County Council of Howard County, Maryland

2017 Legislative Session

Legislative Day No. 2

Resolution No. 27 –2017

Introduced by: The Chairperson at the request of the County Executive

A RESOLUTION indicating support by both the County Council and County Executive for a project to finance and construct a new courthouse.

Introduced and read first time February 6, 2017.

By order Jessica Feldmark
Jessica Feldmark, Administrator

Read for a second time at a public hearing on February 21, 2017.

By order Jessica Feldmark
Jessica Feldmark, Administrator

This Resolution was read the third time and was Adopted___, Adopted with amendments ✓, Failed___, Withdrawn___, by the County Council on March 6, 2017.

Certified By Jessica Feldmark
Jessica Feldmark, Administrator

Approved by the County Executive March 8, 2017

Allan H. Kittleman
Allan H. Kittleman, County Executive

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN SMALL CAPITALS indicates additions to existing law; ~~Strike-out~~ indicates material deleted by amendment; Underlining indicates material added by amendment

WHEREAS, the building that currently houses the Circuit Court for Howard County (the "Existing Courthouse") is over 174 years old and is a significant historic structure; and

WHEREAS, due to the Existing Courthouse's age and spatial limitations related to its site location, it is impossible to accommodate the renovations and expansion required to meet current and future needs; and

WHEREAS, issues with the Existing Courthouse that need to be addressed include:

1. The State recently approved a 6th Circuit Court Judge for Howard County, but no space is available to accommodate the additional Judge or the Judge's staff;
2. Prisoners, judges, court staff, the public, and opposing parties in highly contentious matters such as child custody, peace orders, and restraining orders are required to share hallways and other common areas;
3. There are severely inadequate spaces to accommodate security needs at the Existing Courthouse entrances, in hallways, and in courtrooms;
4. The State requires electronic filing which must be implemented; however, due to its structural makeup, the Existing Courthouse cannot accommodate the infrastructure to support electronic filing;
5. There is no enclosed secure entrance for prisoners;
6. Prisoner holding areas are inadequate; and

WHEREAS, likewise, the Existing Courthouse is unable to accommodate the efficient consolidation of County legal services including land records, the State's Attorney's Office, the Sherriff's Office and ancillary programs including Juvenile Services and Department of Social Services; and

WHEREAS, the issues identified with the inadequacy of the Existing Courthouse cause major concerns regarding the delivery of important judicial services to the residents across the County; and

WHEREAS, the County has conducted studies and engaged consulting services to investigate the need, analyze different project delivery options and consider preferred solutions to address problems with the Existing Courthouse and the recommendation is to construct a new courthouse facility (the "Project"); and

WHEREAS, the recommended project delivery option uses partial public financing and partial private financing, with a private consortium delivery of design, build, and operation and maintenance of the Project for a 30-year term; and

WHEREAS, the Project is proposed to be located on the site of the County-owned Bendix Building; and

WHEREAS, the capital cost for the Project is estimated to be $138,730,000 and includes site work, the demolition of the current Bendix Building, and the construction of a new 227,000 gross square feet courthouse building and 600-space garage; and

WHEREAS, the public financing of the Project's capital cost is proposed to be added as a one-time initiative on top of the typical level of authorized County General Obligation bonds; and

WHEREAS, recognizing the cost impact of the Project, the County's Spending Affordability Committee has been briefed and evaluated the need and cost impact of the Project and the implications of different project delivery options; and

WHEREAS, the Spending Affordability Committee expressed their unanimous support for the Project on January 18, 2017 and recommended taking a hybrid public private partnership approach featuring partial public financing and partial private financing with private consortium delivery of design, build, operation and maintenance due to its anticipated optimum benefit to the County in the long run among the various options discussed; and

WHEREAS, given the substantial costs likely to be borne by potential responders to the County's Request for Proposals for the Project, while understanding the preliminary nature of the projections and analysis conducted by County staff and consulting services, it is necessary that the County's governing body demonstrate support for the Project in order to obtain proposals from qualified contractors and commit necessary resources before officially starting the procurement for the Project; and

WHEREAS, the County Executive has signed this Resolution, indicating his support for the Project and the proposed issuance of County General Obligation Bonds as part of the resources to fund this one-time initiative.

NOW, THEREFORE, BE IT RESOLVED by the County Council of Howard County, Maryland, this 6th day of March, 2017, that Howard County hereby supports the Project and supports the use of General Obligation Bonds as part of the resources to finance the construction of the Project.

AND BE IT FURTHER RESOLVED that the County Council requests that any Request for Proposals related to the Project will be submitted to the Council for review and comment at least two weeks before the Request for Proposals is issued.

AND BE IT FURTHER RESOLVED that the County Council requests that, by signing this Resolution, the County Executive indicate his agreement that any Request for Proposals related to the Project will be submitted to the Council for review and comment at least two weeks before the Request for Proposals is issued.

Amendment 1 to Council Resolution No. 27-2017

BY: Jon Weinstein

Legislative Day No. 5

Date: 3/6/17

Amendment No. 1

(This amendment requests that any Request for Proposals be submitted to the County Council in advance and that the County Executive indicate his agreement.)

On page 3, after line 15, insert:

"**AND BE IT FURTHER RESOLVED** that the County Council requests that any Request for Proposals related to the Project will be submitted to the Council for review and comment at least two weeks before the Request for Proposals is issued.

AND BE IT FURTHER RESOLVED that the County Council requests that, by signing this Resolution, the County Executive indicate his agreement that any Request for Proposals related to the Project will be submitted to the Council for review and comment at least two weeks before the Request for Proposals is issued."

ADOPTED 3/6/17
FAILED
SIGNATURE Jessica Feldmark