

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This Resolution was read the third time and was Adopted , Adopted with amendments , Failed , Withdrawn , by the County Council on March 6, 2017.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

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

3  
4           **WHEREAS**, due to the Existing Courthouse’s age and spatial limitations related to its  
5 site location, it is impossible to accommodate the renovations and expansion required to meet  
6 current and future needs; and

7  
8           **WHEREAS**, issues with the Existing Courthouse that need to be addressed include:

9           1.       The State recently approved a 6<sup>th</sup> Circuit Court Judge for Howard County, but no  
10 space is available to accommodate the additional Judge or the Judge’s staff;

11           2.       Prisoners, judges, court staff, the public, and opposing parties in highly  
12 contentious matters such as child custody, peace orders, and restraining orders are required to  
13 share hallways and other common areas;

14           3.       There are severely inadequate spaces to accommodate security needs at the  
15 Existing Courthouse entrances, in hallways, and in courtrooms;

16           4.       The State requires electronic filing which must be implemented; however, due to  
17 its structural makeup, the Existing Courthouse cannot accommodate the infrastructure to support  
18 electronic filing;

19           5.       There is no enclosed secure entrance for prisoners;

20           6.       Prisoner holding areas are inadequate; and

21  
22           **WHEREAS**, likewise, the Existing Courthouse is unable to accommodate the efficient  
23 consolidation of County legal services including land records, the State’s Attorney’s Office, the  
24 Sherriff’s Office and ancillary programs including Juvenile Services and Department of Social  
25 Services; and

26  
27           **WHEREAS**, the issues identified with the inadequacy of the Existing Courthouse cause  
28 major concerns regarding the delivery of important judicial services to the residents across the  
29 County; and

1           **WHEREAS**, the County has conducted studies and engaged consulting services to  
2 investigate the need, analyze different project delivery options and consider preferred solutions  
3 to address problems with the Existing Courthouse and the recommendation is to construct a new  
4 courthouse facility (the “Project”); and  
5

6           **WHEREAS**, the recommended project delivery option uses partial public financing and  
7 partial private financing, with a private consortium delivery of design, build, and operation and  
8 maintenance of the Project for a 30-year term; and  
9

10           **WHEREAS**, the Project is proposed to be located on the site of the County-owned  
11 Bendix Building; and  
12

13           **WHEREAS**, the capital cost for the Project is estimated to be \$138,730,000 and includes  
14 site work, the demolition of the current Bendix Building, and the construction of a new 227,000  
15 gross square feet courthouse building and 600-space garage; and  
16

17           **WHEREAS**, the public financing of the Project’s capital cost is proposed to be added as  
18 a one-time initiative on top of the typical level of authorized County General Obligation bonds;  
19 and  
20

21           **WHEREAS**, recognizing the cost impact of the Project, the County’s Spending  
22 Affordability Committee has been briefed and evaluated the need and cost impact of the Project  
23 and the implications of different project delivery options; and  
24

25           **WHEREAS**, the Spending Affordability Committee expressed their unanimous support  
26 for the Project on January 18, 2017 and recommended taking a hybrid public private partnership  
27 approach featuring partial public financing and partial private financing with private consortium  
28 delivery of design, build, operation and maintenance due to its anticipated optimum benefit to the  
29 County in the long run among the various options discussed; and  
30

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

7  
8           **WHEREAS**, the County Executive has signed this Resolution, indicating his support for  
9 the Project and the proposed issuance of County General Obligation Bonds as part of the  
10 resources to fund this one-time initiative.

11  
12           **NOW, THEREFORE, BE IT RESOLVED** by the County Council of Howard County,  
13 Maryland, this 6<sup>th</sup> day of March, 2017, that Howard County hereby supports the  
14 Project and supports the use of General Obligation Bonds as part of the resources to finance the  
15 construction of the Project.

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

19  
20           **AND BE IT FURTHER RESOLVED** that the County Council requests that, by signing  
21 this Resolution, the County Executive indicate his agreement that any Request for Proposals  
22 related to the Project will be submitted to the Council for review and comment at least two  
23 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.)*

1 On page 3, after line 15, insert:  
2

3 “AND BE IT FURTHER RESOLVED that the County Council requests that any  
4 Request for Proposals related to the Project will be submitted to the Council for review and  
5 comment at least two weeks before the Request for Proposals is issued.  
6

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

ADOPTED 3/6/17  
FAILED \_\_\_\_\_  
SIGNATURE Jessica Addmark