

MINUTES**REGULAR MEETING**

Honorable Bernard C. "Jack" Young, President
Honorable Catherine E. Pugh, Mayor
Honorable Joan M. Pratt, Comptroller and Secretary
Rudolph S. Chow, Director of Public Works
Andre M. Davis, City Solicitor - **ABSENT**
Dana P. Moore, Deputy City Solicitor
S. Dale Thompson, Deputy Director of Public Works
Bernice H. Taylor, Deputy Comptroller and Clerk

President: "Good morning. The May 2, 2018, meeting of the Board of Estimates is now called to order. In the interest of promoting order and the efficiencies of these hearings, persons who are disruptive to the hearings will be asked to leave the hearing room immediately. Meetings of the Board of Estimates are open to the public for the duration of the meeting. The hearing room must be vacated at the conclusion of the meeting. Failure to comply may result in a charge of trespassing. I will direct the Board Members attention to the Memorandum from my office dated April 30, 2018 identifying matters to be considered as routine agenda items together with any corrections and additions that have been noted by the Deputy Comptroller. I will entertain a motion to approve all of the items contained on the routine agenda."

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Deputy City Solicitor: "Mr. President, I move approval of the items on the routine agenda."

Comptroller: "Second."

President: "All of those in favor say AYE. All of those opposed, NAY. The routine agenda has been adopted."

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MINUTES

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THE DEPARTMENT OF FINANCE

PRESENTED THE

PROPOSED ORDINANCE OF ESTIMATES FOR FY 2019

AND

AN ORDINANCE TO LEVY AND COLLECT A TAX

AND

REQUESTED AUTHORIZATION TO ADVERTISE

THE ORDINANCE OF ESTIMATES

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President: "The first item on the non-routine agenda can be found on Page 1. The Department of Finance will present the Proposed Ordinance of Estimates for FY 2019 and an Ordinance to Levy and Collect a Tax and Request Authorization to Advertise the Ordinance of Estimates. Will you please come forward?"

Mr. Bob Cename: "Thank you and Good morning Madam Mayor, Mr. President, Madam Comptroller, members of the Board. My name is Bob Cename uh -- City Budget Director and I am here today to present the proposed Fiscal 2019 Ordinance of Estimates and uh -- uh -- proposed Property Tax Ordinance. So, in the proposed Ordinance of Estimates, we are recommending \$2.8 billion dollars of operating expenses. That is an increase of \$47.9 million or 1.7% above the Fiscal 2018 level. The General Fund operating budget is \$1.86 billion. That is \$44 million dollars or 2.4% above the Fiscal 18 level and we are also recommending \$680.9 million dollars of capital expenses that includes \$105 million dollars of General Fund-backed sources, which is the highest investment level since pre-recession -- since pre-recession times in 2009. When we came

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uh -- in -- in March when we presented a balance plan at the -- uh -- pre -- preliminary budget, there have been a few minor changes that we are presenting today. They're in the uh -- the final budget that you have in front of you and most of those are due to state action. When we get the final state -- State budget uh -- request we -- we include those in the final budget. Two worth mentioning, on the operating side, there's \$3.5 million dollars that we got from the State as a grant for the Safe Streets Program that's now reflected and on the Capital Budget. Uh -- there are additional grants that we got from the State: \$5.5 million dollars of Transportation related grants and an additional \$3 million grant from the State for uh -- specifically for the Hanover Street Bridge project. The Property Tax Ordinance that we're proposing today would maintain the City's rate at \$2.24 dollars per \$100.00 of assessed value, uh -- the personal property tax rate, by law, is 2.5 times the real property rate that would be \$5.62 per \$100.00 of assessed value. And so, I ask for the Honorable Board today to approve this and move both Ordinances on for consideration to the City Council."

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President: "Okay. So you -- you -- you're asking for the Ordinance of Estimates and the um -- Levy and Collect -- to collect the Tax?"

Mr. Cename: "That's right."

President: "Okay. What about authorizing the -- the -- the advert -- advertisement of the Ordinance of Estimates. Can you include all of that?"

Mr. Cename: "Sure -- sure - sure. So, once it's approved today um -- the Charter requires us to publish the Ordinance and the Property Tax Levy in two daily newspapers, which we'll do by the end of next week."

President: "Okay. Uh -- any questions? I will enter -- entertain the Motion to approve the Ordinance of Estimates for Fiscal 2019, approve the Ordinance to Levy and Collect the Tax and authorize Advertisement of the Ordinance of Estimates."

Deputy City Solicitor: "So moved."

Comptroller: "Second."

President: "All those in favor say AYE. All opposed NAY. Um -- Please note that um -- as Council President I have to **ABSTAIN** because this is coming before the City Council. The Motion carries."

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MINUTES

Bureau of the Budget and - Annual Ordinance of Estimates FY 2019
Management Research

ACTION REQUESTED OF B/E:

The Board is requested to approve the Fiscal 2019 Ordinance of Estimates for transmittal to the Baltimore City Council.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

The Ordinance of Estimates totals \$3,499,279,441.00, including \$2,818,350,441.00 for operating expenses and \$680,929,000.00 for capital expenses.

UPON MOTION duly made and seconded, the Board approved the Fiscal 2019 Ordinance of Estimates for transmittal to the Baltimore City Council. The President **ABSTAINED**.

MINUTES

Bureau of the Budget and - Annual Property Tax Ordinance FY 2019
Management Research

ACTION REQUESTED OF B/E:

The Board is requested to approve the Fiscal 2019 Tax Rate Ordinance for transmittal to the Baltimore City Council.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

The Real Property Tax Rate is proposed to remain at \$2.248 per \$100.00 of assessed value. The Personal Property Tax Rate is 2.5 times the Real Property Tax Rate per State Law.

UPON MOTION duly made and seconded, the Board approved the Fiscal 2019 Tax Rate Ordinance for transmittal to the Baltimore City Council. The President **ABSTAINED**.

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Department of Planning - Fiscal Year 2019 - 2024 Capital Budget and Capital Improvement Program

The Board is requested to **NOTE** receipt of the FY 2019 Capital Budget and the FY 2019 - 2024 Capital Improvement Program.

On March 8, 2018, the Planning Commission adopted the recommendations for the Fiscal Year 2019 Capital Budget and the Fiscal Year 2019 - 2024 Capital Improvement Program. The recommended program totaled \$1.8 billion for capital projects during FY 2019 - 2024 and \$618 million to be appropriated as part of the FY 2019 budget.

Source	FY2019	FY2020	FY2021	FY2022	FY2023	FY2024	TOTAL
G.O. Bonds	65,000	80,000	80,000	70,000	70,000	70,000	435,000
General Funds	25,250	17,000	17,000	17,000	17,000	17,000	110,250
Revenue Loans	237,875	140,397	32,688	43,826	15,864	15,000	485,650
Federal	66,284	39,177	37,117	36,935	37,072	36,072	252,657
State	72,549	22,939	27,007	11,700	13,450	13,600	161,245
Other	151,111	96,068	61,341	76,322	26,200	26,200	437,242
TOTAL	618,069	395,581	255,153	255,783	179,586	177,872	1,882,044

On March 26, 2018, the Board of Finance approved the Capital Improvement Program for FY19-24 as recommended by Planning Commission.

Changes after Board of Finance

Since the March 26, 2018 Board of Finance approval, the changes detailed below were made. With these changes, the recommended program totals \$1.9 billion for capital projects during FY 2019-FY 2024 and \$680.9 million to be appropriated as part of the FY 2019 budget. These changes are reflected in the attached reports.

Year Fund Source Change

General Services

International Black Firefighters Museum (197-250)

FY19 Other State Funds \$250,000.00

MINUTESDept. of Planning - cont'dRecreation and Parks**Athletic Field Renovation (474-064)**

FY19	State Open Space Grants	(\$800,000.00)
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Bocek Park Athletic Center

FY19	State Open Space Grants	\$ 750,000.00
FY19	General Obligation Bonds	(\$200,000.00)

Patterson Park Master Plan Implementation (474-085)

FY19	State Open Space Grants	\$ 500,000.00
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Herring Run Park Improvements (474-094)

FY19	State Open Space Grants	\$ 625,000.00
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Fred B Leidig Recreation Center Field & Field House (474-097)

FY19	State Open Space Grants	\$ 500,000.00
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Druid Hill Park Reservoir Improvements (474-106)

FY19	State Open Space Grants	(\$ 100,000.00)
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Clifton Mansion Site Improvements (474-110)

FY19	State Open Space Matching Grants	\$ 272,000.00
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Historic Park Facility Renovations (474-111)

FY19	General Obligation Bonds	\$ 200,000.00
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MINUTESDept. of Planning - cont'd**St. Mary's Park Land Acquisition (474-113)**

State Open Space Grants (\$ 280,000.00)

Park Rehabilitation Program (474-118)

FY19 State Open Space Grants (\$ 200,000.00)

Park Building Renovations (474-119)

FY19 State Open Space Grants \$ 400,000.00

Middle Branch Fitness and Wellness Center (474-784)

FY19 Other State Funds \$ 400,000.00

Transportation**Citywide System Preservation (508-056)**

FY19 Other State Funds \$ 25,000.00

Concrete Roadway Slab Repairs (508-072)

FY19 Other State Funds \$ 200,000.00

Hamilton Business District Complete Streets (508-109)

FY19 General Funds (HUR Eligible) \$ 400,000.00

Frederick Avenue Resurfacing and Landscaping (508-111)

FY19 General Funds (HUR Eligible) \$ 600,000.00

Capital Project Delivery Services (508-378)

FY19 Other State Funds \$ 244,000.00

MINUTESDept. of Planning - cont'd**Siting Evaluation - 2601 Falls Road Facility (508-899)**

FY19	Other State Funds	\$ 115,000.00
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Hanover Street Bridge (509-006)

FY19	Other State Funds	\$ 3,000,000.00
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Transportation Management Center Upgrade (512-005)

FY19	Other State Funds	\$ 200,000.00
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Traffic Signal Reconstruction (512-077)

FY19	General Funds (HUR Eligible)	(\$600,000.00)
FY19	Other State Funds	\$995,000.00

Intelligent Transportation System (ITS) (512-078)

FY19	General Funds (HUR Eligible)	(\$400,000.00)
FY19	Other State Funds	\$950,000.00

Resurfacing - Northwest (514-214)

FY19	Other State Funds	\$ 75,000.00
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Resurfacing - Southwest (514-215)

FY19	Other State Funds	\$ 75,000.00
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Resurfacing - Southeast (514-216)

FY19	Other State Funds	\$ 75,000.00
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Resurfacing - Northeast (514-846)

FY19	Other State Funds	\$ 75,000.00
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MINUTESDept. of Planning - cont'd**Asset Management (527-044)**

FY19	Other State Funds	\$250,000.00
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Greenmount Avenue Streetscape (527-009)

FY19	Other State Funds	\$ 40,000.00
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Department of Public Works**North Point Road Improvements (520-069)**

FY19	Stormwater Revenue Bonds	\$888,000.00
FY19	Stormwater Utility Funds	(\$888,000.00)

Basin Inserts Project 11-20 (525-002)

FY19	Stormwater Revenue Bonds	\$ 194,000.00
FY19	Stormwater Utility Funds	(\$ 194,000.00)

Small SWM BMP (525-004)

FY19	Stormwater Revenue Bonds	\$ 600,000.00
FY19	Stormwater Utility Funds	(\$ 600,000.00)

Herring Run Stream Restoration: Western Branch ER-4128 (ER-4054) (525-013)

FY19	Stormwater Revenue Bonds	\$2,963,000.00
FY19	Stormwater Utility Funds	(\$2,963,000.00)

Druid Hill Park Stream Restoration Project (525-014)

FY19	Stormwater Revenue Bonds	\$ 541,000.00
FY19	Stormwater Utility Funds	(\$ 541,000.00)

MINUTESDept. of Planning - cont'd**ESD: Patterson Park & Neighborhoods (525-016)**

FY19	Stormwater Revenue Bonds	\$ 814,000.00
FY19	Stormwater Utility Funds	(\$ 814,000.00)

Small SWM BMP 13 - ER-4126 (ER-4106) (525-018)

FY19	Stormwater Revenue Bonds	\$ 152,000.00
FY19	Stormwater Utility Funds	(\$ 152,000.00)

ESD: Hamden/Wyman Park/Mt. Washington - ER-4127 (ER-4058) (525-019)

FY19	Stormwater Revenue Bonds	\$ 156,000.00
FY19	Stormwater Utility Funds	(\$ 156,000.00)

ESD: Orchard Ridge/Armistead Gardens ER-4130 (ER-4083) (525-025)

FY19	Stormwater Revenue Bonds	\$ 297,000.00
FY19	Stormwater Utility Funds	(\$ 297,000.00)

Street Sweeping Route Signs (525-026)

FY19	Stormwater Revenue Bonds	\$2,752,000.00
FY19	Stormwater Utility Funds	(\$2,752,000.00)

Urgent Need Stream Repair 1 (ER-4036) (525-028)

FY19	Stormwater Revenue Bonds	\$ 388,000.00
FY19	Stormwater Utility Funds	(\$ 388,000.00)

ESD: Cherry Hill - ER-4127 (ER-4060) (525-029)

FY19	Stormwater Revenue Bonds	\$ 149,000.00
FY19	Stormwater Utility Funds	(\$ 149,000.00)

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Dept. of Planning - cont'd

**Lot Greening: Mt. Winans - ER-4126 (ER-4066) Environmental
Restoration Bundle 10 (525-031)**

FY19	Stormwater Revenue Bonds	\$ 112,000.00
FY19	Stormwater Utility Funds	(\$ 112,000.00)

Stream Monitoring USFW (ER 4139) (525-032)

FY19	Stormwater Revenue Bonds	\$ 216,000.00
FY19	Stormwater Utility Funds	(\$ 216,000.00)

**Public Schools Phase III - ER-4126 (ER-4067) Environmental
Restoration Bundle 10 (525-033)**

FY19	Stormwater Revenue Bonds	\$ 549,000.00
FY19	Stormwater Utility Funds	(\$ 549,000.00)

Tree Mitigation (ER-4132) (525-035)

FY19	Stormwater Revenue Bonds	\$ 607,000.00
FY19	Stormwater Utility Funds	(\$ 607,000.00)

**Environmental Restoration Bundle 3 - Franklin Town Blvd Culvert
Stream Restoration ER-4122 (ER-4031) (525-036)**

FY19	Stormwater Revenue Bonds	\$1,100,000.00
FY19	Stormwater Utility Funds	(\$1,100,000.00)

Powder Mill Run Stream Restoration Project (525-037)

FY19	Stormwater Revenue Bonds	\$ 507,000.00
FY19	Stormwater Utility Funds	(\$ 507,000.00)

Bioretention Areas (Masonville and GGI) ER-4098 (525-038)

FY19	Stormwater Revenue Bonds	\$ 594,000.00
FY19	Stormwater Utility Funds	(\$ 594,000.00)

MINUTES

Depart. of Planning - cont'd

ER-4126 (ER-4068) Environmental Restoration Bundle 10 (525-039)

FY19	Stormwater Revenue Bonds	\$ 335,000.00
FY19	Stormwater Utility Funds	(\$ 335,000.00)

Jones Fall Drainage - Improvement (SDC 7795) (525-040)

FY19	Stormwater Revenue Bonds	\$1,189,000.00
FY19	Stormwater Utility Funds	(\$1,189,000.00)

Armistead Run Stream Restoration (ER-4099) (525-041)

FY19	Stormwater Revenue Bonds	\$1,473,000.00
FY19	Stormwater Utility Funds	(\$1,473,000.00)

Small SWM BMP 12 - ER-4126 (ER-4105) | Environmental Restoration Bundle 10 (525-043)

FY19	Stormwater Revenue Bonds	\$ 701,000.00
FY19	Stormwater Utility Funds	(\$701,000.00)

Lower Stony Run Reach 3 Repair (ER 4137) (525-044)

FY19	Stormwater Revenue Bonds	\$ 552,000.00
FY19	Stormwater Utility Funds	(\$ 552,000.00)

Western Run at Kelly Avenue - ER-4122 (ER-4028) Environmental Restoration 3 (525-045)

FY19	Stormwater Revenue Bonds	\$ 1,300,000.00
FY19	Stormwater Utility Funds	(\$ 1,300,000.00)

Dead Run Stream Restoration Project 2 (Lazear and Franklinton Rd) (525-050)

FY19	Stormwater Revenue Bonds	\$ 1,000,000.00
FY19	Stormwater Utility Funds	(\$ 1,000,000.00)

MINUTES

Depart. of Planning - cont'd

**Maidens Choice Tributary Restoration Project - ER-4124 (ER-4052)
(525-705)**

FY19	Stormwater Revenue Bonds	\$ 300,000.00
FY19	Stormwater Utility Funds	(\$ 300,000.00)

Chinquapin Run Stream Restoration #1 (ER-4021) (525-998)

FY19	Stormwater Revenue Bonds	\$ 800,000.00
FY19	Stormwater Utility Funds	(\$ 800,000.00)

West Arlington Water Tower (557-103)

FY19	Other State Funds	\$ 250,000.00
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Housing and Community Development

Community Enterprise Program (588-050)

FY19	Other Funds	\$55,500,000.00
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Uplands Redevelopment (Sites A&B) (588-933)

FY19	Other State Funds	(\$ 1,000,000.00)
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Northwest Neighborhood Improvements (588-962)

FY 2019	Pimlico Local Impact Aid - VLT Revenue	(\$ 277,000.00)
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Park Heights Redevelopment (588-963)

FY 2019	Pimlico Local Impact Aid - VLT Revenue	(\$ 249,000.00)
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The recommendations of the Planning Commission along with the above revisions listed above are reflected in the recommendations.

MINUTES

Depart. of Planning - cont'd

UPON MOTION duly made and seconded, the Board **NOTED** receipt of the FY 2019 Capital Budget and the FY 2019 - 2024 Capital Improvement Program. The President **ABSTAINED**.

MINUTES

Board of Finance - Six-Year Capital Improvement Program

By City Charter, the review schedule for the Capital Improvement Program ("CIP") includes an endorsement by the Board of Finance. At a scheduled meeting on March 26, 2018, the FY 2019 Capital Budget totaling \$618,069,000.00 and the FY 2019-2024 CIP totaling \$1,882,044,000.00 was presented to the Board of Finance. Following the presentation, the Board of Finance endorsed the CIP as summarized below:

**Board of Finance Recommended 2019-2024 CIP
(\$000)**

Source	2019	2020	2021	2022	2023	2024	Total
G.O. Bonds	65,000	80,000	80,000	70,000	70,000	70,000	435,000
General Fund	25,250	17,000	17,000	17,000	17,000	17,000	110,250
Revenue Loans	237,875	140,397	32,688	43,826	15,864	15,000	485,650
Federal	66,284	39,177	37,117	36,935	37,072	36,072	252,657
State	72,549	22,939	27,007	11,700	13,450	13,600	161,245
Other	151,111	96,068	61,341	76,322	26,200	26,200	437,242
TOTAL	618,069	395,581	255,153	255,783	179,586	177,872	1,882,044

UPON MOTION duly made and seconded, the Board **NOTED** receipt of the review schedule for the Capital Improvement Program and the endorsement by the Board of Finance. The President **ABSTAINED**.

MINUTES

Department of Finance - Six-Year Capital Improvement Program

ACTION REQUESTED OF B/E:

The Board is recommended to adopt the Six-Year Capital Improvement Program for Fiscal Years 2019 through 2024.

BACKGROUND/EXPLANATION:

The Department of Finance completed its review of the Six-Year Capital Improvement Program for Fiscal Years 2019 through 2024.

As required by City Charter, the first year of this program represents the Capital Budget for Fiscal Year 2019 and will be included in Part B of the proposed Ordinance of Estimates.

The Six-Year Capital Improvement Program is summarized as follows:

(Dollars in Thousands)

Source	2019	2020	2021	2022	2023	2024	TOTAL
General Obligation Bonds	65,000	80,000	80,000	70,000	70,000	70,000	435,000
General Funds	25,250	16,400	17,000	17,000	17,000	17,000	109,650
Revenue Loans	259,104	140,397	32,688	43,826	15,864	15,000	506,879
Federal	66,284	39,177	37,117	36,935	37,072	36,072	252,657
State	79,909	22,939	28,002	11,700	13,450	13,600	169,600
Other	185,382	96,068	61,341	76,322	26,200	26,200	471,513
Total	680,929	394,981	256,148	255,783	179,586	177,872	1,945,299

UPON MOTION duly made and seconded, the Board **ADOPTED** the Six-Year Capital Improvement Program for Fiscal Years 2019 through 2024. The President **ABSTAINED**.

MINUTES**BOARDS AND COMMISSIONS**1. Prequalification of Contractors

In accordance with the Rules for Prequalification of Contractors, as amended by the Board on November 21, 2016, the following contractors are recommended:

IMEC Group, LLC	\$1,500,000.00
Old Line Construction, Inc.	\$1,500,000.00
Temp Air Company	\$8,000,000.00

2. Prequalification of Architects and Engineers

In accordance with the Resolution Relating to Architectural and Engineering Services, as amended by the Board on June 29, 1994, the Office of Boards and Commissions recommends the approval of the prequalification for the following firms:

iCivil, Inc.	Engineer
RJM Engineering, Inc.	Engineer

There being no objection, the Board, UPON MOTION duly made and seconded, approved the Prequalification of Contractors and the Prequalification of Architects and Engineers for the listed firms.

MINUTES

Department of Law - Settlement Agreement and Release

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the Settlement Agreement and Release of the claim brought by Matthew Fenderson against Officer Orlando Guerrero for assault and related claims.

AMOUNT OF MONEY AND SOURCE:

\$50,000.00 - 1001-000000-2041-716700-603070

BACKGROUND/EXPLANATION:

On January 7, 2016, Officer Guerrero was conducting proactive enforcement actions in the 200 block of N. Monastery Avenue. He observed Mr. Fenderson enter a convenience store known to Officer Guerrero to have been used in the past for street level narcotics transactions and from which multiple individuals had been banned. Officer Guerrero's investigation of Mr. Fenderson's presence in the store revealed that he had not been banned and that, indeed, the store clerk had no objection to his presence.

Later, Officer Guerrero re-entered the store to question Mr. Fenderson, who was playing "horses," apparently a form of electronic game. Mr. Fenderson apparently refused to identify himself when asked and became agitated by the efforts of Officer Guerrero to identify him. At one point, the exchange became heated and Officer Guerrero withdrew his Taser from its holster but he did not employ it. Officer Guerrero left the store and was followed by Mr. Fenderson, who continued to yell expletives at Officer Guerrero and to record Officer Guerrero with his cellphone. As he did so, he walked into the Street; Officer Guerrero began recording Mr. Fenderson. The two exchanged words and eventually Officer Guerrero took Mr. Fenderson into custody by performing a hip throw to take him down. Mr. Fenderson was charged with disorderly conduct and resisting; all charges were dismissed.

MINUTES

Department of Law - cont'd

Mr. Fenderson alleged in this lawsuit that he suffered serious, debilitating and permanent injury to his left knee and was required to undergo surgery as a result of his encounter. At least one witness is prepared to corroborate Mr. Fenderson's assertions that he did nothing in the officer's presence that warranted his arrest.

Given the uncertainty of litigation, existence of video evidence potentially regarded as favorable to Mr. Fenderson, and conflicting versions of the events at issue, the Settlement Committee of the Law Department is persuaded that settlement of the claim in this instance for the proposed amount of \$50,000.00, is in the best interests of the Mayor and City Council and the Police Department.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Settlement Agreement and Release of the claim brought by Matthew Fenderson against Officer Orlando Guerrero for assault and related claims.

MINUTES

TRANSFERS OF FUNDS

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UPON MOTION duly made and seconded,

the Board approved

the Transfers of Funds

listed on the following pages:

1749 - 1751

SUBJECT to receipt of favorable reports

from the Planning Commission,

the Director of Finance having

reported favorably thereon,

as required by the provisions of the

City Charter.

MINUTES**TRANSFERS OF FUNDS**

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Baltimore Development Corporation</u>		
1. \$1, 410,000.00	9910-917052-9600	9910-906108-9601
1 st Parks and Public Facilities	Constr. Res. (Inner Harbor - Rash Field)	Inner Harbor - Rash Field

This transfer will provide funds for the purpose of amending the engineering and design contract for the redevelopment of Rash Field in the Inner Harbor. Previously approved work underwent a major design revision that altered the work and resulted in a new contract that reflects the need for additional architectural, structural, civil, and landscape design work.

2. \$ 147,970.00	9910-911085-9600	9910-916086-9601
General Fund	Constr. Res. (Janney Park)	Janney Park

This transfer will provide funds for the purpose of conducting environmental site assessments for portions of 4201 East Fairmount Avenue and 140 North Janney Street as part of Pompeian, Inc. facility expansion and construction of a public park.

3. \$ 4,991.83	9910-909060-9600	9910-903361-9601
1 st Comm. EDF	Constr. Res. Business Park Upgrades	Business Park Upgrades

This transfer will provide funds to reimburse Baltimore Development Corporation for eligible capital expenses for the month ending March 31, 2018.

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TRANSFERS OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Department of Housing and Community Development</u>		
4. \$225,000.00	9910-913015-9587	9910-907167-9588
General Fund	Plan & Dev. Mgmt.	Project Staff
Revenue	(Reserve)	Costs FY18

This transfer will move appropriations in accordance with FY 2018 Ordinance of Estimates for staff costs directly providing support for capital planning and development for the implementation of capital projects.

5. \$878,000.00	9910-902985-9587	9910-907149-9588
Mayor & City	Housing Dev.	Land Resources -
Council Revenue	(Reserve)	Blight

This transfer will provide funding in accordance with the FY 2018 Ordinance of Estimates to support blight elimination efforts performed by the Land Resources Division.

6. \$11,594.18	9910-906011-9588	
General Funds	Employee	
	Homebuying	
	Assistance	
	Program	
<u>\$15,079.22</u>	9910-910017-9588	
	Buy Into Baltimore	
	Program	
\$26,673.40	-----	9910-903292-9588
		Baltimore City
		Employee Program

This transfer will provide funds for the Baltimore City Employee Program, one of Baltimore Housing's Homeownership Incentive Programs.

MINUTES

TRANSFERS OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Department of Recreation and Parks</u>		
7. \$1,275,000.00 (Unallocated Reserve) Other Funds	9938-913001-9475 FY'18 Tree Baltimore Program	9938-911090-9474 FY'18 Tree Baltimore Program (Active)

This transfer will provide funds to cover the costs associated with the procurement, planting, and maintenance of trees, as well as impervious pavement removal to meet MS4 goals through Tree Baltimore.

MINUTES

Space Utilization Committee - First Amendment to Lease Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the First Amendment to Lease Agreement (First Amendment) with HOA Health, LLC, Landlord acting through the Health Department, Tenant, for the rental of the property known as 2700 Rayner Avenue.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

On June 28, 2017, the Board approved the Lease Agreement for the rental of 2700 Rayner Ave for a Stabilization Center to provide medical screening/examination, sobering services, and case management for those involved in the opioid/fentanyl related crisis.

This First Amendment changes the definition of the Term Commencement Date to be the date, which the Landlord improvements are substantially complete and the building is available for operation. This Amendment also establishes the funding condition deadline of September 30, 2018 to obtain a binding funding agreement with a lender and an outside delivery date of December 28, 2019 for the completion of the improvements. This First Amendment will provide for a rent reduction provision, should additional grant funding be made available to the project, for every \$50,000.00 (up to \$1,500,000.00) of grant funds received by the Landlord the annual rental payment shall be reduced by \$3,250.00.

Furthermore, the First Amendment clarifies the use of the Master Lease for obtaining Federal Historic Tax Credit financing, changes the term of the Casualty clause with respect to destruction and damages, along with the timeline to restore the premises, and

MINUTESSpace Utilization Committee - cont'd

removes the timeline for the Tenant's acknowledgment of subordination request.

The Space Utilization Committee approved this Lease Agreement on April 24, 2018.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the First Amendment to Lease Agreement with HOA Health, LLC, Landlord on behalf of the Health Department, Tenant, for the rental of the property known as 2700 Rayner Avenue.

MINUTESSpace Utilization Committee - Sub-Lease Agreement**ACTION REQUESTED OF B/E:**

The Board is requested approve and authorize execution of the Sub-Lease Agreement with the Health Department, Sub-Landlord and Behavioral Health System Baltimore, Inc., Sub-Tenant, for the rental of a portion of property known as 2700 Rayner Avenue, consisting of approximately 8,000 sq. ft. on the first floor. The period of the Sub-Lease is for 15 years commencing on the date that a Certificate of Occupancy is issued for the Premises, with the option to renew for one additional four-year period.

AMOUNT OF MONEY AND SOURCE:

\$1.00 - Years: 1 - 15

Payable upon demand

BACKGROUND/EXPLANATION:

The permitted use of the sub-leased premises is for the Stabilization Center and related uses. Operation of the Stabilization Center will include but not be limited to providing a sobering center to treat patients for overdosing and similar medical issues including providing first aid care, facilities to allow patients to become sober, case management and offer further treatment if the patient desires.

The Sub-Tenant will be responsible once wiring is installed pursuant to City's obligation to complete the build out per the Master Lease, and payment of telephone and cable services located in the sub-leased premises. The Sub-Tenant will pay for the repair, or cause to be promptly repaired, any damage to the building and equipment, including the sub-leased Premises, attributed to the carelessness or neglect of the Sub-Tenant or its servants, agents, employees, participants and invitees. Except for cosmetic repairs, the Sub-Tenant will not make any alterations, additions or improvements without the Sub-Landlord's written consent, such consent will not be unreasonably withheld, and the costs and expenses of all alterations additions and improvements will be the

MINUTES

Space Utilization Committee - cont'd

responsibility of the Sub-Tenant. The Sub-Tenant will also be responsible for placing trash in trash receptacles located within the Sub-Leased Premises and Sub-Landlord will be responsible for removing the trash from the Sub Leased Premises. The Sub-Landlord shall be responsible for the utilities (i.e., water, sewer, gas, and electric). The Sub-Landlord will maintain the interior and exterior of the building which the Sub-Leased Premises are located including the foundations, roof, walls, gutters, downspouts, and HVAC systems as described in the Master Lease between HOA Health, LLC and the City, acting by and through the Health Department, which the Board approved on June 28, 2017.

To the extent there is a reduction in the Annual Rent as provided by the First Amendment to Lease by Landlord and Sub-Landlord, Sub-Landlord agrees to enter into a grant agreement with Sub-Tenant for the amount of the total Annual Rent reduction. Such grant agreement will be executed within a reasonable amount of time following the receipt of the grant funding (as defined in the First Amendment to Lease) and will provide that the Sub-Landlord will pay Sub-Tenant an amount equal to the total Annual Rent reduction within 30 days of receipt of the Grant Funding by the Landlord.

The Space Utilization Committee approved this Sub-Lease Agreement on April 24, 2018.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Sub-Lease Agreement with the Health Department, Sub-Landlord and Behavioral Health System Baltimore, Inc., Sub-Tenant, for the rental of a portion of property known as 2700 Rayner Avenue, consisting of approximately 8,000 sq. ft. on the first floor.

MINUTES

Department of Real Estate - Tax Sale Certificate

ACTION REQUESTED OF B/E:

The Board is requested to approve the assignment of a Tax Sale Certificate to 722 Duncan, LLC for an amount that is less than the lien amount for the property located at 2207 Annapolis Road (Block 7437, Lot 3).

AMOUNT OF MONEY AND SOURCE:

<u>Property Address</u>	<u>Assessed Value</u>	<u>Flat Taxes & Water</u>	<u>Total Liens</u>	<u>Recommended Purchase Price</u>
2207 Annapolis Road	\$2,000.00	\$1,632.49	\$6,372.21	\$2,000.00

BACKGROUND/EXPLANATION:

The City acquired the Tax Sale Certificate for 2207 Annapolis Road on May 15, 2017 in the total amount of \$6,372.21.

722 Duncan, LLC has offered to purchase the tax sale certificate for 2207 Annapolis Road in the total amount of \$2,000.00, file a petition to foreclose, acquire title to the property and return it to productive use. The purchase price of \$2,000.00 for the Tax Sale Certificate will cover the flat taxes and water bills on the property.

UPON MOTION duly made and seconded, the Board approved the assignment of a Tax Sale Certificate to 722 Duncan, LLC for an amount that is less than the lien amount for the property located at 2207 Annapolis Road (Block 7437, Lot 3).

MINUTES

OPTIONS/CONDEMNATION/QUICK-TAKES:

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>Dept. of Housing and Community Development - Options</u>			
1. Sierra Properties, LLC	2313 Harford Road	G/R \$120.00	\$ 1,100.00
Funds are available in account no. 9910-908044-9588-900000-704040, Gateway Park Project.			
2. Tridack, LLC	504 Robert Street	G/R \$ 90.00	\$ 825.00
Funds are available in account no. 9910-908044-9588-900000-704040, General Acquisitions.			
3. DKJ, LLC	3113 Woodland Avenue	L/H	\$25,300.00
Funds are available in account no. 9910-903183-9588-900000-704040.			
4. Claude L. Williams	3120 Woodland Avenue	F/S	\$23,000.00
Funds are available in account no. 9910-903183-9588-900000-704040.			
5. DKJ, LLC	2713 Hugo Avenue	F/S	\$54,000.00
6. Hyman Haskins	2719 Hugo Avenue	L/H	\$16,850.00
Funds are available in account no. 9910-904326-9588-900000-704040, Fenwick/Hugo/28 th Street Project.			

MINUTES

OPTIONS/CONDEMNATION/QUICK-TAKES:

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>DHCD - Options - cont'd</u>			
In the event that the option agreement/s fail/s and settlement cannot be achieved, the Department requests the Board's approval to purchase the interest in the above property/ies by condemnation proceedings for an amount equal to or lesser than the option amount/s.			
<u>DHCD - Condemnations</u>			
7. Mackombo C. Omoile	1129 W. Mulberry Street	F/S	\$ 2,800.00
Funds are available in in account no. 9910-908044-9588-900000-704040, Poppleton Project, Phase 4.			
8. Jeffrey Cesenaro	1077 W. Fayette Street	L/H	\$ 7,600.00
Funds are available in in account no. 9910-914135-9588-900000-704040, Poppleton Project.			
9. Smith Business Enterprises, LLC	307 N. Carrollton Avenue	L/H	\$39,167.00
10. Richard C. Brown	310 N. Arlington Avenue	L/H	\$11,084.00
11. William S. Brown and Lawanda Brown	1102 W. Saratoga Street	F/S	\$19,000.00
Funds are available in City Funds, account no. 9910-908044-9588-900000-704040, Poppleton Project, Phase 4.			

MINUTES**OPTIONS/CONDEMNATION/QUICK-TAKES:**

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>DHCD - Rescission of Condemnation/Approval of Condemnation</u>			
12. Roy C. Redd, Jr.	2715 Fenwick Avenue	L/H	\$20,533.00

Funds are available in account no. 9910-904326-9588-900000-704040, Fenwick/Hugo 28th Street Project.

On February 28, 2018, the Board approved the acquisition of the \$22,000.00 leasehold interest, by condemnation, in the property located at 2715 Fenwick Avenue. Unfortunately, the purchase price listed in the memo was in error. Therefore, the Board is requested to rescind the prior condemnation approval and approve the condemnation, the leasehold interest in 2715 Fenwick Avenue for the amount of \$20,533.00.

The fair market values were substantiated in appraisals made by independent appraisers contracted by the City. This will permit the City to have title to, and if necessary immediate possession of these properties in conformity with the requirements of the applicable law.

UPON MOTION duly made and seconded, the Board approved the Options, the Condemnations, and the Rescission of Condemnation/Approval of Condemnation.

MINUTES

EXTRA WORK ORDER AND TRANSFER OF FUNDS

* * * * *

UPON MOTION duly made and seconded,
the Board approved the
Extra Work Order and Transfer of Funds
listed on the following pages:
1761 - 1762
The EWO has been reviewed and approved
by the
Department of Audits, CORC,
and MWBOO, unless otherwise indicated.
The Transfer of Funds was approved
SUBJECT to receipt of a favorable report
from the Planning Commission,
the Director of Finance having reported favorably
thereon, as required by the provisions
of the City Charter.

MINUTES

EXTRA WORK ORDER

Contract	Prev. Apprvd.		Time	%
<u>Awd. Amt.</u>	<u>Extra Work</u>	<u>Contractor</u>	<u>Ext.</u>	<u>Compl.</u>

Department of Transportation/
Engineering and Construction (DOT)

1. EWO #002, \$96,392.00 - TR 17006, Urgent Need Contract
Citywide II

\$1,196,735.50	\$23,280.00	P. Flanigan	-	58%
		& Sons, Inc.		

This authorization is requested on behalf of the DOT's Maintenance Division to assist in the removal of pavement millings/grading and planting grass at the Pulaski Highway Maintenance Yard in order to become compliant with the Maryland Department of the Environment.

The work requested under this Extra Work Order is in alignment with the advertised scope for this contract. The advertised scope for this contract includes work involving improvements to the existing roadway and is not limited to only the items and locations expressed in the contract specifications.

The work has not been performed prior to Board approval. An Engineer's Certificate of Completion of Work has not been issued.

MWBOO SET GOALS OF 22% MBE AND 9% WBE.

MWBOO FOUND VENDOR IN COMPLIANCE.

MINUTES

EXTRA WORK ORDER

Contract	Prev. Apprvd.		Time	%
<u>Awd. Amt.</u>	<u>Extra Work</u>	<u>Contractor</u>	<u>Ext.</u>	<u>Compl.</u>

Department of Transportation

2. TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$10,000.00	9950-903550-9509	9950-916005-9514-2
GF (HUR)	Constr. Res.	Contingencies
	Neighborhood	Reconstruction
	Street Recon-	Urgent Needs
	struction	

This transfer will partially fund the costs associated with Change Order No. 2 under Project No TR 17006, Urgent Need Contract Citywide II with P. Flanigan & Sons, Inc.

MINUTES

<u>Department of Housing and Community Development (DHCD)</u>	- Unit Amendment to Home Investment Partnership <u>Program Loan</u>
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ACTION REQUESTED OF B/E:

The Board is requested to approve the Unit Amendment to the Home Investment Partnership Program Loan with TRF DP (Borrower).

The Board is further requested to authorize the Commissioner of the Department of Housing and Community Development to execute any and all documents to effectuate this transaction subject to review and approval for form and legal sufficiency by the Department of Law.

AMOUNT OF MONEY AND SOURCE:

No additional funds are required.

BACKGROUND/EXPLANATION:

On May 18, 2016, the Board approved the HOME Investment Partnerships Program Loan in an amount of \$550,000.00 (HOME Loan) and a \$2,000,000.00 Community Development Block Grant Loan (CDBG Loan, and together with the HOME Loan, the City Loans) to East Baltimore Historic III, LLC, an affiliate of TRF DP.

The proceeds of the City Loans (City Proceeds) are being used to support a portion of the costs of the development of approximately 47 residential rental units located within the Johnston Square, Oliver, and EDBI neighborhoods of Baltimore City. The HOME Loan proceeds are restricted to financing a portion of the hard construction costs of ten units and the CDBG Loan proceeds have been restricted to financing a portion of the hard construction costs of 39 units.

Upon completion, the Project was expected to contain a mix of 1, 2, 3, and 4-bedroom units. Two of the units are to be restricted

MINUTES

DHCD - cont'd

and occupied by households with incomes at 41% - 50% of the area median income (AMI). Eight of the units will be restricted and occupied by households with incomes at 51% - 60% of the AMI. The remaining 37 units will be restricted and occupied by households with incomes at 60% - 80% of the AMI.

Since the Loan closing, several external factors have impacted the project: public safety issues in and around the sites, continued deterioration of long-term abandoned buildings, industrywide construction escalation in construction materials and labor, and proposed and enacted changes in the Federal Tax Code. These externalities have led to: 1) significant staffing changes at TRF DP; 2) the addition of new subcontractors; 3) the decision to forgo the rehabilitation of two units (due to structural conditions); and 4) the expedited acquisition of 1113, 1129, and 1203 N. Bond Street and 1308 N. Caroline Street before the end of 2017, which ensured all units were covered under the previous tax laws. Because of these factors, the Borrower has requested the deletion of the following four properties listed in the original approval that the Borrower never owned: 701 East Preston Street, 1724 East Preston Street, 1122 North Bond Street and 1117½ North Caroline Street.

The proposed amendment will address the elimination of four units and significantly higher construction costs than originally budgeted. The changes in project costs will be absorbed by increasing a related party loan (the TRF DP Loan) and reducing the TD Bank permanent loan. The loans provided by CDA and the City are to remain constant. All other terms and conditions of the original 2016 Board Memo remain unchanged.

MBE/WBE PARTICIPATION:

N/A

THE DIRECTOR OF FINANCE REVIEWED AND RECOMMENDED APPROVAL.

MINUTES

DHCD - cont'd

UPON MOTION duly made and seconded, the Board approved the Unit Amendment to the Home Investment Partnership Program Loan with TRF DP. The Board further authorized the Commissioner of the Department of Housing and Community Development to execute any and all documents to effectuate this transaction subject to review and approval for form and legal sufficiency by the Department of Law.

MINUTES

Department of Housing and - Acquisition by Gift
Community Development (DHCD)

ACTION REQUESTED OF B/E:

The Board is requested to approve the acquisition of the fee simple interest in the property located at 1306 E. Lafayette Avenue (Block 1099B, Lot 015) by gift from Ms. Kimberly Epps, (Owner) **SUBJECT** to municipal liens, interest, and penalties, other than water bills.

AMOUNT OF MONEY AND SOURCE:

The Owner agrees to pay for any title work and all associated settlement costs, not to exceed \$600.00 total. Therefore, no City funds will be expended.

BACKGROUND/EXPLANATION:

The DHCD, Land Resources Division strategically acquires and manages vacant or abandoned properties, which enables these properties to be returned to productive use and improve neighborhoods in Baltimore City.

The Owner has offered to donate to the City, title to the property located at 1306 E. Lafayette Avenue. With the Board's approval, the City will receive clear and marketable title to the property, subject only to certain City liens. The City's acceptance of this donation is less costly than acquiring the property by tax sale foreclosure or eminent domain.

The Owner will pay all current water bills up through the date of settlement. The DHCD will acquire the property subject to all municipal liens, and all interest and penalties that may accrue prior to recording a deed. The water bills must be paid as part of the transaction. A list of open municipal liens accrued through May 19, 2018, other than water bills, is as follows:

MINUTES

DHCD - cont'd

Miscellaneous Bill	0853401	<u>\$217.20</u>
	Total Taxes Owed	\$217.20

UPON MOTION duly made and seconded, the Board approved the acquisition of the fee simple interest in the property located at 1306 E. Lafayette Avenue (Block 1099B, Lot 015) by gift from Ms. Kimberly Epps, SUBJECT to municipal liens, interest, and penalties, other than water bills.

MINUTES

Department of Housing and - Community Development
Community Development Block Grant Agreements

The Board is requested to approve and authorize execution of the various Community Development Block Grant (CDBG) Agreements.

1. **BALTIMORE NEIGHBORHOODS, INC.** **\$ 53,610.00**
 (BNI)

Account: 2089-208918-5930-435984-603051

Under this CDBG Agreement, the BNI will continue working toward the maintenance of an open housing market, the improvement of tenant/landlord relations, and the promotion of affirmative fair housing practices in the sale and rental of housing. BNI will also provide outreach and education to inform the public about tenant. Landlord issues, fair housing statues and other civil rights concerns and will refer to the Maryland Commission of Human Relations, and monitor their response to complaints. The period of the CDGB Agreement is October 1, 2017 and ending September 30, 2018.

2. **SOUTHEAST COMMUNITY DEVELOPMENT CORPORATION, INC.** **\$120,000.00**

Accounts: 2089-208918-5930-437681-603051	\$ 5,000.00
2089-208918-5930-437683-603051	\$ 7,000.00
2089-208918-5930-437691-603051	\$ 108,000.00

Under this CDBG agreement, with Southeast Community Development Corporation the Subgrantee will provide comprehensive housing counseling services to low and moderate income persons and public information to residents and organization within the Southeast area of the City that are participating in community activities. The period of the CDGB agreement is July 1, 2017 and ending June 30, 2018.

MINUTES

DHCD - cont'd

MWBOO GRANTED A WAIVER.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the foregoing Community Development Block Grant Agreements.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

<u>VENDOR</u>	<u>AMOUNT OF AWARD</u>	<u>AWARD BASIS</u>
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Bureau of Procurement

- | | | |
|---|--------------|---------|
| 1. GOTTLIEB & WERTZ,
INC. | \$ 30,000.00 | Renewal |
| Contract No. 08000 - Provide Annual Maintenance and Support for Juvenile Case Management System (QUEST) - Circuit Court for Baltimore City - P.O. No. P531584 | | |

On June 3, 2014, the Board approved the initial award in the amount of \$30,000.00. The award contained three 1-year renewal options. Two renewal options have been exercised. Quest is an integrated computerized system designed to meet the specific case management needs of the Juvenile Court for the past 19+ years. The agency is requesting to continue its maintenance and support contract. This final renewal in the amount of \$30,000.00 is for the period July 1, 2018 through June 30, 2019.

MBE/WBE PARTICIPATION:

Not applicable. This meets the requirement for certification as a sole source procurement. These proprietary services are only available from the vendor, and are not available from subcontractors.

- | | | |
|---|---------|---------|
| 2. METRO BOBCAT,
INC. | \$ 0.00 | Renewal |
| Contract No. B50003355 O.E.M. Parts and Service for Bobcat Equipment - Department of General Services - Fleet Management - P.O. No. P526890 | | |

On April 2, 2014, the Board approved the initial award in the amount of \$250,000.00. The award contained two renewal options. On April 12, 2017, the Board approved the first renewal in the amount of \$0.00. This final renewal is for the period June 1, 2018 through May 31, 2019. The above amount is the City's estimated requirement.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

<u>VENDOR</u>	<u>AMOUNT OF AWARD</u>	<u>AWARD BASIS</u>
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Bureau of Procurement

MBE/WBE PARTICIPATION:

On January 14, 2014, MWBOO determined that no goals would be set because of no opportunity to segment the contract, as there are currently no certified MBEs or WBE's who are authorized Bobcat parts or service dealers.

MWBOO GRANTED A WAIVER.

3. THE BEST BATTERY
COMPANY, INC. \$ 0.00 Renewal
Contract No. B50003414 - Automotive Starters and Alternators
- Department of General Services - Fleet Management - P.O. No.
P527231

On May 6, 2014, the Board approved the initial award in the amount of \$1,600,000.00. The award contained two 1-year renewal options. On April 12, 2017, the Board approved the first renewal in the amount of \$0.00. This final renewal in the amount of \$0.00 is for the period June 1, 2018 through May 31, 2019. The above amount is the City's estimated requirement.

MBE/WBE PARTICIPATION:

On February 10, 2014, MWBOO determined that no goals would be set because of no opportunity to segment the contract.

MWBOO GRANTED A WAIVER.

4. CUMMINS COOLING PRODUCTS, INC.
d/b/a CUMMINS RADIATOR COMPANY \$ 0.00 Renewal
Contract No. B50003396 - Automotive Radiators and Heaters -
Department of General Services - Fleet Management - P.O. No.
P526900

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

<u>VENDOR</u>	<u>AMOUNT OF AWARD</u>	<u>AWARD BASIS</u>
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Bureau of Procurement

On April 2, 2014, the Board approved the initial award in the amount of \$800,000.00. The award contained two 1-year renewal options. On April 12, 2017, the Board approved the first renewal in the amount of \$0.00. This final renewal in the amount of \$0.00 is for the period June 1, 2018 through May 31, 2019. The above amount is the City's estimated requirement.

MBE/WBE PARTICIPATION:

On February 5, 2014, MWBOO determined that no goals would be set because of no opportunity to segment the contract.

MWBOO GRANTED A WAIVER.

- | | | |
|------------------------|--------------|---------|
| 5. FRANK QUINN COMPANY | \$ 20,000.00 | Renewal |
|------------------------|--------------|---------|
- Contract No. B50003514 - Truck Mounted Generators and Electrical Equipment Repairs - Department of General Services - Fleet Management - P.O. No. P527345

On June 2, 2014, the City Purchasing Agent approved the initial award in the amount of \$24,000.00. The award contained two 1-year renewal options. On December 16, 2015, the Board approved an increase in the amount of \$48,000.00. On May 3, 2017, the Board approved the first renewal in the amount of \$28,000.00. This final renewal in the amount of \$20,000.00 is for the period June 5, 2018 through June 4, 2019. The above amount is the City's estimated requirement.

MBE/WBE PARTICIPATION:

Not applicable. Initial award was below the MBE/WBE subcontracting threshold of \$50,000.00.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR AMOUNT OF AWARD AWARD BASIS

Bureau of Procurement

6. SPARKS QUALITY FENCE COMPANY \$300,000.00 Renewal
Contract No. B50003210 - Fencing Installation and Repair -
Departments of General Services, Transportation, Recreation
and Parks, Police and Fire Department - P.O. No. P527150

On April 16, 2014, the Board approved the initial award in the amount of \$394,187.00. The award contained four renewal options. Subsequent actions have been approved. This final renewal in the amount of \$300,000.00 is for the period April 16, 2018 through April 15, 2019. The above amount is the City's estimated requirement.

MBE/WBE PARTICIPATION:

On December 11, 2013, MWBOO set goals of 13% MBE and 0% WBE. On April 2, 2018, Sparks Quality Fence Company was found in compliance.

	<u>Commitment</u>	<u>Performed</u>
MBE: Precision Fence Co.	13%	\$59,423.92 14%

MWBOO FOUND VENDOR IN COMPLIANCE.

7. THE MIDDLETON AND MEADS COMPANY \$300,000.00 Increase
Contract No. 06000 - O.E.M. Parts and Service for Seagrave Fire Apparatus - Department of General Services, Fleet Management - P.O. No. P534308

On August 14, 2013, the Board approved the initial award in the amount of \$600,000.00. The award contained two renewal options. Subsequent actions, including two renewals, have been

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

<u>VENDOR</u>	<u>AMOUNT OF AWARD</u>	<u>AWARD BASIS</u>
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Bureau of Procurement

approved. During the contract period, there have been several large repairs due to the age of the fire apparatus. This increase in the amount of \$300,000.00 is necessary to ensure that any required maintenance and repairs can be performed as needed. This increase will make the award amount \$900,000.00. The contract expires on August 31, 2018. The above amount is the City's estimated requirement.

MBE/WBE PARTICIPATION:

On May 10, 2013, it was determined that no goals would be set because of no opportunity to segment the contract. Manufacturer's proprietary parts and diagnostic equipment are required for repairs and must be provided by manufacturer's authorized and certified mechanics. Segmentation is not feasible on this contract.

MWBOO GRANTED A WAIVER.

- 8. PROMOTIONS UNLIMITED, INC.
TRAYPML
AUTHENTIC PROMOTIONS

\$125,000.00	Increase
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Contract No. B500004531 - Promotional Items - Agencies - Citywide - P.O. Nos. P535724, P535725 and P535726

On June 1, 2016, the Board approved the initial award in the amount of \$275,000.00. This increase in the amount of \$125,000.00 is needed for the continued purchase of various promotional items distributed by City agencies at community outreach events. Promotional items are a vital tool in helping promote agency programs, initiatives, and goals. Promotions

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

<u>VENDOR</u>	<u>AMOUNT OF AWARD</u>	<u>AWARD BASIS</u>
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Bureau of Procurement

Unlimited Inc. is a Baltimore City-based certified WBE. This increase will make the award amount \$400,000.00. The contract expires on May 31, 2019. The above amount is the City's estimated requirement.

MBE/WBE PARTICIPATION:

On March 1, 2016, it was determined that no goals would be set because of no opportunity to segment the contract. This is a commodity purchase from a vendor who will provide printed promotional items. The services being provided consist solely of providing the requested promotional items.

MWBOO GRANTED A WAIVER.

9. FREEMIRE & ASSOCIATES INC.	\$500,000.00	Sole Source
Contract No. 08000 - Dezurik Parts - DPW, Waste Water Facilities - Req. No. R791617		

Freemire & Associates, Inc. is the manufacturer's sole authorized source of the equipment and these parts, which must be compatible with currently installed equipment at the water treatment plants. The period of the award is May 1, 2018 through April 30, 2021.

It is hereby certified that the above procurement is of such a nature that no advantage will result in seeking nor would it be practicable to obtain competitive bids. Therefore, pursuant to Article VI, Section 11(e)(i) of the City Charter, the procurement of the equipment and/or service is recommended.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

<u>VENDOR</u>	<u>AMOUNT OF AWARD</u>	<u>AWARD BASIS</u>
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Bureau of Procurement

MBE/WBE PARTICIPATION:

Not applicable. This award meets the requirement for certification as a sole source procurement as these commodities are only available from the distributor, and are not available from subcontractors.

10. WITMER PUBLIC SAFETY	\$ 45,906.90	Sole Source
<u>GROUP, INC.</u> Contract No. 08000 - Specialty Fire Hose - Fire Department - Req. No. R790774		

Witmer Public Safety Group, Inc. is the manufacturer's sole authorized dealer to sell and service Mercedes Textiles Limited specialty fire hose products in the state of Maryland. The fire hose must be compatible with currently installed equipment in use at the Fire Department. This is a one-time purchase.

It is hereby certified that the above procurement is of such a nature that no advantage will result in seeking nor would it be practicable to obtain competitive bids. Therefore, pursuant to Article VI, Section 11(e)(i) of the City Charter, the procurement of the equipment and/or service is recommended.

MBE/WBE PARTICIPATION:

Not applicable. This award meets the requirement for certification as a sole source procurement as these commodities are only available from the distributor, and are not available from subcontractors.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONSVENDOR AMOUNT OF AWARD AWARD BASISBureau of Procurement

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|---|-----|-----------|
| 11. <u>DANO ENTERPRISES, INC.</u> | N/A | Extension |
| Contract No. B50002874 - Paper Lawn & Leaf Bags for all
Baltimore City Agencies - P.O. No. P523224 | | |

On May 8, 2013, the Board approved the initial award in the amount of \$275,000.00. On April 27, 2016, the Board approved the first renewal with no additional costs. On March 01, 2017, the Board approved the second renewal with no addition costs. The contract expires on May 7, 2018. The Board is requested to approve an extension from May 8, 2018 through September 7, 2018 to allow the agency time to gather specifications for a formal solicitation to be advertised, evaluated, and awarded.

MBE/WBE PARTICIPATION:

On March 13, 2013, it was determined that no goals would be set because of no opportunity to segment the contract.

MWBOO GRANTED A WAIVER.

- | | | |
|------------------------------------|----------------------------|--------------|
| 12. <u>MILLENNIUM TECHNOLOGIES</u> | \$150,000.00 | Ratification |
| <u>LLC.</u> | <u>250,000.00</u> | & Renewal |
| | <u>\$400,000.00</u> | |

Contract No. B50004939 - Telephone System Maintenance
Services - Communication Services, MTE - Req. No. P539677

On May 31, 2017, the Board approved the initial award in the amount of \$200,000.00. During the initial term of the contract, the agency required additional work, including auditing line/circuits, and decommissioning legacy phone equipment

MINUTES**INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS**

<u>VENDOR</u>	<u>AMOUNT OF AWARD</u>	<u>AWARD BASIS</u>
----------------------	-------------------------------	---------------------------

Bureau of Procurement

because of City agencies converting from Centrex to VoIP, resulting in additional expenses. The Board is requested to ratify those expenses for the amount of \$150,000.00. The Board is also requested to approve the first of two 1-year renewal options for the amount of \$250,000.00.

MBE/WBE PARTICIPATION:

On March 17, 2017, it was determined that no goals would be set because of no opportunity to segment the contract.

MWBOO GRANTED A WAIVER.

UPON MOTION duly made and seconded, the Board approved the Informal Awards, the Renewals, Increases to Contracts, Ratification and the Extension.

MINUTES

Department of Transportation - Partial Release of Retainage

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an Agreement for the Partial Release of Retainage to Manuel Luis Construction, Inc. for TR 15014, Resurfacing Highways at Various Locations, Southeast, Sector IV.

AMOUNT OF MONEY AND SOURCE:

\$116,150.00 - 9950-906224-9514-000000-200001

BACKGROUND/EXPLANATION:

All work on TR 15014 is substantially completed and all punch list items are complete. Subsequently, Manuel Luis Construction, Inc. has requested a partial release of retainage in the amount of \$116,150.00. The City holds \$118,150.00 in retainage. The remaining amount of \$2,000.00 is sufficient to protect the interests of the City.

MBE/WBE PARTICIPATION:

Manuel Luis Construction, Inc. has demonstrated a good faith effort towards achieving both the MBE and WBE goals.

MWBOO HAS APPROVED THE RELEASE.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Agreement for the Partial Release of Retainage to Manuel Luis Construction, Inc. for TR15014, Resurfacing Highways at Various Locations, Southeast, Sector IV.

MINUTES

Mayor's Office of Human Services - Ratification to
Amendments No. 2

The Board is requested to approve and authorize execution of the various Ratification to Amendments.

1. **ST. VINCENT DE PAUL OF BALTIMORE, INC.** **\$0.00**

Account: 1001-000000-3572-772800-603051

2. **THE BALTIMORE STATION, INC.** **\$0.00**

Account: 1001-000000-3572-772800-603051

3. **THE MARYLAND CENTER FOR VETERANS
EDUCATION AND TRAINING, INC.** **\$0.00**

Account: 1001-000000-3572-772800-603051

On December 13, 2017, the Board approved the agreements to provide emergency overnight shelter beds to homeless individuals and families on nights that the temperature falls below 32 degrees Fahrenheit. The period of the agreements were October 15, 2017 to March 15, 2018.

4. **ASSOCIATED CATHOLIC CHARITIES** **\$0.00**

Account: 1001-000000-3572-772800-603051

On November 15, 2017, the Board approved the agreement to provide emergency overnight shelter beds to homeless individuals and families on nights that the temperature falls below 32 degrees Fahrenheit.

On April 4, 2018, the Board approved amendment no. 1 to extend the periods through March 31, 2018. These Amendments no. 2 will extend the period through April 30, 2018.

MINUTES

Mayor's Office of Human Services - cont'd

The ratifications will allow for continued program operations through April 30, 2018.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board ratified the foregoing Amendments.

MINUTES

Health Department - Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an Agreement with Health Care for the Homeless, Inc. The period of the Agreement is October 1, 2017 through June 30, 2018.

AMOUNT OF MONEY AND SOURCE:

\$90,000.00 - 1001-000000-3041-274500-603051

BACKGROUND/EXPLANATION:

Health Care for the Homeless, Inc. a Federally Qualified Health Center, will work with the Baltimore City Health Department to improve the prevention, identification, and control of hypertension among Baltimore City residents.

The agreement is late because of the delays at the administrative level.

MWBOO GRANTED A WAIVER.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Agreement with Health Care for the Homeless, Inc.

MINUTESHealth Department - Ratifications of Agreements

The Board is requested to approve the ratifications of various agreements.

AGREEMENTS

1. **ASSOCIATED BLACK CHARITIES, INC.** **\$219,419.00**
(ABC)

Account: 4000-427716-3023-599614-600000

Under the terms of this agreement, the ABC, as the fiscal agent for Ryan White Part A - Dental/Oral Health, provided funding to the Department to support HIV clinical services. The Department utilized these funds to provide urgent and basic oral health care to new and returning low-income, uninsured, and underinsured persons with HIV/AIDS who are referred to the Department's Dental clinics. The period of the agreement was March 1, 2016 through February 28, 2017.

2. **ASSOCIATED BLACK CHARITIES, INC.** **\$ 52,030.00**
(ABC)

Account: 4000-498716-3023-606104-600000

Under the terms of this agreement, the ABC, as the fiscal agent for Ryan White Part A - Minority AIDS Initiative, provided funding to the Department to support HIV clinical services. The Department utilized these funds to provide care linkage and transportation services for patients newly diagnosed with HIV or previously diagnosed and have dropped out of care. The patients are identified through the Department's outreach and Clinical Services. The period of the agreement was March 1, 2016 through February 28, 2017.

MINUTES

Health Department - cont'd

3. **ASSOCIATED BLACK CHARITIES, INC.** **\$ 96,643.00**
(ABC)

Account: 4000-427716-3023-599604-600000

Under the terms of this agreement, the ABC, as the fiscal agent for Ryan White Part A - Outreach Services, provided funding to the Department to support HIV outreach services. The program identified a minimum of 150 HIV-positive eligible patients and provided care linkage and transportation services for patients newly diagnosed with HIV or previously diagnosed and have dropped out of care. The period of the agreement was March 1, 2016 through February 28, 2017.

4. **ASSOCIATED BLACK CHARITIES, INC.** **\$818,011.00**
(ABC)

Account: 4000-427716-3023-599614-600000

Under the terms of this agreement, the ABC, as the fiscal agent for Ryan White Part A - STD Prevention, provided funding to the Department to support HIV clinical services. The Department provided client advocacy services to HIV infected persons receiving primary medical care at the Department's STD clinics. The Department provided high quality, easily assessable HIV outpatient medical treatment within the STD/HIV/TB Clinic infrastructure. The period of the agreement was March 1, 2016 through February 28, 2017.

These requests are late because of prolonged budget and template revisions.

MINUTES

Health Department - cont'd

AMENDMENT TO AGREEMENT

5. **THE JOHNS HOPKINS UNIVERSITY/SCHOOL OF MEDICINE (JHUSOM)** **\$ 29,459.00**

Account: 4000-427717-3023-599610-603051

On November 15, 2017, the Board approved the original agreement with the JHUSOM for the period of March 1, 2017 through February 28, 2018, in the amount of \$344,394.00.

The Department increased the agreement amount by \$29,459.00 for additional primary medical services for the Early Intervention Initiative Program clinics. This made the total contract amount \$373,853.00. This ratification of the amendment to agreement will allow for reimbursement for the additional services provided by the JHUSOM.

This request is late because budget revisions delayed its processing.

AUDITS REVIEWED AND HAD NO OBJECTION.MEMORANDUM OF AGREEMENT (MOA)

6. **CAREFIRST BLUECROSS BLUESHIELD (CAREFIRST)** **\$ 30,000.00**

Account: 4000-421317-3080-595501-404001

Under the terms of this MOA, CareFirst provided a contribution to support the B'More for Healthy Babies Care Coordination of Pregnant Women and Infants - Orioles Healthy Walks promotion. The period of the MOA was July 1, 2016 through September 30, 2016.

MINUTES

Health Department - cont'd

The MOA is late because of administrative oversight.

AUDITS REVIEWED THE SUBMITTED DOCUMENTATION AND FOUND THAT IT CONFIRMED THE GRANT AWARD.

MBE/WBE PARTICIPATION:

N/A

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board ratified the foregoing agreements. The Comptroller **ABSTAINED** on item nos. 1, 2, 3, and 4. The President **ABSTAINED** on item no. 5.

MINUTES

Health Department - Amendment to Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an Amendment to Agreement with Behavioral Health System Baltimore, Inc.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

On November 15, 2017, the Board approved the original agreement with Behavioral Health System Baltimore, Inc. in the amount of \$1,172,648.00 for the period of July 1, 2017 through June 30, 2018. The original Board memo provided for funds to be drawn from account number 1001-000000-3070-286400-603051.

This Amendment to Agreement provides for \$56,000.00 to be redirected into an additional account number, 1001-000000-6331-799715-603051, under the Mayor's Office of Employment Development. The balance of \$1,116,648.00 remains available under the original account number, 1001-000000-3070-286400-603051.

All other terms and conditions of the original agreement remain unchanged.

MBE/WBE PARTICIPATION:

N/A

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

MINUTES

Health Department - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Amendment to Agreement with Behavioral Health System Baltimore, Inc.

MINUTES

Health Department - No-Cost Time Extension to
the Project Grant Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a No-Cost Time Extension to the Project Grant Agreement with the Open Society Institute - Baltimore.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

On September 13, 2017, the Board approved the original Project Grant Agreement with the Open Society Institute-Baltimore, in the amount of \$200,000.00 for the period April 15, 2017 through March 14, 2018.

The Open Society Institute-Baltimore approved a no-cost extension of the grant period through September 14, 2018, to allow the Department additional time to complete its deliverables.

This request is late because it was recently received then processed for administrative review.

MBE/WBE PARTICIPATION:

N/A

APPROVED FOR FUNDS BY FINANCE**AUDITS NOTED THE NO-COST TIME EXTENSION.**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the No-Cost Time Extension to the Project Grant Agreement with the Open Society Institute - Baltimore.

MINUTES

Department of Public Works/Office - Task Assignment
of Engineering and Construction

ACTION REQUESTED OF B/E:

The Board is requested to approve the assignment of Task No. 013 to Hazen and Sawyer PC, under Project No. 1502, WC 1340, On-Call Project and Construction Management Assistance Services. The period of the services under Task No. 013 is approximately 24 months.

AMOUNT OF MONEY AND SOURCE:

\$359,357.00 - 9960-925100-9557-900020-705032

BACKGROUND/EXPLANATION:

The Office of Engineering & Construction is in need of inspection services for the on-going work on W.C. 1340, Carrollton Ridge Neighborhood & Vicinity Water Main Rehabilitation. The work requested is within the original scope of the agreement.

The scope of the original agreement includes, assisting the Construction Management Section with construction monitoring and inspection, preparation of daily reports, maintenance of project records and documentation, review of contractor's application for payment, attendance at progress meetings, preparation of record drawings, review of contract claims and supports, estimating, scheduling, project engineering, constructability reviews, submittal reviews and responses, Requests for Information (RFI) reviews and responses, and construction contract administrative support.

The scope of the construction project includes, approximately 9,500 plus linear feet of 6-inch diameter water main cleaning and cement mortar lining; approximately 690 plus linear feet of 8-inch diameter water main cleaning and cement mortar lining; approximately 2,860 plus linear feet of 10-inch diameter water

MINUTES

Department of Public Works/Office - cont'd
of Engineering and Construction

main cleaning and cement mortar lining; approximately 520 plus linear feet of 12-inch diameter water main cleaning and cement mortar lining; approximately 2,000 plus linear feet of 20-inch diameter water main cleaning and cement mortar lining; Approximately 3,670 plus linear feet of 6-inch diameter DIP water main and fittings; approximately 7,340 plus linear feet of 8-inch diameter DIP water main and fittings; approximately 1,150 plus linear feet of 10-inch diameter DIP water main and fittings; approximately 180 plus linear feet of 12-inch DIP water main and fittings; approximately 960 plus linear feet of 20-inch diameter DIP water main and fittings; replacement of various sizes of valves and fire hydrants; renewal/replacement of existing water services, replacement of small (residential) meter settings and meter vaults; pipe joint restraints, thrust blocks, thrust collars, etc.; renewal of water supply services to the new DIP water mains; reconnection of water service connections to the new DIP water mains; installation of all bypass piping and temporary water services, including but not limited to, hydrant and underground connections, all testing and disinfection requirements, removal of all bypass piping and temporary water services, and restoration after permanent service having been restored; removal and disposal off site of all excavated and demolished materials; cleanup and restoration of construction area; Erosion and Sediment Control devices and measures; and maintenance of Traffic requirements.

MBE/WBE PARTICIPATION:

The Consultant will comply with Article 5, Subtitle 28 of the Baltimore City Code and the MBE goals of 27% and the WBE goals of 10% assigned to the original agreement.

Currently, this On-Call Agreement is not in compliance because the Consultant has a task under Project 1502, Task No. 006, a \$139,000.00 set aside for the WBE to cover the required WBE.

MINUTES

Department of Public Works/Office - cont'd
of Engineering and Construction

However, the City Inspector has placed a hold on the task and not used the services provided by the WBEs listed on the task. Task No. 012 accounts for \$215,000.00 of WBE services and this task accounts for \$359,357.00.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND FOUND THE BASIS FOR COMPENSATION CONSISTENT WITH CITY POLICY.

UPON MOTION duly made and seconded, the Board approved the assignment of Task No. 013 to Hazen and Sawyer PC, under Project No. 1502, WC 1340, On-Call Project and Construction Management Assistance Services.

MINUTES

Department of Public Works/Office - Task Assignment
of Engineering and Construction

ACTION REQUESTED OF B/E:

The Board is requested to approve the assignment of Task No. 014 to Hazen and Sawyer PC, under Project No. 1502, WC 1361, On-Call Project and Construction Management Assistance Services. The period of the services under Task No. 014 is approximately nine months.

AMOUNT OF MONEY AND SOURCE:

\$472,342.00 - 9960-903599-9557-900020-705032

BACKGROUND/EXPLANATION:

The Office of Engineering and Construction is in need of inspection services for the ongoing work on WC 1361-AMI/R Urgent Need Metering Infrastructure Repair and Replacement - Various Locations (Up to 2" Water Service). The work requested is within the original scope of the agreement.

The scope of the original agreement includes assisting the construction management section with construction monitoring and inspection, preparation of daily reports and maintenance of records, and documentation, review of contractor's application for payment, attendance at progress meetings, preparation of record drawings, review of contract claims and supports, estimating, scheduling, project engineering, constructability reviews, submittal reviews and responses, Request for Information, reviews and responses, and construction contract administrative support.

The scope of the construction project includes, replacing/installing valves, FM meters, fittings and appurtenances inside and outside of existing large meter vaults, locating existing meter vaults, adjusting meter frame and cover of the

MINUTES

DPW/Office of Engineering and Constr. - cont'd

existing meter vaults, removing and replacing top slab for large meter vaults, installing/replacing small/large sectional vault and pre-cast large meter vault, temporary pavement and sidewalk restoration, as required.

MWBOO SET GOALS OF 27% MBE AND 10% WBE.

The Consultant will comply with Article 5, subtitle 28 of the Baltimore City Code and the MBE 27% and WBE 10% goals assigned to the original agreement.

Currently, this on-call agreement is not in compliance because the Consultant has a Task Project. Project 1502, Task No. 006, \$139,000.00 set aside for WBE to cover the required WBE. However, the City Inspector has placed a hold on the task and not used the services provided by the WBE's listed on the task. This task accounts for \$215,000.00 of WBE services. The current goals are 25% MBE and 0% WBE.

APPROVED FOR FUNDS BY FINANCE.**AUDITS REVIEWED AND FOUND THE BASIS FOR COMPENSATION CONSISTENT WITH CITY POLICY.**

UPON MOTION duly made and seconded, the Board approved the assignment of Task No. 014 to Hazen and Sawyer PC, under Project No. 1502, WC 1361, On-Call Project and Construction Management Assistance Services.

MINUTES

Department of Public Works - Second Amendment to Assignment of Facility Site Lease, Second Amendment to Sludge Disposal Agreements and Second Amendment to Facility Site Lease

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the Second Amendment to Assignment of Facility Site Lease with the Northeast Maryland Waste Disposal Authority (Authority).

The Board is also requested to approve and authorize execution of the Second Amendment to Sludge Disposal Agreement with Northeast Maryland Waste Disposal Authority.

The Board is further requested to approve and authorizes execution of the Second Amendment to Facility Site Lease with Northeast Maryland Waste Disposal Authority.

The Second Amendments will extend the period of the agreements through June 20, 2018, with an option for the City to renew for two additional one-year periods.

AMOUNT OF MONEY AND SOURCE:

\$2,448,537.00 - 2070-000000-5501-630057-603092

BACKGROUND/EXPLANATION:

The Second Amendment are to certain agreements with the Northeast Maryland Waste Disposal Authority related to the composting of sewage sludge generated at the Back River Wastewater Treatment Plant at a facility owned by Veolia Water North America-Central, LLC (Veolia) that is sited on City-owned property, pursuant to a Facility Site Lease.

MINUTES

Department of Public Works - cont'd

In March 1984, the City, in its 201 Facilities Plan for the Back River Wastewater Treatment Plant, determined that a three-prong approach to sewage sludge management would best meet its needs for environmentally-safe, long-term sludge disposal. The three disposal techniques to be utilized were: land application, heat drying, and composting. In September 1984, the City asked the Authority to conduct a competitive procurement process to select a private firm to design, construct, own and operate a sludge composting facility. The result of the procurement was the Baltimore City Composting Facility, which was constructed and is now owned by Veolia, located on City property under lease.

The original contracts titled "Sludge Disposal Agreement Between Northeast Maryland Waste Disposal Authority and Mayor and City Council of Baltimore" and "Facility Site Lease Between Mayor and City Council of Baltimore and Northeast Maryland Waste Disposal Authority" were both approved by the Board on March 4, 2008.

The first amendments for the same contracts, which included time extensions to June 20, 2018, were approved by the Board on June 26, 2013. By the Second Amendments to the contracts, and the Second Amendment to Assignment of the Facility Site Lease, the Department is now seeking five additional years of composting services at a cost that is comparable to its current cost for the services. The Amended Agreements provide for two extensions of one year each, exercised at the City's option.

The remainder of the Back River Sludge that is not processed by the Composting Facility is processed by a Heat Drying Facility operated by Synagro. The City approved a ten-year extension to the Synagro contract in 2015, which includes a no-penalty termination option in 2023. The approval of the Second Amendments would align with the Synagro contract allowing the City to maintain its reliable sludge disposal contract for another 8 to 10 years.

MINUTESDepartment of Public Works - cont'd

In addition, the City is in the final stages of completing a Biosolids Master Plan to carry the City through its sludge processing/disposal needs over the next 20 to 30 years. Preliminary options will require design, permitting and construction of facilities, which will take the next five to seven years. The Amendment of the Sludge Disposal Agreement is the final piece needed to maintain continuity in the operation over this time period.

MBE/WBE PARTICIPATION:

MWBOO has established a 5% MBE goal and a 2% WBE goal, which the Authority and Veolia are contractually required to meet.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND FOUND THE BASIS FOR COMPENSATION CONSISTENT WITH CITY POLICY.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Second Amendment to Assignment of Facility Site Lease with the Northeast Maryland Waste Disposal Authority, the Second Amendment to the Sludge Disposal Agreement with the Northeast Maryland Waste Disposal Authority, and the Second Amendment to Facility Site Lease with the Northeast Maryland Waste Disposal Authority.

MINUTES

Department of Public Works/Office of Engineering and Construction - Amendment No. 2 for Project 1401 - On-Call Project and Construction Management Assistance Services

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of Amendment No. 2 for Project 1401 - On-Call Project and Construction Management Assistance Services (Amendment No. 2) with Johnson, Mirmiran & Thompson, Inc. The Amendment No. 2 is extending the period of the agreement through March 13, 2019.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

On May 14, 2014, the Board approved an agreement with Johnson, Mirmiran & Thompson, Inc. for On-Call Consultant Services for the Department for a period of 36 months.

On May 31, 2017, the Board approved Amendment No. 1 extending the period for one year ending May 14, 2018.

Amendment No. 2 will allow for the preparation of critical tasks for the Department of Public Works, Office of Engineering & Construction projects.

The scope of the original agreement included services not limited to assisting the Construction Management Division with construction monitoring and inspection, preparation of daily reports, maintenance of project records and documentation, review and processing of contractor's application for payment. Also attendance at progress meetings, preparation of record drawings, review of contract claims and supports, estimating, scheduling,

MINUTES

Department of Public Works/Office - cont'd
of Engineering and Construction

project engineering, constructability reviews, construction contract administration, and MBE/WBE and wage regulation compliance reporting.

MBE/WBE PARTICIPATION:

The Consultant will comply with Article 5, Subtitle 28 of the Baltimore City Code and the MBE and WBE goals established in the original agreement.

MBE: 27%

WBE: 10%

AUDITS NOTED THIS ON-CALL AGREEMENT AND WILL REVIEW TASK ASSIGNMENTS.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Amendment No. 2 for Project 1401, On-Call Project and Construction Management Assistance Services with Johnson, Mirmiran & Thompson, Inc.

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

* * * * *

On the recommendations of the City agencies
hereinafter named, the Board,

UPON MOTION duly made and seconded,
awarded the formally advertised contracts
listed on the following pages:

1801 - 1803

to the low bidders meeting the specifications,
or rejected bids on those as indicated
for the reasons stated.

The Transfer of Funds was approved
SUBJECT to receipt of a favorable report
from the Planning Commission,
the Director of Finance having reported favorably
thereon, as required by the provisions
of the City Charter.

Item nos. 1 and 2 were **DEFERRED**
for two weeks.

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

Department of Public Works/Office
of Engineering and Construction

1. WC 1328, Monte- The Whiting-Turner \$44,400,000.00
bello Filtration Contracting Co., Inc.
Plant No. 1 Infra-
structure Improve-
ments

MWBOO SET GOALS OF 15% FOR MBE AND 3% FOR WBE.

MWBOO SET MBE SUB-GOALS AS FOLLOWS:

African American 11%
Hispanic American 2%
Asian American 1%
Native American 1%

AA:	Horton Mechanical Contractors, Inc.	\$4,885,000.00	11.00%
HA:	MGE, Inc.	369,000.00	0.83%
HA:	Navarro & Wright Consulting Engineers, Inc.	90,000.00	0.20%
HA:	Plexus Installations, Inc.	430,000.00	0.96%
AsA:	The Canton Group, LLC.	445,000.00	1.00%
NA:	Mohawk Bridge & Iron, Inc.	135,000.00	0.30%
NA:	Young's Floor Service and Remodeling, Co. Inc.	310,000.00	0.69%
	Total	\$6,664,000.00	15.00%
WBE:	Roane's Rigging & Transfer Company, Inc.	\$1,335,000.00	3.00%

MWBOO FOUND VENDOR IN COMPLIANCE.

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

Department of Public Works/Office - cont'd
of Engineering and Construction

2. **TRANSFER OF FUNDS**

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$28,589,557.82	9960-909312-9558	
Water Revenue	WC 1328, Monte-	
Bonds	bello Plant I	
	Improvements &	
	Truck Scales	
19,362,442.18	" "	
<u>County Revenue</u>		
\$47,952,000.00	-----	9960-904593-9557-6
		Construction

The transfer will cover the costs of WC 1328, Montebello Plant I Improvements & Truck Scales.

Bureau of Procurement

3. B50005291, 10-Ton Kraftsman \$ 89,430.00
 Tag-a-Bag Long Inc.
 Trailers

(Department of General Services,
 Fleet Management)

MBE/WBE PARTICIPATION:

On September 27, 2017, MWBOO determined that no goals would be

MINUTES**RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS**Bureau of Procurement

set because of no opportunity to segment the contract. This is a purchase of commodities from an authorized heavy equipment dealer who is required to provide associated pre-delivery inspection and warranty repairs.

MWBOO GRANTED A WAIVER.

- | | | | |
|----|--|-------------------------------------|--------------|
| 4. | B50005343, Pneumatic
Tire Forklifts | Maryland Industrial
Trucks, Inc. | \$ 48,400.00 |
|----|--|-------------------------------------|--------------|

(Department of General Services,
Fleet Management)

MBE/WBE PARTICIPATION:

Not applicable. Award is below the MBE/WBE subcontracting threshold of \$50,000.00.

MINUTES

Bureau of the Budget and - Grant Award
Management Research (BBMR)

ACTION REQUESTED OF B/E:

The Board is requested to approve acceptance of a Grant Award from the Federal Emergency Management Agency (FEMA) via the Maryland Emergency Management Agency (MEMA). The period of the Grant Award is September 4, 2018 through January 10, 2021.

AMOUNT OF MONEY AND SOURCE:

\$ 77,000.00 - Fund no.: 420518 (FEMA through MEMA)
26,750.00 - 1001-000000-1875-187400-601001 (In-kind match)
\$103,750.00

BACKGROUND/EXPLANATION:

The City has been awarded funding under FEMA's Hazards Mitigation Grant to update its Disaster Preparedness and Planning Project every five years. The plan outlays a unified approach to hazard mitigation. Funds will be used to engage professional services to update the hazard mitigation plan, including a new mitigation strategy, a new hazard risk assessment, and corresponding actions/projects.

There is a 25% match of in-kind contributions of staff time.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED THE SUBMITTED DOCUMENTATION AND FOUND THAT IT CONFIRMED THE GRANT AWARD.

UPON MOTION duly made and seconded, the Board approved acceptance of the Grant Award from the Federal Emergency Management Agency via the Maryland Emergency Management Agency.

MINUTES

Baltimore Police Department - Ratification of Amendment
No. 1 to Agreement

ACTION REQUESTED OF B/E:

The Board is requested to ratify the Amendment No. 1 Basic Ordering Agreement with Bode Cellmark Forensics, Inc. The ratification will extend the period through December 31, 2019.

AMOUNT OF MONEY AND SOURCE:

\$100,000.00 - 1001-000000-2024-212600-604005

BACKGROUND/EXPLANATION:

On November 9, 2016, the Board approved the original agreement with Bode Cellmark Forensics, Inc. for the period effective upon Board approval through December 31, 2017.

Bode Cellmark Forensics, Inc. was awarded the National Institute of Justice (NIJ) grant, to perform missing person cases. The Bode Cellmark Forensics, Inc. selected the Police Department as a subcontractor to perform services as needed with a maximum ceiling of \$100,000.00. Specific services provided will be the review and upload into the Combined DNA Index System (CODIS) results from analysis of samples. Bode Cellmark Forensics, Inc. desires to extend the original agreement by two years ending December 31, 2019. The agreement will provide revenue to the City on a per case basis and the agreement value will remain the same.

Amendment No. 1 Basic Ordering Agreement is late due to Administrative delays.

APPROVED FOR FUNDS BY FINANCE**AUDITS REVIEWED AND HAD NO OBJECTION.**

UPON MOTION duly made and seconded, the Board ratified the Amendment No. 1 Basic Ordering Agreement with Bode Cellmark Forensics, Inc.

MINUTES

Department of General Services - Consultant Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the Consultant Agreement with Faegre Baker Daniels, LLP. The Consultant Agreement is effective upon Board approval through June 30, 2019, with an option to renew for an additional 12 months.

AMOUNT OF MONEY AND SOURCE:

\$ 90,000.00 - 1001-000000-1220-146000-603018
90,000.00 - 2030-000000-1890-189300-603018
\$180,000.00

BACKGROUND/EXPLANATION:

The Department will partner with the Department of Finance to reduce the cost of fleet maintenance, improve repair job quality, reduce turnaround times and increase availability of fleet vehicles. Both Departments will collaborate with labor unions representing fleet technicians to implement a gain-sharing program.

MWBOO GRANTED A WAIVER.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Consultant Agreement with Faegre Baker Daniels, LLP.

MINUTES

Department of General Services - Task Assignment

ACTION REQUESTED OF B/E:

The Board is requested to approve the assignment of Task No. 09 to Henry Adams, LLC under Project 1220, Police HQ Annex Elevator Upgrades. The period of the task assignment is approximately 20 months.

AMOUNT OF MONEY AND SOURCE:

\$356,629.98 - 2029-000000-1982-709500-609036

BACKGROUND/EXPLANATION:

Henry Adams, LLC will provide design services for the Police HQ Annex Elevators.

MBE/WBE PARTICIPATION:

Henry Adams, LLC has committed to utilize the following firms on this task:

MBE:	Adams Design Group	\$ 50,120.10	14.05%
	KES Engineers	55,662.32	15.61%
	DMS Construction	<u>13,859.12</u>	<u>3.89%</u>
	Consultants		
	TOTAL:	\$119,641.54	33.55%
WBE:	Albrecht Engineering	\$ 26,269.45	7.37%

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND FOUND THE BASIS FOR COMPENSATION CONSISTENT WITH CITY POLICY.

MINUTES

Department of General Services - cont'd

UPON MOTION duly made and seconded, the Board approved the assignment of Task No. 09 to Henry Adams, LLC under Project 1220, Police HQ Annex Elevator Upgrades.

MINUTES

EXTRA WORK ORDER

* * * * *

UPON MOTION duly made and seconded,

the Board approved the

Extra Work Order

listed on the following pages:

1810 - 1811

The EWO was reviewed and approved

by the

Department of Audits, CORC,

and MWBOO, unless otherwise indicated.

MINUTES

EXTRA WORK ORDER

Contract	Prev. Apprvd.		Time	%
<u>Awd. Amt.</u>	<u>Extra Work</u>	<u>Contractor</u>	<u>Ext.</u>	<u>Compl.</u>

Department of Public Works/Office
of Engineering and Construction

1. EWO #002, \$0.00 - WC 1311R, AMI/R Urgent Need Pavement and Sidewalk Restoration, Various Locations

\$4,495,792.50	\$	0.00	Monumental Paving	12	46%
			& Excavating, Inc.	Months	

The Board is requested to approve a time extension with Monumental Paving & Excavating, Inc. under WC 1311R. This is the second time extension and will increase the duration time of the contract by 12 months for a total contract duration time of 1460 days. The current construction completion date is July 20, 2018 and the new construction completion date is July 20, 2019. The extra work order is within the original scope of work and was requested by the agency. The Office of Engineering & Construction is requesting a 12-month time extension for WC 1311R. The contract scope of WC 1311R is for permanent site restoration following construction of urgent need large and small meter contracts. The current large meter contracts do not include paving or restoration and rely on WC 1311R to complete all restoration work. However, the WC 1311R completion date as per the first approved time extension is July 20, 2018, which is before the completion of the active large meter contracts. In addition, the Office of Engineering & Construction has four new contracts, WC 1370, WC 1371, WC 1372, and WC 1373 that are expected to receive the Notice to Proceed (NTP) by July 2018. These contracts are the result of an additional 1,000 plus large meters coming under the responsibility of the Office of Engineering & Construction from the uncompleted Itron contract. WC 1370 will have an eight-month duration with an expected completion date of March 2019

MINUTES

Department of Public Works/Office
of Engineering and Construction - cont'd

and the remaining three contracts will have a duration of six months with an expected completion date of January 2019. WC 1311R has used only 46% of its allotted funds to date. The time extension for WC 1311R is required in order to utilize the funds to cover the restoration efforts required by the additional large meter installations and coincide with the completion dates of the large meter installation contracts. The Certificate of Completion form will not be completed until a scheduled time after final payment and final completion has been given by the agency.

MBE/WBE PARTICIPATION:

The Vendor will comply with Article 5, Subtitle 28 of the Baltimore City Code. The MBE and WBE goals assigned to the original agreement are MBE: 16% and WBE: 3%.

MWBOO FOUND VENDOR IN COMPLIANCE.

MINUTES**TRAVEL REQUESTS**

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>Law Department</u>			
1. Andre M. Davis	IMLA Top 50 Conference June 6 - 8, 2018 Portland, OR (Reg. Fee. \$150.00)	General Fund	\$1,340.61

The subsistence rate for this location is \$246.00 per day. The hotel cost is \$219.00 per night, plus hotel taxes in the amount of \$33.505 per night.

The Department is requesting additional subsistence in the amount of \$13.00 per day for meals and incidentals. Therefore, Mr. Davis will be disbursed \$1,340.61.

Retirement Savings Plan

2. Glen Middleton	2018 Annual Conference and Exhibition (ACE) May 13 - 16, 2018 New York, NY (Reg. Fee. \$800.00)	Education Funds - RSP	\$2,632.78
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The subsistence rate for this location is \$327.00 per night. The hotel cost is \$369.00 per night, plus hotel taxes of \$54.42 per night and an occupancy tax of \$3.50 per night. The Department is requesting additional subsistence of \$40.00 per day for meals and incidentals.

MINUTES**TRAVEL REQUESTS** - cont'd

The registration fee of \$800.00 was prepaid by the Retirement Savings Plan. Therefore, the disbursement to Mr. Middleton is \$1,832.78.

UPON MOTION duly made and seconded, the Board approved the foregoing Travel Requests. Ms. Dana Moore, Deputy City Solicitor, acting on behalf of the City Solicitor, **ABSTAINED** on item no. 1. The Comptroller **ABSTAINED** on item no. 2.

MINUTES

Department of Law - Settlement

ACTION REQUESTED OF B/E:

The Board is requested to approve the settlement reached in a federal court damages action brought by James Owens against the Baltimore City Police Department and several detectives for alleged violations of his federal due process right to a fair trial. Mr. Owens alleges that as a result of the acts and omissions of the detectives, he was wrongly convicted of rape and murder and thereafter spent twenty years in state prison.

AMOUNT OF MONEY AND SOURCE:

\$9,000,000.00 - 2044-000000-1450-703800-603070

The total amount of the settlement is \$9,000,000.00, to be paid in installments over six fiscal years commencing with a payment of \$3,000,000.00 by June 30, 2018; \$2,000,000.00 by July 15, 2018; and four annual payments of \$1 million each commencing in fiscal 2020 by July 15th of each of those fiscal years.

BACKGROUND/EXPLANATION:

This settlement recommendation is made after a thorough and careful consideration of the procedural posture and substantive issues in this case, which is currently scheduled for a jury trial later this spring. Although the Baltimore City Police Department and the detectives who have been sued in this action dispute virtually all of the material facts alleged by Mr. Owens, the recommendation to settle this action is rooted in the following background factual allegations, which are the allegations on which the United States Court of Appeals for the Fourth Circuit found and concluded, in an opinion issued on September 24, 2014, could possibly be proven if this case were to go to trial before a jury:

MINUTES

Department of Law - cont'd

In the early morning hours of August 2, 1987, Colleen Williar was raped, robbed, and murdered in the second-floor bedroom of her Baltimore City apartment.

The following day, one of Williar's neighbors, James Thompson, contacted the City Police Department to inquire about a reward it had offered for information relating to Ms. Williar's death. Thompson claimed that he had found a knife outside of Ms. Williar's apartment the previous evening, which he had carried home and cleaned before realizing its connection to the crime. Over the course of Thompson's conversation with police, however, it became apparent that Thompson had not simply "happened" on the knife, as he originally claimed. Rather, in response to questioning from Officers Thomas Pelligrini, Gary Dunnigan, and Jay Landsman (collectively, "the Officers"), Thompson asserted that he had retrieved the knife at the behest of his friend, James Owens. The Officers executed a search warrant at Owens's apartment, but found no physical evidence linking Owens to the crime. Even though the search was fruitless, police arrested Owens on the basis of Thompson's statement. A grand jury then indicted Owens for Ms. Williar's murder, rape, and burglary.

On the eve of Owens's trial, Assistant State's Attorney ("ASA") Marvin Brave, the prosecutor assigned to Owens's case, began to question the veracity of Thompson's version of events. When ASA Brave raised these concerns with Thompson, the witness retracted his statement and offered another explanation for the knife's acquisition. This time, Thompson stated that the knife belonged to him, but he claimed that it had gone missing after Owens visited Thompson at his home. The day after Ms. Williar's murder, Owens assertedly returned the knife to Thompson, who noticed blood on the weapon's blade and handle.

MINUTES

Department of Law - cont'd

When Thompson questioned Owens about the origin of the blood, Owens denied using the weapon and told Thompson to keep quiet about it.

At trial, ASA Brave presented only this third version of events to the jury. Brave never informed defense counsel about Thompson's earlier accounts, and thus, when cross-examining Thompson, defense counsel was unaware that the witness had changed his story several times over the course of the investigation.

Nevertheless, defense counsel apparently cast enough doubt on Thompson's testimony to prompt ASA Brave to seek out additional evidence of Owens's guilt. To this end, mid-trial, ASA Brave ordered testing of a pubic hair found on Ms. Williar's body. When the results were returned, however, they indicated that Thompson—not Owens—matched the sample. Concerned that Thompson was involved in the crimes, ASA Brave instructed the Officers to reinterrogate Thompson.

At ASA Brave's direction, Officers Pelligrini, Dunnigan, and Landsman brought Thompson into the stationhouse and questioned him for two hours. The Officers accused Thompson of lying on the witness stand, warned him that he "was in a lot of trouble," and asserted that he could be charged with a crime for his misrepresentations to the jury. After receiving their warnings, Thompson stated that he wanted to change his story yet again. In fact, over the course of the two-hour interview, Thompson changed his story five additional times.

In his first new attempt, Thompson told the Officers that he and Owens had broken into Ms. Williar's apartment on the day of the murder only to find Ms. Williar already dead in her bedroom. When the Officers replied that they did not believe him, Thompson offered another iteration. This time, he contended that Owens had raped and murdered Ms. Williar upstairs while Thompson waited downstairs in the living room.

MINUTES

Department of Law - cont'd

The Officers responded that there was evidence that Thompson had been on the second floor, and thus, his amended account could not be true. After this prompt, Thompson admitted that he had been on the second floor, but insisted that he had hidden in the bathroom during Owens's crimes. The Officers again rejected Thompson's story, stating that investigators had found physical evidence of Thompson's presence in Ms. Williar's bedroom. In response, Thompson admitted that he had been in the bedroom while Owens raped and killed Ms. Williar, but he insisted that he had refused to participate in any assault. At this point, the Officers informed Thompson that his pubic hair had been found on Ms. Williar. Faced with the forensic evidence, Thompson offered a fifth version of events.

In this account, Thompson claimed that he and Owens had broken into Ms. Williar's apartment with the intent to steal her jewelry. When the pair found the victim alone in her bedroom, Owens raped and killed her, while Thompson masturbated at the foot of her bed.

After the Officers elicited this latest account, Officer Landsman told ASA Brave about Thompson's final version of events. None of the Officers disclosed that Thompson had offered several other accounts of what happened, all of which differed dramatically from the version of events related to ASA Brave as well as from the physical evidence.

Following his conversation with the Officers, ASA Brave immediately called Thompson back to the witness stand and had him share with the jury his new account of what happened. However, because only the Officers knew of the inconsistencies in Thompson's statements, neither ASA Brave nor defense counsel questioned Thompson about the four inconsistent versions of the story that the witness had offered before he settled on his final account. Moreover, neither ASA Brave nor the Officers told defense counsel about the discovery of Thompson's pubic

MINUTES

Department of Law - cont'd

hair. Indeed, when defense counsel inquired about whether there had been forensic testing of the hair, ASA Brave represented to the court that "there [hadn't] been any match made" between the sample and a suspect.

The jury convicted Owens of burglary and felony murder, and the trial court sentenced him to life imprisonment without the possibility of parole. Owens filed an unsuccessful appeal, and, over the course of the next two decades, several unsuccessful state-court petitions for post-conviction relief. In 2006, however, a state court granted Owens's request for post-conviction DNA testing. The results were returned some months later and indicated that Owens's DNA did not match the blood and semen evidence found at the scene of the crime.

On June 4, 2007, a state court granted Owens's "petition to reopen his Post Conviction Proceeding" and ordered that "by agreement of Counsel and this Honorable Court, Petitioner shall be granted a new trial." During the next sixteen months, Owens remained in state prison awaiting retrial. On October 15, 2008, the State's Attorney entered a nolle prosequi, dropping the charges against him. On that date, after Owens had spent more than twenty years in prison, the state court ordered him released from incarceration.

On October 12, 2011, Owens filed this action under 42 U.S.C. §1983 against the Mayor and City Council of Baltimore, the Baltimore City State's Attorney's Office, ASA Brave, the Baltimore City Police Department ("BCPD"), and Officers Pelligrini, Dunnigan, and Landsman. In his complaint, Owens alleges that the defendants violated his constitutional rights by intentionally and in bad faith withholding exculpatory and impeachment evidence at his 1988 trial.

All defendants moved to dismiss the complaint. After Owens voluntarily dismissed the claims against the Mayor and City

MINUTESDepartment of Law - cont'd

Council of Baltimore, the district court, in an oral ruling, dismissed the claims against the other defendants.

Mr. Owens appealed the dismissal of the case. Subsequently, although each of the three judges on the appellate court reached different conclusions on several of the legal issues presented, the court ultimately voted 2-1 in favor of Mr. Owens, reversed the judgment in favor of the Police Department and the detectives, and held that Mr. Owens had sufficiently alleged his claims and that, essentially, only a jury could resolve the disputes between the parties about what actually happened during the trial in 1988.

Given the uncertainty of litigation, including the unpredictability of how a jury might evaluate the evidence in this case, the fact that there is no statutory cap on the potential damages (and attorney's fees) that could be awarded in this case if Mr. Owens prevails at trial, the current legal environment surrounding the Baltimore City Police Department, and even allowing for the sharply conflicting versions of the events at issue, the Settlement Committee of the Law Department is persuaded that settlement of the claim in this instance for the proposed total amount of \$9,000,000, payable in installments as set forth above, is in the best interests of the Mayor and City Council and the Police Department.

APPROVED FOR FUNDS BY FINANCE

MINUTES

Department of Law - cont'd

UPON MOTION duly made and seconded, the Board approved the settlement reached in a federal court damages action brought by James Owens against the Baltimore City Police Department and several detectives for alleged violations of his federal due process right to a fair trial.

MINUTES

President: "There has being no more business before the Board, we will recess until bid opening at 12:00 noon."

* * * * *

MINUTES

Clerk: "Good afternoon, the Board is now in session for the receiving and opening of bids."

BIDS, PROPOSALS AND CONTRACT AWARDS

Prior to the reading of bids received today and the opening of bids scheduled for today, the Clerk announced that the following agencies had issued an Addendum extending the dates for receipt and opening of bids on the following contract. There were no objections.

Bureau of Procurement - B50005241, Janitorial
Services for the Department
of General Services -
Group 1 - 6
BIDS TO BE RECV'D: 05/16/2018
BIDS TO BE OPENED: 05/16/2018

MINUTES

Thereafter, UPON MOTION duly made and seconded, the Board received, opened and referred the following bids to the respective departments for tabulation and report:

Department of Transportation - TR 16008, Safe Routes to School
Grant Year 'F'

P. Flanigan & Sons, Inc.
J. Villa Construction, Inc.
DSM Properties, LLC

Department of Public Works - WC 1360, Repaving Utility Cuts and
Sidewalk Restoration at Various
Locations

Manuel Luis Construction, Co. Inc.
The American Asphalt Paving Co., LLC
Monumental Paving & Excavating, Inc.
Civil Construction, LLC

Department of Public Works - SDC 7788, Seamon Avenue Storm Drain
and Step Pool Conveyance

Environmental Quality Resources
Monumental Paving & Excavating, Inc.
Civil Construction, LLC
Metra Industries
DSM Properties, LLC

MINUTES

Bureau of Procurement

- B50005368, 16 Cubic Yard Load
Packers

Peterbilt of Baltimore, LLC
Maryland Industrial Trucks


Bureau of Procurement

- B50005225, Rental and Service of
Portable Chemical Toilets

Environmental Recovery Corporation
The Good Shepherd Septic Services
dba Bobby's Pottys

* * * * *

There being no objections, the Board, UPON MOTION duly made and seconded, adjourned until its next regularly scheduled meeting on Wednesday, May 9, 2018.


JOAN M. PRATT
Secretary