects, particularly those that use only County funds. Bill 2-20 adapts several portions of the State legislation to existing County government and applies its requirements to capital improvement projects that use County funds.

Bill 2-20 also amends the composition of the Commission on Disabilities to require at least one, but no more than three, members who: (i) are deaf, hard of hearing, or require a personal hearing device; (ii) are a direct caregiver for or a family member of a person who is deaf, hard of hearing, or requires a personal hearing device; or (iii) have expertise in or special knowledge, training, or experience in assisting consumers who use an ALS. The bill also requires the Commission to

consult with County residents with hearing loss or advocates for disabled individuals generally who may or will use any County facility during its construction or renovation before the project is complete.

With the affirmative vote of five members of the County Council, Bill 2-20 will take effect February 17, 2020.

**FM-1 (Contract)**

**Council District(s) All**

**Department of Public Works**

**Snow Removal and Deicing Services**

The Administration is requesting approval of a contract with Northwest Recycling, LLC to provide on-call snow removal and salt application services. The contract commenced December 1, 2019, continues through February 29, 2020, and may not exceed \$25,000 unless approved by the Council. If approved, the contract will continue through April 30, 2020 and will renew automatically for nine additional 1-year periods. (November 1 through April 30 constitutes a snow season.) Compensation for this contract, together with all other contracts for these services, may not exceed the amount appropriated for snow removal and salt application services during the entire 9-year and 5-month term, including the renewals. The contract amount is not reasonably estimable at this time. See Exhibit A.

**Fiscal Summary**

<b>Funding Source</b>	<b>Initial Term</b>	<b>Combined Maximum Compensation</b>
<b>County</b> <sup>(1)</sup>	*	*
<b>State</b>	--	--
<b>Federal</b>	--	--
<b>Other</b>	--	--
<b>Total</b>	* (2)	* (3)

<sup>(1)</sup> General Fund Operating Budget.

<sup>(2)</sup> The hourly rates for the contractor are \$110, \$145, \$160, and \$180 depending on the equipment, with no specified maximum compensation. The contract, together with all other contracts for these services, is limited in the aggregate to the amount appropriated for snow removal and salt application services. The contract amount is not reasonably estimable at this time.

<sup>(3)</sup> Maximum compensation, together with all other contracts for these services for the entire 9-year and 5-month term, including renewals, may not exceed the amount appropriated for snow removal and salt application services each year. The amount is not reasonably estimable at this time.

### Analysis

In accordance with the Department's snow removal plan, responsibility for most Priority 1 routes (i.e., roads with traffic volumes of at least 10,000 vehicles per day) will be assigned to contractors, allowing the County to focus its efforts on subdivision streets more quickly.

The contract commenced December 1, 2019, continues through February 29, 2020, and may not exceed \$25,000 unless approved by the Council. If approved, the contract will continue through April 30, 2020 and will renew automatically for nine additional 1-year periods on the same terms and conditions, unless the County provides notice of non-renewal. A snow season begins November 1 and ends April 30. Compensation paid to all contractors providing snow removal and salt application services may not exceed the amount appropriated during the entire 9-year and 5-month term, including the renewals. The Department advised that an estimated amount for the contract is undeterminable due to the unpredictable nature and timing of snowfalls (i.e., density and depth of snowfalls, number of snowfalls occurring during the season). The County may terminate the agreement by providing 30 days prior written notice.

The FY 2020 budget for the Storm Emergencies Program totals approximately \$8.4 million, including \$1.1 million for contractual snow removal services. The County's financial system indicated that FY 2019 snow removal expenditures totaled approximately \$9.2 million, including approximately \$4.0 million for contractual services.

The contractor will provide the following equipment: 2 Class V vehicles (minimum GVW 16,001 to 19,500 pounds) with plows and spreaders; 1 single-axle dump truck with a plow and spreader; 1 two-cubic yard wheel loader; and 2 five-cubic yard wheel loaders at hourly rates of \$110, \$145, \$160, and \$180, respectively. The contractor will be paid based on the actual hours the equipment is in service, including up to 2 hours for travel time (1 hour each to and from the County highway shop). Additionally, the minimum work shift for any dispatched truck is 4 hours. The County will provide all rock salt for spreading on road surfaces.

The Office of Budget and Finance, Purchasing Division advised that the pricing and contract terms are based on similar contracts established by the State of Maryland. However, hourly rates may be changed at the time of each annual renewal based on the State rates in effect at that time. The State contract includes an additional incentive payment to the contractor after the snow season ends in the amount of \$500 per truck if the contractor was available and present for all snow events. The County's contracts also include this incentive payment.

In procuring these services, the Department requested and received a waiver of a sealed bid process from the Administrative Officer due to the competition with surrounding jurisdictions. Accordingly, the contractor was selected on a non-competitive basis.

For the 2019/2020 snow season, the Department advised that approximately 529 pieces of snow removal equipment (e.g., trucks, loaders, backhoes, and graders) are available from its Bureau of Highways and Equipment Maintenance and Bureau of Utilities, the Department of Recreation and Parks, the Department of Education, and the Office of Budget and Finance – Property Management Division. The Purchasing Division advised that as of January 23, 2020, the County has contracts with 50 contractors, excluding this contractor, which provide approximately 264 trucks and 59 pieces of equipment.

On December 21, 2015, the Council approved 5-year and 4-month contracts not to exceed the amount appropriated with Northwest Recycling, LLC and three other contractors to provide rental roll-off containers for community clean-ups on an as-needed basis. The County's financial system indicated that as of January 10, 2020, \$122,375 had been expended/encumbered under the Northwest Recycling, LLC contract.

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



## COUNCIL ACTION REQUEST FORM EXECUTIVE SUMMARY

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### Executive Summary

**Vendor Name-** Northwest Recycling LLC

**Purpose-** Additional resources are needed to supplement county crews, especially during large events.

**Scope of Contract-** The contractor shall provide snow removal and salt application services which the County may require during the Term. Snow removal shall consist of pushing all snow off the road surfaces of designated routes, to the sides of the roadways, salt application shall involve the even distribution of rock salt across the same road surfaces being plowed by means of a salt spreader. The contract specifies equipment as: One (1) single axle dump truck (over 8 tones) with plow and spreader; Two (2) Class V vehicles (minimum GVW 16,001 to 19,500 pounds) with plows and spreaders; Two (2) large wheel loaders (approximately 5 cubic yards); One (1) medium wheel loader (approximately 2 cubic yards). The contractor shall be required to have an operable cellular phone or other suitable means of communication, in each truck while operating under contract with the County.

**Contract Value-** The contract does not specify a contract cap. The cap is tied to the total appropriation for snow removal services. The County reserves the right to order such services as may be required during the Term, and it also reserves the right not to order any services, if it is found that such services are not required by the County during the Term.

**Term of Contract-** This agreement shall be effective on or about December 1, 2019 and shall continue until February 29, 2020 unless the County Council approves this Agreement. In the event the County Council approves this Agreement the term of this Agreement shall continue through April 30, 2020 (the initial term). The County reserves the right to renew this Agreement for nine (9) years on the same terms and conditions. A snow season is defined as beginning November 1<sup>st</sup> and ending April 30<sup>th</sup> of the next calendar year.

**Vendor Selection Method** – The vendor was selected by the waiver of sealed bid process.

Prepared by: Department of Public Works

FM-2 (Contract)

Council District(s) 2

Department of Permits, Approvals and Inspections

300 Church Lane, 21208

The Administration is requesting approval of a contract to acquire property totaling approximately 4.03 acres for \$432,000 to be used for passive open space. Pamela Marie Valis, Karen Elaine Davis, and Melinda A. Hipsley currently own the property, which is located at 300 Church Lane in Pikesville. The property is zoned DR-5.5 (Density Residential – 5.5 units/acre) and DR-3.5 (Density Residential – 3.5 units/acre). See Exhibit A.

Fiscal Summary

Funding Source	Purchase Price	Notes
County	--	<sup>(1)</sup> Program Open Space funds.
State <sup>(1)</sup>	\$ 432,000	
Federal	--	
Other	--	
<b>Total</b>	<u>\$ 432,000</u>	

Analysis

The Department advised that two appraisals were obtained pursuant to Program Open Space policy for review by the Maryland Department of Natural Resources: one by Everett Benfield Advisors in August 2019, recommending a value of \$434,000, and one by S. H. Muller & Associates, LLC in September 2019, recommending a value of \$430,000. The Department further advised that the average of the two appraised values (\$432,000) was used as the settlement price, which will be reimbursed with Program Open Space funds.

The approximate 4.03-acre property to be acquired consists of four parcels, three of which are unimproved land. The developed parcel is improved with a detached two-story single-family dwelling and two garages. The property is currently vacant. The contract states that the County

will raze the dwelling and all structures. The Department advised that demolition costs are expected to total up to \$30,000, and the timeframe for the work has not been finalized. The Department further advised that the County intends to maintain the property as passive open space for use as a “pocket park.”

The Department advised that this property is the only planned acquisition for this project. As of January 14, 2020, \$6,000 has been expended for this project.

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



## COUNCIL ACTION REQUEST FORM EXECUTIVE SUMMARY

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PROGRAM TITLE: 300 Church Lane POS

PROJECT NO.: 212-601-0771

FISCAL MATTER: Contract of Sale

PROPERTY OWNER: Pamela Marie Valis  
Karen Elaine Davis &  
Melinda A. Hipsley

LOCATION: 300 Church Lane  
Pikesville, Maryland 21208

CONSIDERATION \$432,000.00

PURPOSE OF PROJECT: This contract is for the purchase of property consisting of 4 acres +/- Program Open Space acquisition funds will be applied to reimburse the full purchase price. Two outside consultant appraisals were obtained, pursuant to Program Open Space policy. The land will be maintained as passive open space.

LIMITS OF PROJECT: The north side of Church Lane west of Reisterstown Road

Prepared by: Department of Permits, Approvals &  
Inspections

**FM-3 (Contract)**

**Council District(s) 6**

**Department of Permits, Approvals and Inspections**

**9922 Pulaski Highway, 21220 – Mohrs Lane Bridge #143**

The Administration is requesting approval of a contract to acquire property totaling 0.397 acre for \$250,000 to facilitate roadway improvements needed to accommodate the Mohrs Lane Bridge #143 replacement over the CSX railroad tracks. Richard Denis Warren and Rayn Curtis Warren currently own the property, which is located at 9922 Pulaski Highway in Middle River. The property is zoned B.R. (Business Roadside) and will be used for highway widening, revertible slope, and temporary construction easement areas. See Exhibit A.

**Fiscal Summary**

<b>Funding Source</b>	<b>Purchase Price</b>	<b>Notes</b>
<b>County</b>	\$ 250,000 (1)	(1) Capital Projects Fund.
<b>State</b>	--	
<b>Federal</b>	--	
<b>Other</b>	--	
<b>Total</b>	<u>\$ 250,000</u>	

**Analysis**

Everett, Benfield LLC and Page Appraisal Company, Inc., consultant appraisers, completed appraisals for the property in July 2015 and August 2015, respectively, recommending values of \$202,851 and \$110,073, respectively. After review and analysis, the County’s staff review appraiser concurred with the Everett, Benfield LLC appraisal, recommending \$202,851 as just compensation for the acquisition. The Department advised that the County and property owners negotiated a \$250,000 settlement; however, the property owners then declined to move forward with a contract of sale. On May 23, 2019, the Council approved a petition for condemnation for

this property. The Department further advised that after the approval of the petition for condemnation, the property owners agreed to enter into a contract of sale at the previously negotiated sales price of \$250,000.

The 0.397-acre property to be acquired is improved with 280 linear feet of fencing. The purchase price of \$250,000 includes \$6,762 to compensate for the fencing.

The Mohrs Lane roadway improvements will extend approximately 950 ft. toward MD Rt. 7 (Philadelphia Road) and approximately 300 ft. toward MD Rt. 43 west of the Mohrs Lane Bridge. The Department advised that eight acquisitions are needed for this project, all of which require Council approval. This is the third property acquisition for this project; the Council approved the first acquisition on June 5, 2017 and the second acquisition on September 16, 2019.

Estimated project costs total \$13.0 million for the roadway improvements and bridge replacement on Mohrs Lane, including \$10.4 million for construction. According to the County's financial system, as of January 13, 2020, \$610,500 had been expended/encumbered for this project, excluding the cost of this acquisition. The Department advised that construction will begin in May 2020 and will be completed in June 2022.

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



## COUNCIL ACTION REQUEST FORM EXECUTIVE SUMMARY

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PROGRAM TITLE: Bridge #143 Replacement Mohrs Lane  
(RW 13-088, It. 8)

PROJECT NO.: 210-205-0376-A004

FISCAL MATTER: Contract of Sale

PROPERTY OWNERS: Rayn Curtis Warren &  
Richard Denis Warren

PROPERTY INTEREST TO  
BE ACQUIRED: *Highway Widening Area containing  
0.271 acre (11,787 sq. ft.) +/-  
(of which 0.0725 acre (3,158 sq. ft.) +/-  
lies in existing paving)*  
  
*Total Revertible Slope Easement Areas  
containing 0.029 acre (1,272 sq. ft.) +/-*  
  
*Temporary Construction Area containing  
0.097 acre (4,237 sq. ft.) +/-*

LOCATION: 9922 Pulaski Highway  
Baltimore, Maryland 21220

CONSIDERATION \$250,000.00

PURPOSE OF PROJECT: Improving Mohrs Lane to accommodate  
Mohrs Lane Bridge #143

LIMITS OF PROJECT: Extending approximately 950 linear feet towards  
Md. Rt. 7 and approximately 300 linear feet towards  
Md. Rt. 43 beyond the bridge.

Prepared by: Department of Permits, Approvals &  
Inspections

MB-2 (Res. 21-20)

Council District(s) All

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**Councilmembers Kach, Marks & Patoka**

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**Rules of Procedure – Baltimore County Council**

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Resolution 21-20 amends Rule 2 of the Rules of Procedure for the Baltimore County Council in Appendix A of the Baltimore County Code, 2015.

Specifically, the resolution amends subsection D of Rule 2 that sets forth requirements for work session agendas. The existing “Contents of Agenda” provisions are re-numbered to Rule 2.D.1. The resolution also adds a new subsection, Rule 2.D.2, that requires all work sessions of the County Council to start at 6:00 p.m. or later as determined by the Chair.

Under the current Rules of Procedure, there is not a required start time for work sessions of the County Council. Currently, the Council holds work sessions on the Tuesday prior to a legislative session, starting at 2:00 p.m. Work sessions are not discussed in the County Charter or Code, unlike legislative sessions, which generally must occur on the first Monday of each month pursuant to Section 208 of the Charter. However, no start time for legislative sessions is mandated by the Charter, Code, or Rules of Procedure.

Traditionally, work sessions have been considered a proper time for the public to offer in-person testimony on a matter before the Council. However, members of the public may submit in-person testimony at a legislative session that occurs prior to a vote on a matter and written testimony at any time by mail, e-mail, fax, or hand delivery. All written testimony is forwarded to the Councilmembers and is placed in the meeting file along with any exhibits offered by an in-person affiant.

With the affirmative vote of five members of the County Council, Resolution 21-20 will take effect on its date of passage.