

MINUTES**REGULAR MEETING**

Bernard C. "Jack" Young, President
 Stephanie Rawlings-Blake, Mayor
 Joan M. Pratt, Comptroller and Secretary
 George A. Nilson, City Solicitor
 Alfred H. Foxx, Director of Public Works
 David E. Ralph, Deputy City Solicitor
 Ben Meli, Deputy Director of Public Works
 Bernice H. Taylor, Deputy Comptroller and Clerk

The meeting was called to order by the President.

Mayor's Office - Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an agreement with Cycletours Holidays Bike & Barge. The period of the agreement is October 2, 2010 through May 31, 2011.

AMOUNT OF MONEY AND SOURCE:

Maximum (28 passengers)	<u>Item</u>
\$21,978.29	- 1. Charter price of the ship (includes 6% VAT)
1,510.92	- 2. Tour guide
2,193.63	- 3. Bicycle rental
587.58	- 4. Bicycle insurance
587.58	- 5. Transport service airport/boat
<u>\$26,858.00</u>	- G 1001-000000-0000-000000-270091

No general funds are involved in this transaction. The collected funds will be deposited and expenditures paid through the above referenced "G" account.

MINUTES

Mayor's Office - cont'd

BACKGROUND/EXPLANATION:

The agreement is on behalf of the Baltimore-Rotterdam Sister City Committee (Committee). The agreement is for a bike tour on May 7, 2011 through May 14, 2011. The tour will take participants through different parts of the Netherlands including the City's Dutch Sister City of Rotterdam.

The Sister City Committee is one of the volunteer committees formed or to be formed under the auspices of the Office of the Mayor and Sister Cities International for the purpose of strengthening partnerships between the City and international communities. The committees strive to build global cooperation at the municipal level, promote cultural understanding and stimulate economic development. Through volunteers, the committees motivate and empower private citizens, municipal officials, and business leaders to conduct long-term sister city programs.

The Baltimore-Rotterdam Sister City Committee's activities support the following goals:

- develop partnerships between the two cities,
- provide opportunities for City officials and citizens to experience and explore aspects of the two cities through community partnerships,
- create an atmosphere in which mutual economic and community development can be stimulated and strengthened, and
- encourage engagement between the two cities to creatively learn, work, and solve problems together through reciprocal cultural, educational, municipal, business, professional, and technical exchanges and projects.

MINUTES

Mayor's Office - cont'd

Through this bicycle trip, participants will learn about the Sister City program, develop a connection with Rotterdam, learn about bicycle planning, promotion, and culture in the Netherlands. In addition, surplus funds will be used to promote Committee activities in Baltimore.

The total cost of the tour is \$26,858.00. Each participant will pay approximately \$1,600.00 to join the trip.

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 Cycletours Holidays Bike & Barge. The Mayor **ABSTAINED.**

MINUTES

Employees' Retirement Systems - TRANSFER OF LIFE-TO-DATE
SICK LEAVE

The Board is requested to approve the transfer of LIFE-TO-DATE sick leave days from the listed City employees to the designated employee, Bessie M. Chase.

The transfer of sick leave days is necessary in order for the designated employee to remain in pay status with continued health coverage. The City employees have asked permission to donate the sick leave days that will be transferred from their LIFE-TO-DATE sick leave balances as follows:

<u>NAMES</u>	<u>DAYS</u>
Andy Ho	4
Valerie S. Tilman	2
Bernita Kittrell	2
Sharon Garcia	1
Donna S. Bowen	1
Rinda Stidham	1
Starlinda L. Babb	1
Karen Banks	1
Beverly Mootoo Balram	1
Adrian Maynard	1
Nichelle Lashley	1
D. Jonathan Pearce	1
Tal Willmott	1
Nicole King	1
Stacy Brown	1
Sandra Lane	3
Germaine Hughes	3
Roselyn H. Spencer	4
TOTAL	30

APPROVED FOR FUNDS BY FINANCE

THE LABOR COMMISSIONER RECOMMENDED APPROVAL.

UPON MOTION duly made and seconded, the Board approved the transfer of LIFE-TO-DATE sick leave days from the listed City employees to the designated employee, Bessie M. Chase. The Comptroller **ABSTAINED.**

MINUTESBureau of Water and Wastewater - Agreement**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of an agreement with Wachs Water Services, for Project No. 1127, Valve and Fire Hydrants Exercising Program. The period of the agreement is effective upon Board approval for two years or until the upset limit is reached, whichever occurs first.

AMOUNT OF MONEY AND SOURCE:

\$4,392,033.00 - 9960-913402-9557-900020-703032

BACKGROUND/EXPLANTION:

The consultant will manage and execute a program for valve and fire hydrant assessment. The program involves inspecting, exercising, testing, and documenting the characteristics of each valve and fire hydrant, executing minor repairs, and GPS mapping. The program also includes pre-scheduled activities relating to valve and fire hydrant operation such as pre-construction valve surveys, constructing shutdowns, etc. In addition, the consultant will manage all valve and hydrant information in a project database, analyze the collected data, and coordinate with government agencies, contractors, and other concerned entities.

MBE/WBE PARTICIPATION:

MBE:	Dhillon Engineering, Inc.	\$ 523,035.00	11.90%
	EBA Engineering, Inc.	445,517.00	10.10%
	Reviera Enterprises, Inc.	100,224.00	2.30%
	Khafra Engineering Consultants, Inc.	117,229.00	2.70%
		<u>\$1,186,005.00</u>	<u>27.00%</u>
WBE:	Ross Technical Services, Inc.	\$ 395,364.00	9.00%

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

MINUTES

BW&WW - cont'd

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$2,425,000.00	9960-908400-9588	
Counties	Constr. Res.	
	Valve & Hydrants	
2,425,000.00	" "	
Water Utility		
Funds		
<u>\$4,850,000.00</u>		
\$4,392,033.00	-----	9960-913402-9557-
		900020-3
		Engineering
457,967.00	-----	9960-913402-9557-
<u>\$4,850,000.00</u>		900020-9
		Administration

This transfer will provide funds to cover the costs associated with Project 1127, Valve and Hydrant Exercising Program

UPON MOTION duly made and seconded, the Board approved and authorized execution of the agreement with Wachs Water Services, for Project No. 1127, Valve and Fire Hydrants Exercising Program. The Transfer of Funds was approved, SUBJECT to the receipt of a favorable report from the Planning Commission, the Director of Finance having reported favorably thereon, in accordance with the provisions of the City Charter. The President **ABSTAINED**.

MINUTES

TRANSFERS OF FUNDS

* * * * *

UPON MOTION duly made and seconded,

the Board approved

the Transfers of Funds

listed on the following pages:

3706 - 3707

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 (BDC)</u>		
1. \$ 10,000.00 22 nd EDF	9910-902483-9600 Constr. Res. S. Balto. Ind. & Coml. Dev.	9910-903483-9601 S. Balto. Ind. & Coml. Dev.

This transfer will provide funds in order for the Department of General Services to begin proceedings for the opening and closing of certain streets and alleys in the Fairfield Urban Renewal Area. This cost includes the preparation of plats, preparation of the opening, closing and sales ordinance and advertisements.

Department of Planning

2. \$400,000.00 1 st Cultural Institution Loan	9904-905765-9129 Reserve Great Blacks in Wax Museum	9904-901765-9127 Active Great Blacks in Wax Museum
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This transfer will provide funds to the Great Blacks in Wax Museum, for the expansion at 1600 North Avenue. The expansion will increase the operating space from 15,000 to 120,000.00 square feet, as part of a \$75,000,000.00 capital campaign as reflected in the master plan.

MINUTES**TRANSFERS OF FUNDS**

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Department of Transportation</u>		
3. \$108,923.19 MVR	9950-903766-9514 Frankford Ave. - Moravia to Sinclair	9950-904641-9508-3 Design & Studies Feasibility Studies

This transfer will fund costs associated with assignment of Task No. 16 on Project 1074 (B/D # 08038) to STV, Inc. for Development of Strategic - Business Plan Phase I & II which includes but is not limited to preparation of the Strategic Plan Document, analysis of existing goals, plans, policies, operating & capital budgets.

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

In accordance with the Rules for Prequalification of Contractors, as amended by the Board on October 30, 1991, the following contractors are recommended:

ACM Services, Inc.	\$8,000,000.00
Afram, Inc.	\$1,500,000.00
Bullock's Construction, LLC	\$ 216,000.00
Burgemeister-Bell, Inc.	\$8,000,000.00
D & T Welding Contractor	\$1,500,000.00
Eastern Gunitite Co., Inc.	\$4,383,000.00
J & R Roofing Co., Inc.	\$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:

BLV Engineering Associates, Inc.	Engineer
GR Engineering	Engineer
John Milner Associates, Inc.	Architect
	Landscape Architect
Reuling Associates, Inc.	Engineer

There being no objections, the Board, UPON MOTION duly made and seconded, approved the prequalification of contractors and architects and engineers for the listed firms.

MINUTES

Department of Audits - Audit Report and Related Audit
Digest

The Board is requested to **NOTE** receipt of the following Audit Report and Related Digest:

City of Baltimore Single Audit for the Fiscal Year
Ended June 30, 2009

President: "The first item on the non-routine agenda is located on Page 9, Item no. 1, Audit Report and Related Audit Digest. Will Mr. McCarty, the City Auditor, please come forward?"

Mr. Bob McCarty, City Auditor: "Good morning Mr. President, members of the Board, I am Robert McCarty, City Auditor. Today with me, I have Mr. Steven Baloga he is the partner for Ernst & Young, LLP. Ernst & Young and Audits do a joint audit of the CAFR and the four enterprise funds. For the Single Audit 2009, the Department of Audits has completed its annual audit of the City of Baltimore for fiscal year 2009. Our report excludes the Baltimore City School System and the Enoch Pratt Free Library, which are subject to separate audits as required by State law. The audit report includes the previously issued Comprehensive Annual Financial Report or the CAFR and the related report on compliance and internal control over financial reporting, and

MINUTES

Department of Audits - cont'd

both are issued jointly by the Department of Audits and Ernst and Young, LLP. The City had two significant deficiencies in internal control over its financial reporting in fiscal year 2009. A significant deficiency is a control deficiency that adversely affects the City's ability to initiate, authorize, record, process, or report financial data reliably in accordance with generally accepted accounting principles, such that there is a possibility that an immaterial misstatement of the financial statements will not be prevented or detected by the City's internal control. The significant deficiencies are as follows: for Finding 2009-1: The Bureau of Accounting and Payroll Services' or (BAPS) metered water billing receivable account on the general ledger was not reconciled to a subsidiary account in the Revenue Collections Division. A review of these two accounts revealed that the revenue in the general ledger account was overstated by \$5,450,000.00. BAPS recorded an adjustment to reduce revenue in the Waste Water and Water Utility Funds by \$2,569,000.00 and \$2,881,000.00, respectively. We recommend that quarterly reconciliations be performed between these accounts, with material differences investigated, and if

MINUTES

Department of Audits - cont'd

necessary, adjustments recorded to the general ledger. For Finding 2009-2: During the fiscal year 2009's financial statement closing process, adjustments to the accounting records totaling approximately \$38,600,000.00 in the Waste Water Utility Fund and \$45,139,000.00 in the Grants Revenue Fund were documented in the accountant's work papers, but were omitted during BAPS' review of the Funds' trial balances. The effects of these omitted adjustments were a \$25,100,000.00 understatement in depreciation expense and a \$13,500,000.00 understatement in capital assets in the Waste Water Utility Fund; as well as an understatement of \$45,139,000.00 in both revenues and expenditures in the Grants Revenue Fund. We recommend that BAPS establish procedures during the financial statement review closing process to thoroughly review accounting adjustments for completeness and accuracy. These two significant deficiencies, as described above, are considered to be material weaknesses. A material weakness is a significant deficiency that results in a possibility that a material misstatement of the financial statements will not be prevented or detected by the City's internal control. In the City's response, the Department of Finance disagrees that these

MINUTES

Department of Audits - cont'd

findings are material weaknesses. However, both findings meet the definition of a material weakness in accordance with auditing standards. Due to this disagreement, additional clarification was necessary and was included in our report. Under Statement on Auditing Standards or (SAS) Number 112, both findings were determined to be material weaknesses, since it was at least reasonably possible that a misstatement could have occurred due to the failure of a control. The magnitude of the misstatements required each to be a material weakness, since the misstatements were material to the financial statements. Also, according to SAS No. 112, it does not matter whether a misstatement did not actually occur, but what was relevant is the potential for a misstatement was there. Additionally, there were three findings from our previous Single Audit that were resolved during fiscal year 2009. In our fiscal year 2007 audit, we found that the Department of Finance had material internal control weaknesses regarding the lack of adequate segregation of duties and periodic reconciliations. During fiscal year 2009, the Department of Finance resolved this finding by transferring responsibility for the receipts distribution office to

MINUTES

Department of Audits - cont'd

BAPS from the Bureau of Revenue Collections, adequately segregating duties within these Divisions, and by reviewing and reconciling the applicable accounts. During fiscal year 2008, previously deferred real and personal property tax collections, which had accumulated over ten years and had not been recognized as revenue, were identified. During fiscal year 2009, the Department of Finance resolved this finding by making an adjustment to recognize this previously deferred income, I am sorry, deferred revenue, and by establishing procedures to ensure that partial payments of property taxes are recognized as revenue when tax bills are paid. Lastly, during fiscal year 2008, the Department of Public Works, Bureau of Solid Waste did not use the applicable 2009 volumetric analysis consultant report for calculating the amount of solid waste in the Quarantine Road Landfill. During fiscal year 2009, this was resolved by using the applicable 2009 consultant report. As part of obtaining reasonable assurance about whether the City's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements, noncompliance with which could have a direct and material effect

MINUTES

Department of Audits - cont'd

on the determination of financial statement amounts. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under Government Auditing Standards. The remaining parts of the Single Audit report are issued by the Department of Audits and represents mandatory coverage of federal grants. The report includes the Supplementary Schedule of Expenditures of Federal Awards which totaled \$246,700,000.00, but is excluding approximately \$138,000,000.00 received by the Baltimore City Public School System and the Enoch Pratt Free Library. This report also includes the Report on Compliance with Requirements Applicable to Each Major Program and on Internal Control Over Compliance. We audited 18 major programs for fiscal year 2009, which totaled \$205,000,000.00 and we covered about 83% of the total grant expenditures. This report contains 13 findings for fiscal year '09. The conditions of greatest concern are that some programs continue to have problems in reconciling grant financial reports to the City's accounting records and in submitting grant financial reports in a timely manner. As required by the Office of Management and Budget Circular A-133, the City's Summary Schedule of Prior Audit Findings and corrective action plans for

MINUTES

Department of Audits - cont'd

both current and prior findings are included in our report."

President: "Are there any questions?"

City Solicitor: "Mr. Gallagher."

Mr. Edward Gallagher, Director of Finance: "Mr. President and members of the Board of Estimates, I would like to make a statement relative to the findings of the Auditor. Let me say in the beginning that I personally and speak for all the Department of Finance, have the greatest respect for the Auditor and his team, and I think it is terribly important that we do this, because the integrity of our financial statements are paramount, and we want the best report possible. We expect that type of review and critical review and recommendations and we have in the past made good use of those recommendations. I don't really recall in the past where the Department of Finance has taken issue or really disagreed with the findings of the Auditor in any financial report. Let alone, strongly disagree as we do in these findings. Historically, the Department of Finance has been in full agreement with the findings of the Auditor when it comes to the issue of internal controls, and

MINUTES

Department of Audits - cont'd

what constitutes significant deficiencies in internal controls. However, in the two issues cited in this year's audit, there is strong disagreement between our accountants and the Auditor's team. It is important to note for example in Finding 2009-2, that while the Auditor did identify an omission of posting three journal entries in the initial work papers, there were no recommended audit adjustments to the entries other than to simply post them. Why? Because giving the auditors the work papers is the first step in a three-step process -- in a three step integrated process of closing books. The second and third steps which Finance believes has sufficient checks and balances in its internal process to ensure accurate and effective financial statement preparation. Additionally, it should be noted that the Finance Department's work papers were provided for the auditors' review, that the accountant had noted that there was additional research that had to be accomplished. Furthermore, and finally, the Department of Finance cannot see how this issue would even be considered an audit issue let alone, an issue reflecting a "material weakness in financial reporting" and thus seriously oppose these findings. Let me

MINUTES

Department of Audits - cont'd

point out in the Auditor's 'Comment on the City of Baltimore responses', that the Auditor cites audit standards for determining whether a finding is material and a requirement to report that finding. The Department of Finance contends that this issue at hand here is not whether the finding is material but rather a more basic issue, as to whether there should even be arisen to a finding in and of itself. The Department of Finance objection to Finding 2009-1: is clearly outlined and I won't take the Board's time to argue that one. In conclusion, let me say that I believe that the Department of Finance has some of the most experienced and competent professional accountants in governmental accounting. We believe that the auditor's staff and like manner. Regarding the point of view of the members of the Board of Estimates on these audits findings, I trust that you would see these findings by the Auditor and the position of the Department of Finance regarding these findings and see them for what they are, very significant differences in professional opinions. Members of the Board of Estimates, I thought it was important to have the Department of Finance's

MINUTES

Department of Audits - cont'd

position on these findings become a matter of record for the Board of Estimates. As we know in these matters, the auditor's decision is final."

Comptroller: "I have a question, Mr. Gallagher."

President: "Thank you."

Comptroller: "In the first finding, Audits recommended that quarterly reconciliations be done, and in the internal control compliance letter on Page 3, it states that these controls are in place. Are these controls in place? And if not what is going to be done to resolve this issue?"

Mr. Gallagher: "I will let our accountants address that."

Mr. Clem Ruley: "My name is Clem Ruley, and I am the Deputy Bureau Chief for the Bureau of Accounting and Payroll Services. As part of this disagreement, one of the things that we disagreed on in the first finding was whether a reconciliation had occurred, and in our case the auditor did indicate that we did make adjustments, we just didn't make the adjustments that the auditor wanted. Now, without getting in to a lot of detail about that."

Comptroller: "But, were those adjustments warranted?"

MINUTES

Department of Audits - cont'd

Mr. Ruley: "The question is -- I understand what the question is, do we do quarterly reconciliations? No. Do we do annual reconciliations? Yes, and that is what we did at the year end."

Comptroller: "But shouldn't we do quarterly reconciliations because you don't want to wait until the end of the year to find out that a mistake or an adjustment has to be made and then have to go back and research 12 months. Wouldn't it make more sense to do reconciliations monthly or quarterly?"

Mr. Ruley: "We did not disagree with the fact that quarterly reconciliations made sense. We do -- it is impossible to do quarterly reconciliations in 2010 since this matter did not even come up till March 2010."

Comptroller: "Right."

Mr. Ruley: "But, we do agree that quarterly reconciliations would make sense, if time permits and we can do that."

Comptroller: "So what do you mean if time permits, are you saying that maybe for the next audit that the reconciliations may not be done until year end?"

Mr. Ruley: "Well for 2010 for sure."

Comptroller: "No I am talking about the next --."

MINUTES

Department of Audits - cont'd

Mr. Ruley: "For 2011?"

Comptroller: "Yes. You said if time permits"

Mr. Ruley: "We will do 2011 quarterly reconciliations."

Comptroller: "Okay, and in the second finding, Audits recommended that procedures be established to review accounting adjustments for completeness and accuracy. But, this was not addressed in the second finding. What procedures have been established to prevent this from happening again?"

Mr. Ruley: "The work papers, there was nothing wrong with the work papers. We did not post three journal entries that needed to be posted. When we sent those work papers to the auditors."

Comptroller: "So, when you said there was nothing wrong with them, adjustments had to be made."

Mr. Ruley: "No."

Mr. Gallagher: "No."

Mr. Ruley: "Absolutely not. The only adjustment that had to be made is that I had to post three journal entries. The adjustments were in the work papers and indicated in the work papers, so that they knew that they were there. The reason that they found that they were not posted was because they were in

MINUTES

Department of Audits - cont'd

the work papers and they compared it to the balance sheet. The whole fix took about five minutes."

Comptroller: "Okay, so why weren't they posted?"

Mr. Ruley: "Well, because that part was not done. However, because there was a lot of give and take during the process, okay. It was not posted because we forgot to. Okay. But it would have been --."

Comptroller: "It is material."

Mr. Ruley: "No because it would have been, again I don't want to get into a detailed argument about this, it would have been found. If we had not posted the first entry, the depreciation expense I believe it is the Wastewater fund, Bob."

Comptroller: "Right."

Mr. Ruley: "Would have been zero. We would have found that when we had done the financial statements. Had we not posted the grant one, our grant revenues would have been understated. There are two phases that still needed to be done. We had to put the financial statements together and we do an analytic review once those financial statements are done that would have caught that mis-posting. In addition to that, we would have

MINUTES

Department of Audits - cont'd

gone through each batch. The CAFR batches are named specifically in our batch of things, out batch area of Dynamics (City-dynamics) and we were going to go through them and post, we would go through them and periodically and check to see if all the batches were posted. We would have caught it then, too. Again, this is a disagreement and we disagree."

Comptroller: "Right. So what procedures are being put in place -- internal control procedures are being put in place?"

Mr. Gallagher: "This is not an internal control issue."

Mr. Ruley: "There are none. We just have to be more careful that is all. This is not internal control issue. That is what our issue is. The internal control issue is would the financial statements with a material error and our answer is well we were one third done and we still had the financial statements to do and we still had to do our analytical review."

Comptroller: "Do you want to respond? Whether it was material. Do you want to state your name?"

Mr. Steven Baloga, Ernst and Young: "My only comment is that the standards for auditors have gotten more rigorous relative to reporting issues of this nature."

MINUTES

Department of Audits - cont'd

Comptroller: "Right."

Mr. Baloga: "So, that is why perhaps you know issues that would have been not viewed as reportable are now being reported in this manner. The City adopted or implemented a new system a couple of years ago, and the Governmental Accounting has gotten more and more complex in terms of preparing the financial statements, so it is a challenge and we sympathize with management relative to the challenges that they have to prepare the financial statements and to meet deadlines and so forth. So, those are the challenges that they face. These were some errors that occurred that were identified as a part of that process. So, that is ultimately that way that I view this situation."

Mayor: "Is it my understanding that the work papers that were submitted were not final work papers. That they are basing the material deficiency?"

Mr. Gallagher: "Well, my understanding, well I will let you --."

Mr. Ruley: "I said that when I transmitted them to the Department of Audits, I said that they were final work papers. Okay, and in fact the trial balances were final and they con-

MINUTES

Department of Audits - cont'd

tained those adjustments. What did not happen was during the smoke of battle we forgot to post three entries. Not on the trial balances, not in the work papers, but in the system itself, so we had to go back into system and just post those."

Mayor: "So you had accounted for them in your determination of your balance."

Mr. Ruley: "Yes. In our work papers, yes."

Mayor: "And the issue was, someone forgot to post those?"

Mr. Ruley: "That is correct."

City Solicitor: "And did I understand you to say that the work papers are like the first one thing of the overall process that leads to final set of members?"

Mr. Ruley: "We submit our -- the final -- our work papers as final to the Department of Audits and Ernst and Young, and they go through a review. But once that is done, once we submit it, we use the same work papers to build our financial statements and to analytical review. Ideally, all that would be done when we submit it to the auditors, but we are dealing with a time deadline and they need to get done simultaneously with us. So, we need to submit that stuff as final, but that was our work

MINUTES

Department of Audits - cont'd

papers final. We were not done with the financial statement presentation and therein lies the difference of opinion."

President: "Are there any other questions?"

City Solicitor: "Probably before we take action on the audit, we should just inquire as to whether any of the other agencies feel a need to supplement their written comments that are on the back of the audit. If so, you should come forward. If not we will just accept the written comments? Hearing no or seeing no one coming forward I would MOVE that we --."

Deputy Comptroller: "Excuse me, you just NOTE the Audit."

Mayor: "We want it NOTED with Mr. Gallagher's comments and that is the Motion that he is making."

City Solicitor: "I would just MOVE that we accept the Audit and include in the record of the Audit the remarks of the four individuals including Mr. Gallagher and Mr. Ruley from the Department of Finance."

Mayor: "Second."

President: "All in favor AYE. All Opposed NAY."

Deputy Comptroller: "There is no Motion needed. You are just noting the report. You just NOTE it, but if you want to -- all

MINUTES

Department of Audits - cont'd

that information is automatically included as part of the record. It will be and we will also ask them to give us their written statements to make sure that we have everything accurate. But that will be part of the minutes. It always is, anything that is stated is part of the minutes."

Comptroller: "You just NOTE it, you don't have to vote."

President: "That's fine."

Mayor: "Okay. I was just making sure that all of the --."

Comptroller: "It is part of the minutes."

Mayor: "Perfect. Thank you."

President: "Okay. It is duly noted."

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MINUTES

Department of Planning - Report on Previously
Approved Transfers of Funds

At previous meetings, the Board of Estimates approved Transfers of Funds 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. Today, the Board is requested to **NOTE 21** favorable reports on Transfers of Funds approved by the Board of Estimates at its meetings on September 29, 2010 and October 06, 2010.

The Board **NOTED 21** favorable reports on Transfers of Funds approved by the Board of Estimates at its meetings on September 29, 2010 and October 06, 2010.

MINUTES

Health Department - Agreements

The Board is requested to approve and authorize execution of the various agreements. The period of the agreement is July 1, 2010 through June 30, 2011, unless otherwise indicated.

1. **SISTERS TOGETHER AND REACHING, INC./** **\$ 8,764.00**
(STAR)

Account: 1001-000000-3041-274000-603051

The organization will provide three part-time evening staff and the STAR mobile unit for The Block Project to provide HIV/Sexually Transmitted Disease Infections counseling, testing, and referral. Referrals will include phlebotomy, Health Education Risk-Reduction, linkage to care, treatment, and other support services, as well as facilitation of reproductive health visits via the STAR mobile unit. The period of the agreement is July 1, 2010 through September 30, 2010.

The agreement is late because of a processing oversight by the Department.

2. **MEDSTAR HEALTH, INC.** **\$ 25,000.00**

Account: 6000-629010-3100-296900-406001

The organization will donate 0.1 FTE physician services and provide funding in the amount of \$25,000.00 for a 0.5 FTE Nurse Practitioner during the school year and one full day per week during the summer in School-Based Health Centers. The period of the agreement is September 1, 2010 through August 31, 2011. The agreement is late because it was just finalized.

MINUTES

Health Department - cont'd3. **UNION MEMORIAL HOSPITAL (UMH)** **\$171,211.00**

Account: 4000-497311-3041-688202-603051

The UMH will provide colorectal cancer screening services. Clients referred by the Health Department will be provided the following services: office visits, pre-consult, or physical examination, post-colonoscopy visits, physician services for colonoscopy, laboratory fees including processing and reading of colorectal biopsy specimens, and complete blood counts when providing endoscopist indicates the need for immunohistochemical stains. In addition, the UMH will provide double contrast barium enema, pharmacy products, as may be needed to complete the colonoscopy, anesthesia and/or respiratory services, and medical supplies.

The agreement is late because of delays in budget negotiations and the conversion to the new accounting system.

4. **PARK WEST HEALTH SYSTEMS, INC.** **\$ 32,849.00**

Account: 4000-424511-3023-274409-603051

The organization will provide ambulatory outpatient services for the Ryan White Part B program. The services will include primary care services including a comprehensive physical examination, updated labs, care plans, specialty referrals, and follow-up in a timely manner to HIV positive clients. The services will be provided to ensure that 85 clients receive ambulatory outpatient health services in an efficient and effective manner based on the minimum Standards of Care.

The agreement is late because Ryan White Parts B services are programmatically managed by the State AIDS Administration. The Department is responsible for processing contracts and making payments to the provider after the State selects the provider through the Request for Proposal process.

MINUTES

Health Department - cont'd

5. **ANGEL'S COVE ASSISTED LIVING FACILITY, INC.** **\$ 23,400.00**

Account: 5000-534011-3044-273302-603051

This agreement will allow the Department to disburse State Subsidized Assisted Housing funds to low income residents at Angel's Cove Assisted Living Facility, Inc. located at 5404 Belair Road. The organization will provide subsidized senior assisted housing services for individuals age 62 and over, who have temporary or periodic difficulties with the activities of daily living and who require assistance in performing personal and household functions associated with complete independence. Residents receive shelter, meals, housekeeping, personal care services, and 24-hour on-site supervision.

The agreement is late because of the transition between the Commission on Aging and Retirement Education and the Health Department and receipt of a signature from the provider.

6. **ARBOR E & T, LLC, d/b/a CARE RESOURCES** **\$ 60,000.00**

Account: 4000-428711-3031-579200-603051

The organization will provide licensed registered nurses (RNs) and licensed practical nurses (LPNs) on an as-needed basis for the Baltimore City Health Department Reducing Asthma Disparities (RAD) Initiative. Home visiting RNs or LPNs will provide medical assessments, resources and education to reduce childhood asthma for children ages 4 - 18, who attend Baltimore City Public Schools. The period of the agreement is September 30, 2010 through September 29, 2011. The agreement is late because it was just finalized.

MINUTES

Health Dept. - cont'd

7. **CHASE BREXTON HEALTH SERVICES, INC.** \$ 67,542.00

Account: 4000-424511-3023-274418-603051

The organization will provide ongoing case management services to HIV+ individuals seeking medical care, initial intakes, care planning, ongoing monitoring, and follow-up with all HIV-positive clients. Case Managers will partner with clients to identify real and perceived barriers to health care and develop plans to address and overcome these concerns.

The agreement is late because Ryan White Parts B services are programmatically managed by the State AIDS Administration. The Department is responsible for processing contracts and making payments to the provider after the State selects the provider through the Request for Proposal process.

MWBOO GRANTED A WAIVER FOR ITEM NOS. 3, 4, 6 and 7.

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 agreements.

MINUTES

Department of General Services (DGS) - Developers' Agreements

The Board is requested to approve and authorize execution of the various developers' agreements.

<u>DEVELOPER</u>	<u>NO.</u>	<u>AMOUNT</u>
1. FRP HOLLANDER 95, LLC	0959B	\$532,135.00

FRP Hollander 95, LLC (FRP) would like to install various utilities and roadwork to their proposed construction located in the vicinity of 7200 Pulaski Highway and 62nd Street. This agreement will allow the FRP to do its own installation in accordance with Baltimore City standards.

An irrevocable letter of credit in the amount of \$532,135.00 has been issued to the FRP, which assumes 100% of the financial responsibility.

2. DRUID HEIGHTS COMMUNITY DEVELOPMENT CORPORATION (DHCDC)	0873	\$556,190.00
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The DHCDC would like to install various utilities and roadwork to their proposed Bakers' View Development Project located in the blocks surrounded by Pennsylvania Avenue, Baker Street, Division Street, and Gold Street. This agreement will allow the DHCDC to do its own installation in accordance with Baltimore City standards.

A performance bond in the amount of \$556,190.00 has been issued to the DHCDC, which assumes 100% of the financial responsibility.

MBE/WBE PARTICIPATION:

City funds will not be utilized for the projects; therefore, MBE/WBE participation is not applicable.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the above developers' agreements.

MINUTES

Department of Recreation - Joint-Use Agreement
and Parks (R & P)

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a joint-use agreement with the Maryland Department of Natural Resources (DNR) and the YMCA of Central Maryland (YMCA). The period of the agreement is effective upon Board approval through the useful life of the playground, located at 1000 E. 33rd Street.

AMOUNT OF MONEY AND SOURCE:

\$175,400.00 - 9938-902796-9474

BACKGROUND/EXPLANATION:

On November 4, 2009, the Maryland Board of Public Works approved the commitment of Program Open Space funds to the City, a portion of which was allocated for the renovation of the YMCA Playground located at 1000 E. 33rd St., that was partially destroyed by fire. As a condition precedent to the receipt of the funding, a written agreement between the YMCA, the DNR and the Department is required to establish the terms, conditions and mutual responsibilities with respect to the renovation project. The execution of a grant agreement between the Department and the YMCA is required in order to grant the funds to the YMCA. The grant agreement is Attachment B of the joint-use agreement.

APPROVED FOR FUNDS BY FINANCE

MINUTES

Dept. of Rec. & Parks - cont'd

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$175,400.00	9938-901796-9475	9938-902796-9474
State	Reserve	Active
	YMCA Playground	YMCA Playground

The transfer will provide funds to cover the costs associated with the renovation of the YMCA Playground on 33rd Street.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the joint-use agreement with the Maryland Department of Natural Resources and the YMCA of Central Maryland. The Transfer of Funds was approved, SUBJECT to the receipt of a favorable report from the Planning Commission, the Director of Finance having reported favorably thereon, in accordance with the provisions of the City Charter.

MINUTES**TRAVEL REQUESTS**Department of Public Works

	<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
1.	Ronald L. Christmas *Ray Schreiner	CSR User Group Conference Summerlin, NV Nov. 6 - 11, 2010 (*Reg. fee \$595.00)		\$3,675.80

The subsistence rate for this location is \$180.00 per day. The hotel cost is \$159.00 per night, plus hotel taxes in the amount of \$19.08, per night. The Department is requesting additional subsistence of \$19.00 per day/ attendee to cover the cost of meals and incidental expenses, which is included in the total.

Police Department

2.	Mark H. Grimes	Int'l. Assoc. of Chiefs of Police Conf. Orlando, FL Oct. 22 - 25, 2010 (Reg. fee \$275.00)	Federally Forfeited Asset Sharing Fund	\$ 957.40
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Fire Department

3.	James Clack	Transportation Disaster Response Training Ashburn, VA Nov. 16 - 18, 2010 (Reg. fee \$1,080.00)	FY08 SHSP	\$1,487.90
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UPON MOTION duly made and seconded, the Board approved the above travel requests.

MINUTES

Baltimore Development Corporation - Intercreditor Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an intercreditor agreement with Conestoga Bank.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

This intercreditor agreement will allow Mowery Family Limited Partnership (MFLP) to refinance its current loan with M&T Bank, with Conestoga Bank in the amount of \$2,000,000.00 to take advantage of lower mortgage rates.

On April 7, 1999, the Board approved a loan in the amount of \$200,000.00 to the MFLP in conjunction with a loan from First National Bank of Maryland for the relocation of its operating company, AJM Enterprises, Inc. (AJM) from Columbia, Maryland to 6120 Holabird Avenue.

The MFLP is a real estate holding company, whose purpose is to lease back real estate to its parent, AJM that specializes in the sale and distribution of the "Craftmatic Adjustable Bed". The AJM currently employs 110 individuals, of which 85 are residents of Baltimore City. The City mortgage has a current balance of \$59,172.00, which is being paid as agreed.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved and authorized execution of the intercreditor agreement with Conestoga Bank.

MINUTES

Baltimore Development - Land Disposition Agreement
Corporation (BDC)

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the land disposition agreement with Station North Development Partners, LLC, developer, for the property located at 1701-1709 N. Charles St. and 22 - 24 E. Lanvale St., and to approve and authorize a waiver of the appraisal policy.

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:

\$500,000.00 - Purchase Price, plus Carried Interest

Carried Interest

5% Annually of Gross Revenue up to \$1,000,000.00, then
2½% Annually of Gross Revenue up to \$2,000,000.00

BACKGROUND/EXPLANATION:

The City will sell the properties to the Developer for \$500,000.00 to be paid at settlement. The City will maintain a carried interest in the project of 5% of the Gross Revenue up to the point in time when the City has received an amount equal to \$1,000,000.00. Thereafter, the City will receive 2½% of the Gross Revenue of the Project, until the City has received a total amount of \$2,000,000.00.

The Charles North Urban Renewal Plan gave the City the right to assemble property in the area generally bounded by the Jones Falls Valley edge to the west, 23rd Street to the north, Saint Paul Street to the east, and Penn Station to the south.

MINUTES

BDC - cont'd

On March 12, 2008, the Board approved the purchase of the properties for \$2,545,000.00, under the authority of the Charles North Urban Renewal Plan. As the Developer is contributing 20 E. Lanvale St. and 30 E. Lanvale St. which consists of 34 parking spaces, and the project requires extensive environmental abatement of lead based paint and asbestos, it is proposed that the City dispose of the property for a total \$2,000,000.00 (inclusive of the \$500,000.00 upfront payment and the carried interest in the project).

The Chesapeake project will consist of retail, restaurant, office, and live/work studios. The Developer proposes to preserve the exterior of the building, especially the historic Charles Street façade, while providing visual interest and transparency especially at the ground level. The Developer proposes to improve and renovate the existing building at 1701 - 1709 N. Charles St. (the Chesapeake) building in phases. The first phase of the Chesapeake Redevelopment will include improvements to the first floor area of the building and exterior improvements to prepare for the proposed food market. The second phase of the Chesapeake Redevelopment will include improvements to the upper floors of the building. There is extensive environmental remediation needed, including abatement of lead based paint and asbestos. New mechanical, electrical, and plumbing systems will be installed throughout.

The Developer proposes to develop 22 - 24 E. Lanvale St. (Lanvale Lots) in conjunction with other privately-owned adjacent parcels. The intent is to construct a new mixed-use building, consisting primarily of residential apartments with parking, common areas and retail on the lower levels. The Developer anticipates a minimum of 6,000 square feet of commercial/retail uses on the ground floor and no less than 60 residential units on the upper floors.

All buildings will be constructed according to current Baltimore City Codes and Standards. The project is expected to bring 35 new jobs to the City.

MINUTES

BDC - cont'd

STATEMENT OF RATIONALE FOR WAIVER OF THE APPRAISAL:

The properties were appraised in November 2007 for \$1,350,000.00 (1701 - 1709 N. Charles St.), \$100,000.00 (22 E. Lanvale St.) and \$93,000.00 (24 E. Lanvale St.), respectively. As a result of a decline in the market, a new appraisal would not result in an amount greater than the \$2,000,000.00 that the City is receiving. Further, the market value of 20 and 30 E. Lanvale St. which is estimated at \$175,000.00 (contributed by the developer) and cost of remediation which is estimated at \$50,000.00 would further reduce the sale price, if factored into the sale price. The properties will be sold in As-Is, condition and therefore there is not an offset for the developers property contribution or the cost of remediation.

MBE/WBE PARTICIPATION:

The Developer will sign the City's Commitment to Comply with Minority and Women's Business Enterprise Program of the City of Baltimore prior to settlement.

(FILE NO. 57186)

UPON MOTION duly made and seconded, the Board approved and authorized execution of the land disposition agreement with Station North Development Partners, LLC, developer, for the property located at 1701-1709 N. Charles St. and 22 - 24 E. Lanvale St. The Board also approved and authorized a waiver of the appraisal policy. 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

Baltimore Development - Governmental/Charitable
Corporation (BDC) Solicitation Application

ACTION REQUESTED OF B/E:

The Board is requested to endorse a governmental/charitable solicitation application that has been approved by the Board of Ethics of Baltimore City.

AMOUNT OF MONEY AND SOURCE:

No general funds are involved in this transaction.

BACKGROUND/EXPLANATION:

The Board of Ethics of Baltimore City approved the application on August 16, 2010 for Fiscal Year ending June 30, 2011. The BDC will solicit donations from area leaders to fund the enhancement of the Baltimore Main Street program and small business initiatives.

A potential donor list will be comprised of individuals and corporate entities that have demonstrated a history of providing financial and in-kind contributions to the small business community and Baltimore's economic revitalization.

Because of current budget restraints, the BDC is limited in the diversity and scope of services it can provide to small businesses and Main Street commercial districts. The BDC's goal is to solicit private donations to increase and enhance the Baltimore Main Streets program and economic development activities throughout Baltimore. The activities to be augmented by these fundraising activities include, but are not limited to, Baltimore Main Streets, Miracle on Main Street, and the 2012 National Main Streets Conference, which will be held in Baltimore.

Most of the individual and corporate entities fitting that description are not controlled donors. However, those potential donors, who are controlled donors with respect to the Baltimore Development Corporation, the City Council, or the Board of Estimates will not be targeted or singled-out in any way and will be solicited, if at all, in the same manner as all other potential donors.

MINUTES

BDC - cont'd

Baltimore City Code Article 8, Section 6-26, prohibits solicitation or facilitating the solicitation of a gift. An exception was enacted in 2005 to permit certain solicitations that are for the benefit of an official governmental program or activity, or a City-endorsed charitable function or activity that has been pre-approved by the Ethics Board. Ethics Regulation 96.26B sets out the standards for approval, which includes the requirement that the program, function, or activity to be benefited and the proposed solicitation campaign must be endorsed by the Board of Estimates or its designees.

(FILE NO. 57133)

UPON MOTION duly made and seconded, the Board endorsed a governmental/charitable solicitation application that has been approved by the Board of Ethics of Baltimore City.

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:

3743 - 3745

to the low bidders meeting the specifications,

or rejected bids on those as indicated

for the reasons stated.

The Transfers of Funds were approved

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.

The President **ABSTAINED** on Item Nos. 1 and 2.

The Protest from Civil Construction LLC

for Item Nos. 1 and 2 was **WITHDRAWN**.

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS:

Bureau of Water and Wastewater

1. WC 1212, Water Appurtenances Installations R.E. Harrington Plumbing & Heating Co., Inc. \$4,997,010.40

MBE: T.E. Jeff, Inc. \$999,402.08 20.00%

WBE: R & R Contracting, Inc. \$449,730.93 9.06%

MWBOO FOUND VENDOR IN COMPLIANCE.

2. **TRANSFER OF FUNDS**

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$3,000,617.82	9960-907101-9558	
Water Utility Funds	Constr. Res.	
1,725,898.99	" "	
Water Utility Funds	Small Water Mains	
1,868,316.19	9960-910031-9558	
Counties	Constr. Res.	
<u>\$6,594,833.00</u>	Water Supply Fac.	

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS:

Bureau of Water and Wastewater - cont'd

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$ 499,701.30	-----	9960-905697-9557-2 Extra Work
499,701.30	-----	9960-905697-9557-3 Engineering
299,210.00	-----	9960-905697-9557-5 Inspection
4,997,010.40	-----	9960-905697-9557-6 Construction
<u>299,210.00</u>	-----	9960-905697-9557-9 Engineering
<u>\$6,594,833.00</u>		

This transfer will provide funds to cover the costs associated with the award of WC 1212, Water Appurtenances Installations.

A LETTER OF PROTEST WAS RECEIVED FROM CIVIL CONSTRUCTION, LLC.

THE PROTEST FROM CIVIL CONSTRUCTION, LLC. WAS WITHDRAWN.

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS:

Department of Recreation & Parks

3.	RP 10813, St. Mary's Park Renovation	Bensky Construction Co., LLC	\$270,777.00
	MBE:	Priority Construction Corp.	\$70,000.00 25.85%
	WBE:	William T. King, Inc.	\$ 8,700.00 3.22%
		Haines Industries, Inc.	10,378.00 3.83%
		McCall Trucking, Inc.	2,925.00 1.08%
			<u>\$22,003.00 8.13%</u>

MWBOO FOUND VENDOR IN COMPLIANCE.

4. **TRANSFER OF FUNDS**

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$ 68,000.00	9938-904746-9475	
Rec. & Pks.	Reserve - Park &	
24 th Series	Playgrounds Reno-	
	vation - FY08	
204,000.00	" "	
State		
<u>\$272,000.00</u>	-----	9938-901746-9474
		Active
		Park & Playgrounds
		Renovation FY08

This transfer will provide funds to cover the costs associated with the award of RP 10813, St. Mary's Park Renovation to Bensky Construction Co., LLC.

Bureau of Purchases

5.	B50001552, Nitrogen Tire Inflation Systems	Myers Tire Supply Distribution, Inc.	\$ 77,940.00
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MWBOO GRANTED A WAIVER.

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 Purchases

- | | | |
|--|--------------------|----------------|
| 1. <u>DSQ SOLUTIONS</u> | <u>\$24,999.00</u> | <u>Renewal</u> |
| Solicitation No. 08000 - Computer Support and Maintenance -
Department of Housing and Community Development - Req. No.
R560111 | | |

On May 12, 2010, the Board approved the initial award in the amount of \$24,999.00. The award contained a renewal option at the sole discretion of the City. This renewal in the amount of \$24,999.00 is for the period December 12, 2010 through May 5, 2011.

- | | | |
|---|--------------------|-----------------|
| 2. <u>FIRST CANDLE</u> | <u>\$ 8,075.00</u> | <u>Increase</u> |
| Solicitation No. 07000 - Cribs for Infants and Toddlers -
Health Department - Req. No. R559973 | | |

On April 14, 2010, the Board approved the initial award in the amount of \$8,075.00. The agency had grant money to spend so it doubled the order for the cribs. This increase in the amount of \$8,075.00 will make the award amount \$16,150.00.

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|--|--------------------|------------------------|
| 3. <u>TIPCO TECHNOLOGIES, INC.</u> | <u>\$ 7,536.00</u> | <u>Selected Source</u> |
| Solicitation No. 06000 - Packing Supplies - Department of
Public Works - Req. No. R559661 | | |

A quote was solicited and received from the vendor for packing materials to stop leaks at Leakin Park and Hillen Pumping Stations; the vendor has the packing supplies in stock to be delivered immediately upon the issuance of a purchase order.

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|--|--------------------|--------------------|
| 4. <u>XEROX CORPORATION</u> | <u>\$20,000.00</u> | <u>Sole Source</u> |
| Solicitation No. 08000 - Provide Consumable Xerox Supplies -
Department of Finance - Req. No. R555598 | | |

The vendor is the sole source manufacturer of consumable supplies such as red ink cartridges, staples, and staple wires and these items are not included in the Xerox contract. The period of the award is October 20, 2010 through October 19, 2011, with three 1-year renewal options remaining.

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 Purchases

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|--|--------------|---------------------------|
| 5. FOREST VALLEY TREE
& TURF, LLC | \$12,760.00 | Low Bid |
| Solicitation No. B50001577 - Street Tree and Stump Removal
Group VII - Department of Recreation and Parks - Req. No.
R550397 | | |
| 6. S.A.T.,
INCORPORATED | \$260,000.00 | Sole Source/
Agreement |
| Solicitation No. 08000 - Conservation of Baltimore Battle
Monument - Department of Planning - Req. No. R555549 | | |

The Board is requested to approve and authorize execution of an agreement with S.A.T., Inc. The period of the agreement is effective upon Board approval for one year.

The first war memorial commemorating Baltimore's Heroes in the War of 1812, which is also the image shown on the City Seal needs urgent restoration. The vendor has more than 30 years of experience as a conservator of City monuments and knows the specific conservation methods. The City has not been able to identify another source.

It is hereby certified that the above procurement is of such a nature that no advantage will result in seeking nor would it be practical to obtain competitive bids. Therefore, pursuant to Article VI, Section 11 (d)(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 Purchases

7. STANLEY ACCESS TECHNOLOGIES, LLC	\$ 26,185.00	Agreement/ Sole Source
Solicitation No. 08000 - Rehabilitation of Doors and Service - Baltimore Convention Center - Req. No. R551785		

The Board is requested to approve and authorize execution of an agreement with Stanley Access Technologies, LLC. The period of the agreement is effective upon Board approval through September 19, 2012, with no renewal options.

The vendor is the manufacturer and only authorized source for providing these specialized doors to match the existing doors and provide door repairs and maintenance.

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

8. S.A.T., INCORPORATED	\$ 40,000.00	Agreement/ Sole Source
Solicitation No. 08000 - Annual Maintenance of Monuments and Sculptures - Department of Planning - Req. No. R555384		

The Board is requested to approve and authorize execution of an agreement with S.A.T. Incorporated. The period of the agreement is effective upon Board approval for four months.

The City has not been able to identify another source for these services and the vendor's prices are fair and reasonable.

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 Purchases

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

- | | | |
|---|--------------|-------------------------|
| 9. LABVANTAGE SOLUTIONS, INC. | \$ 82,175.00 | Renewal/
Sole Source |
| Solicitation No. 08000 - Software Maintenance Agreement -
Department of Public Works, Environmental Services Division -
Req. No. To be assigned | | |

Approval on a sole source basis is requested because the vendor is the sole provider of the proprietary software system and the maintenance for the equipment already in use at the Lab for the Customer Care Help Desk.

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

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|---|--------------|---------|
| 10. ANCHOR BAY EAST MARINA LLC | \$100,000.00 | Renewal |
| Solicitation No. B50000225 - Marine OEM and Aftermarket Parts and Service - Department of General Services - P.O. No. P512707 | | |

On January 9, 2008, the Board approved the initial award in the amount of \$50,000.00. The award contained one 2-year renewal option at the sole discretion of the City. This renewal in the amount of \$100,000.00 is for the period January 1, 2011 through December 31, 2012.

MWBOO GRANTED A WAIVER.

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 Purchases

11. PATUXENT

MATERIALS, INC.	\$ 100,000.00	Renewal
Solicitation No. B50000861 - Pea Gravel - Agencies - Various - Req. Nos. Various		

On December 17, 2008, the Board approved the initial award in the amount of \$88,000.00. The award contained four 1-year renewal options at the sole discretion of the City. Subsequent actions have been approved. This renewal in the amount of \$100,000.00 is for the period January 2, 2011 through January 1, 2012, with two 1-year renewal options remaining.

MWBOO GRANTED A WAIVER.

12. F.L. ANDERSON CO.	\$1,000,000.00	Increase
Solicitation No. B50000217 - Firefighter Turnout Gear - Fire Department - P.O. No. P501604		

On January 23, 2008, the Board approved the initial award in the amount of \$400,000.00. Subsequent actions have been approved. This increase in the amount of \$1,000,000.00 is necessary to meet the agency's requirements for the upcoming graduation of new recruits, making the award amount \$3,310,654.00.

MWBOO GRANTED A WAIVER.

13. JESCO, INC.	\$ 300,000.00	Increase
Solicitation No. 08000 - OEM Parts and Service for John Deere Equipment - Department of General Services - P.O. No. P514285		

On July 11, 2007, the Board approved the initial award in the amount of \$600,000.00. Subsequent actions have been approved. This increase in the amount of \$300,000.00 is necessary due to a higher than anticipated demand for parts and service, making the total award amount \$1,500,000.00.

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 Purchases

14. TELECOMMUNICATION

SYSTEMS, INC.	\$ 0.00	Extension
Solicitation No. 06000 - Citywide Network and System Support - Agencies - Various - Req. Nos. Various		

On November 9, 2005, the Board approved the initial award in the amount of \$6,232,066.56. Subsequent actions have been approved. This contract, formerly BP-05136 expires on November 8, 2010. A new solicitation, B50001567 City Wide Network and System Support has been issued and bids were received on October 13, 2010. An extension is required to allow time to evaluate the bids and provide for a sufficient transition period. The period of the extension is November 9, 2010 through March 31, 2011.

MWBOO SET GOALS OF 35.79% MBE AND 13.21% WBE.

MBE: The Bith Group	22.73%
Full Circle Solutions	13.06%

WBE: Realistic Computing	13.21%
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MWBOO FOUND VENDOR IN COMPLIANCE.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

Bureau of Purchases

15. GRAYBAR ELECTRIC COMPANY	\$1,500,000.00	
IDEAL ELECTRICAL SUPPLY	\$ 0.00	Renewal
Solicitation No. B50000589 - Electrical Products - Agencies - Various - P.O. Nos. P504628 and P504739		

On November 19, 2008, the Board approved the initial award in the amount of \$900,000.00 to Graybar Electrical Company and Ideal Electrical Supply. The award contained two 2-year renewal options at the sole discretion of the City. Subsequent actions have been approved. This renewal in the amount of \$1,500,000.00 for Graybar Electrical Company is for the period of November 19, 2010 through November 18, 2012, with one 2-year renewal option remaining.

MWBOO GRANTED A WAIVER.

UPON MOTION duly made and seconded, the Board approved the informal awards, renewals, increases to contracts, and extensions. The Board further approved and authorized execution of the foregoing agreements with S.A.T., Incorporated (Item Nos. 6 and 8) and the agreement with Stanley Access Technologies, Inc. (Item No. 7). The Mayor **ABSTAINED** on Item No. 7.

MINUTES

Police Department - Notice of Grant Award, Grant Award
Agreements and Grant Adjustment
Notice/Budget Adjustment

The Board is requested to approve acceptance of the notice of grant award, approve and authorize execution of the following grant award agreements, and to approve acceptance of the grant adjustment notice.

NOTICE OF GRANT AWARD

- | | | |
|----|---|---------------------|
| 1. | STOP VIOLENCE AGAINST WOMEN GRANT
PROGRAM/BALTIMORE DOMESTIC VIOLENCE
VICTIM/WITNESS LIAISON PROGRAM | \$ 90,000.00 |
|----|---|---------------------|

Account: 5000-516711-2011-694400-600000

The notice of grant award was received from the Governors Office of Crime Control and Prevention (GOCCP). The GOCCP released a Letter of Intent to the Department for an award for the FY2010 Violence Against Women Formula Grant Program. The grant award will pay the salary for three full time Domestic Violence Victim/Witness Liaisons. These individuals will provide a coordinated and structured response to reduce the occurrence of domestic violence in Baltimore City. The period of the award is October 1, 2010 through September 30, 2011.

GRANT AWARD AGREEMENTS

- | | | |
|----|---|----------------------|
| 2. | BYRNE JUSTICE ASSISTANCE INTEREST GRANT
PROGRAM/IMPACT TEAMS PROGRAM-BALTIMORE
POLICE DEPARTMENT | \$ 117,951.00 |
|----|---|----------------------|

Account: 4000-498211-2022-693400-600000

The grant award was received from the Governors Office of Crime Control and Prevention (GOCCP). The Department has deployed four Impact Teams in four designated areas within the City, in an effort to target the most violent

MINUTES

Police Department - cont'd

offenders. Funding will be used to pay for overtime of a Department lieutenant, sergeant, Warrant Apprehension Task Force detective and officer assigned to each Impact Team. In addition to the Department membership, each team includes Parole and Probation, Department of Juvenile Services, and Maryland State Police personnel. The period of the grant award agreement is July 1, 2010 through December 31, 2010.

3. **U.S. DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS/ BUREAU OF JUSTICE ASSISTANCE** **\$1,171,168.00**

Account: 4000-468311-2252-694201-600000

The grant funds will be used for Baltimore City's FY 2010 Justice Assistance Grant VI (JAG VI) Program. The JAG VI program supports the City's public safety strategy to reduce violent crime and strengthen public trust through targeted enforcement, community engagement, and strengthening partnerships among criminal justice agencies.

The JAG VI program will decrease violent crime by increasing prevention technology, improving community supports, and collaboration between citywide prevention programs. The period of the agreement is October 1, 2009 through September 30, 2013.

The grant award agreements are late because the awards were recently received.

MINUTES

Police Department - cont'd

GRANT ADJUSTMENT NOTICE (GAN)

4.	GOVERNOR'S OFFICE OF CRIME CONTROL AND PREVENTION	\$	0.00
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On December 9, 2009, the Board approved a grant award agreement for \$375,000.00 for the program entitled, "Serology Enhancement-DBRA" from the Governor's Office of Crime Control and Prevention for the period of December 1, 2009 through December 31, 2010. On March 31, 2010, the Board approved a No-Cost Extension, changing the grant end date from December 31, 2010 to March 31, 2011.

This GAN is for a no-cost extension and budget adjustment. The GAN will extend the agreement through September 30, 2011 and modify the budget to eliminate two Serologist positions and create three Biology Technician positions. The Serology Enhancement Program assists in implementing strategies specifically intended to reduce DNA backlogs in Maryland.

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 foregoing notice of grant award, approved and authorized execution of the grant award agreements, and approved acceptance of the grant adjustment notice.

MINUTES

Police Department - Equipment Donation

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize the acceptance of a donation of equipment from the Johns Hopkins University (JHU).

AMOUNT OF MONEY AND SOURCE:

\$15,000.00 - Estimated Value

BACKGROUND/EXPLANATION:

On January 10, 2001 the Board authorized the Department to purchase services and materials that would enhance its crime reduction efforts in a manner that would not compromise the investigations and crime fighting activities. It was determined that the disclosure of certain types of crime fighting equipment and services would interfere with the effective investigations and efforts to reduce crime. This security equipment will be used for covert crime fighting activities and investigations.

The Department will maintain records of the donation including value, identification number/s and any other information that is maintained for the inventory of equipment, in accordance with established procedures.

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 and authorized acceptance of the donation of equipment from the Johns Hopkins University. The President **ABSTAINED**.

MINUTES

Department of Housing and Community Development (DHCD) - Local Government Resolutions

The Board is requested to approve and authorize execution of the following local government resolutions.

The following organizations are applying to the State of Maryland's Community Investment Tax Credit Program (CITCP). A local government resolution of support is required by the State for all applications to these programs for funding.

<u>Organization</u>	<u>Amount</u>
1. THE FRIENDS OF PATTERSON PARK	\$25,000.00
	CITCP

The Friends of Patterson Park, located at 27 S. Patterson Park Avenue proposes the Patterson Park Youth and Families Initiatives Project.

The funds will be used to provide free athletic leagues, clinics and recreational opportunities for many of the local youth. This will include a year-round soccer program for 250 - 300 children from the ages of 4 - 14 years old, spring and fall Youth Tennis clinics, a basketball and a swim team and professional physical education by working with the Patterson Park Recreational Center to coordinate educators to work at the Center. The Center will have fitness instructors, tennis and soccer coaches and a nutritionist to work with the children at the after-school program. The Friends of Patterson Park hope to include more health and hygiene programs, such as dental education and begin to offer more programs to local families (i.e. "Cooking on a Budget", "Easy Home Repairs" and exercise classes for youth, teens and adults).

The Friends of Patterson Park's goal is to provide services and programs that will improve the communities' health and wellness, and to provide opportunities for young and old to recreate in Patterson Park, specifically focusing on the neighborhood youth and their families. The programs will be at no cost and will be promoted to the diverse population around the park.

MINUTES

DHCD - cont'd

2. **BELAIR-EDISON NEIGHBORHOODS, INC.** **\$15,000.00**
CITCP

The Belair-Edison Neighborhoods, Inc., located at 3412 Belair Road, proposes the Belair-Edison Main Street Building Improvement Grant Project in the Belair-Edison Main Street District (3200 to 3600 blocks of Belair Road and 3100 to 3200 blocks of Erdman Avenue). The funds will be used to create a building improvement grant for buildings in Belair-Edison's designated Main Street District. The grant will be used as an incentive for physical building rehabilitation improvements, which will improve the appearance of the business district.

Belair-Edison Neighborhoods, Inc.'s mission is to foster an environment in which residents, business owners, and stakeholders feel confident to invest time, energy and money in the Belair-Edison community. The organization is also working to improve the Belair-Edison community by providing free housing counseling, community marketing, community organizing, and small business development.

UPON MOTION duly made and seconded, the Board approved and adopted the foregoing local government resolutions.

MINUTES

Department of Housing and Community Development (DHCD) - Approval of Account Fund Transfer

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize the transfer of \$190,000.00 in GO Bonds from account no. 9910-913032-9588 into a new account No. 9910-942002-9588.

AMOUNT OF MONEY AND SOURCE:

<u>Current Account</u>	<u>New Account</u>
\$190,000.00 - 9910-913032-9588	9910-942002-9588

BACKGROUND/EXPLANATION:

The transfer of the GO Bonds from account no. 9910-913032-9588 into a new account no. 9910-942002-9588 will be used to document the City's Match for two Choice Neighborhood Grants.

In August 2010, the Department of Housing and Urban Development (HUD) posted a Notice of Funding Availability (NOFA) for the Choice Neighborhoods Planning Grant. The intent of the NOFA is to allow recipients to rebuild and preserve public and publicly assisted housing projects in neighborhoods of concentrated poverty. Planning grants will support the development of a comprehensive Transformation Plan, whose components include a needs assessment that identifies patterns of disinvestment and designing strategies that reduce concentrations of low-income housing while identifying alternate affordable housing options. This will allow residents to remain in the community, creating a plan for supportive services, alignment with existing neighborhood plans, and leveraging additional public and private resources.

The maximum grant amount that can be received is \$250,000.00. The NOFA requires a minimum of a five percent match. The higher the amount of the match, the more points the applicant receives.

MINUTES

DHCD - cont'd

There are two Planning Grant applications being submitted from Baltimore. The first application is being submitted by the Housing Authority. The Housing Authority proposes to use the funds to complete a Transformation Plan for the former Somerset Homes public housing site to build on and expand the guidelines in the Oldtown Redevelopment Plan and to begin predevelopment activities on the Somerset Homes site. Funding in the amount of \$75,000.00 would be provided by the DHCD to meet the match requirement.

The second application is being submitted by the Midtown Development Corporation (Midtown). Midtown proposes to build on efforts underway by a consortium comprised of neighborhood groups and property owners in Madison Park, Bolton Hill, Upton, Druid Heights, and Eutaw Place. If funded, the Transformation Plan would focus on reducing the concentration of subsidized housing including Pedestal Gardens and other assisted developments in the area while identifying strategies to maintain affordability for current residents, as well as improving shopping and services, providing opportunities to employ local residents, and creating a climate that encourages investment. Funding in the amount of \$115,000.00 would be provided by the DHCD to meet the match requirements.

Eligible applicants include housing authorities and nonprofit organizations. Neighborhoods that are proposed for Planning Grants must meet several criteria including rates of crime, vacant housing, residents in public or HUD-assisted housing, and school children that live in low-income housing.

MBE/WBE PARTICIPATION:

Both HABC and Midtown Development Corporation will be required to sign Commitments to Comply in the event their applications are funded and they receive City funds.

APPROVED FOR FUNDS BY FINANCE

(FILE NO. 55221A)

MINUTESDHCD - cont'd**TRANSFER OF FUNDS**

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$190,000.00	9910-913032-9588	9910-942002-9588
25 th Community	Safe Assistance	Choice Neighborhoods
Development Bonds	for Emergency	

The transfer will provide funds for the City's match for the two Choice Neighborhoods applications that will be submitted to HUD.

UPON MOTION duly made and seconded, the Board approved and authorized the transfer of \$190,000.00 in GO Bonds from account no. 9910-913032-9588 into a new account No. 9910-942002-9588. The Transfer of Funds was approved, SUBJECT to the receipt of a favorable report from the Planning Commission, the Director of Finance having reported favorably thereon, in accordance with the provisions of the City Charter. The President **ABSTAINED**.

MINUTES

Department of Housing and - Agreement
Community Development (DHCD)

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an agreement with Parks & People, The Foundation, Inc. The period of the agreement is July 1, 2010 through August 6, 2010.

AMOUNT OF MONEY AND SOURCE:

\$23,750.00 - 2089-208911-5930-427838-603051

BACKGROUND/EXPLANATION:

The Department will provide Community Development Block Grant funding to subsidize the transportation costs of the SuperKids Camp 2010. The SuperKids Camp 2010 served low performing, low-income, second grade students by offering a six week reading enrichment program designed to help students enrolled in the Baltimore City Public Schools System improve or maintain their reading skills during the summer. There was no charge for the camp or related activities. All activities will be monitored by City Staff.

On June 30, 2010, the Board approved the Resolution authorizing the Commissioner of the Department of Housing and Community Development (DHCD), on behalf of the Mayor and City Council, to file a Federal FY 2010 Annual Action Plan for the following formula programs:

1. Community Development Block Grant (CDBG)
2. HOME Investment Partnership Act (HOME)
3. Housing Opportunity for People with AIDS (HOPWA)
4. Emergency Shelter Grant Program (ESG)

The DHCD began negotiating and processing the CDBG agreements effective July 1, 2010 and beyond, as outlined in the Plan, pending approval of the Resolution. Consequently, the agreements were delayed due to final negotiations and processing.

MINUTES

DHCD - cont'd

MBE/WBE PARTICIPATION:

FOR THE FY 2011, MBE AND WBE PARTICIPATION GOALS FOR THE ORGANIZATION WERE SET ON THE AMOUNT OF \$8,000.00, AS FOLLOWS:

MBE: \$2,160.00

WBE: \$ 800.00

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 Parks & People, The Foundation, Inc. The Mayor **ABSTAINED**.

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. Alvin I. Jeffers and Herbert P. Jeffers	1315 Greenmount Ave.	G/R \$72.00	\$ 480.00
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Funds are available in Account No. 9910-904714-9588-900000-704040, Hoffman Street Site Assembly Project.

2. Charles J. A. Schulte, III, Personal Rep. of the Estate of Charles J. A. Schulte, Jr.	3001 W. North Ave.	G/R \$120.00	\$ 800.00
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3. Michael Krinsky	3051 W. North Ave.	G/R \$90.00	\$ 600.00
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Funds are available in Account No. 9910-908087-9588-900000-704040, 3001 Block of North Avenue.

4. Shirley Lowenthal & Charles Muskin, Trustees of the Estate of Israel Braverman	753 W. Baltimore St.	G/R \$31.00	\$ 284.16
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5. Shirley Lowenthal & Charles Muskin, Trustees of the Estate of Israel Braverman	5 S. Fremont Ave.	G/R \$25.00	\$ 229.16
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Funds are available in Account No. 9910-908087-9588-900000-704040.

MINUTES

OPTIONS/CONDEMNATION/QUICK-TAKES:

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
6. Irma Donaldson	905 N. Castle St.	L/H	\$ 8,030.00
7. Randolph H. Scott & Juanita Francine Scott	1812 E. Chase St.	L/H	\$46,667.00

Funds are available in Account No. 9910-906416-9588-900000-704040, EBDI, Phase II.

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 amounts.

(FILE NO. 56017)

DHCD - Condemnations

8. Wallace & Enid Brooks	903 N. Castle St.	F/S	\$ 7,000.00
9. Mabel Louise Hudson, (deceased), Bertha Branch (deceased), York Eggleston, Jr., Lillie Ruth Tisdale, (deceased), Willie Alexander Eggleston, Joseph Eugene Eggleston, George Julius Eggleston, & Robert Eugene Eggleston	1216 N. Gay St.	L/H	\$ 8,447.00

MINUTES

DHCD - Condemnations

OPTIONS/CONDEMNATION/QUICK-TAKES:

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
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Funds are available in Account No. 9910-906416-9588-900000-704040, EBDI Project, Phase II.

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 amounts.

(FILE NO. 56017)

UPON MOTION duly made and seconded, the Board approved and authorized execution of the options, condemnations, and quick-takes.

MINUTES

Department of Housing and - Ratification of Contractor and
Community Development Expenditure of Funds

The Board is requested to ratify the use of the below listed contracts and approve expenditures of funds to pay the providers listed below for emergency shelter services. The ratification and expenditure of funds are for the period July 6, 2010 through September 30, 2010.

On August 26, 2009, the Board approved the original contracts with the Collington Square, d/b/a The Collington Square Non-Profit Corporation at its facility located at 1211 N. Chester Street. The shelter provided housing and care of homeless individuals. The period of the agreement was July 1, 2009 through June 30, 2010. Effective July 6, 2010, Collington Square was closed due to performance issues.

Finding housing for the homeless women who resided at Collington Square became an emergent need. It was the professional opinion of the Program Administrator that the above sub-contractors could provide suitable and safe care for housing the homeless to avoid placing them at risk, and exposing the City to potential liability.

No. of Clients

1. BERNIE'S PLACE		\$ 6,935.65
July 6 - 31, 2010	7 @ \$367.53/ea.	\$ 2,157.76 (Pro-rated)
Aug. 1 - 31, 2010	6 @ \$367.53/ea.	\$ 2,205.18
Sept. 1 - 30, 2010	7 @ \$367.53/ea.	\$ 2,572.71

Bernie's Place located at 2635 E. Monument Street provided housing and care of homeless individuals. The provider was selected because it is a member of the Baltimore Area Association of Supportive Housing (BAASH). BAASH has standards of care for its clients and was created by the Citizens Planning and Housing Association in an effort to ensure that clients of recovery homes/supportive housing have access to safe decent housing.

MINUTES

DHCD - cont'dNo. of Clients

2. NEW VISION HOUSE OF HOPE		\$11,168.17
July 6 - 31, 2010	10 @ \$367.53/ea.	\$ 3,082.51 (Pro-rated)
Aug. 1 - 31, 2010	11 @ \$367.53/ea.	\$ 4,042.83
Sept. 1 - 30, 2010	11 @ \$367.53/ea.	\$ 4,042.83

New Vision House of Hope located at 3931 Ridgewood Avenue provided housing and care of homeless individuals. New Vision House of Hope has been a sub-contractor under a Housing Opportunities for Persons with AIDS contract. New Vision House of Hope was awarded a contract previously awarded to the Health Education and Resource Organization.

Account: 5000-525611-3572-333733-603051

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTIONS.

UPON MOTION duly made and seconded, the Board approved ratification of the use of the above-listed contracts and approved the expenditures of funds to pay Bernie's Place and New Vision House of Hope for emergency shelter services.

MINUTES

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

ACTION REQUESTED OF B/E:

The Board is requested to approve the acquisition by gift of the leasehold interest of the property located at 1552 N. Bruce Street from Mr. Charles Runkles, 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. 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.

Mr. Runkles will pay all current water bills up through the date of settlement. The City's acceptance of this donation is less costly than acquiring the property by tax sale foreclosure or eminent domain. The liens for 1552 N. Bruce Street are itemized as follows:

Cumulative Real Property Taxes 2001-2011
1552 N. Bruce Street

Total Taxes	\$ 362.12
Interest/Penalties	200.42
Other	126.43
Tax Sale Interest	3,218.21
Miscellaneous Bills	4,225.30
Metered Water (Tax Sale)	651.73
Footway Paving Bill	339.60
Rental Registration	93.00
Total Municipal Liens	<u>\$ 9,216.81</u>

MINUTES

DHCD - cont'd

The listed municipal liens, other than current water bills, will be administratively abated after settlement.

UPON MOTION duly made and seconded, the Board approved the acquisition by gift of the leasehold interest of the property located at 1552 N. Bruce Street from Mr. Charles Runkles, owner, **SUBJECT** to municipal liens, interest, and penalties, other than water bills. The Comptroller **ABSTAINED**.

MINUTES

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

ACTION REQUESTED OF B/E:

The Board is requested to approve the acquisition by gift of the fee simple interest of the property located at 2427 E. Chase Street from Black Knight Rod & Gun Club, 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. 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.

Mr. Billy Myers, the principal of Black Knight Rod & Gun Club, will pay all current water bills up through the date of settlement. The City's acceptance of this donation is less costly than acquiring the property by tax sale foreclosure or eminent domain. The liens for 2427 E. Chase Street are itemized as follows:

Cumulative Real Property Taxes 2009-2010
2427 E. Chase Street

Total Taxes	\$ 640.22
Interest/Penalties	71.40
Other	51.60
Tax Sale Interest	0.00
Miscellaneous Bills	497.23
Metered Water (Tax Sale)	<u>237.57</u>
Total Municipal Liens	\$ 1,498.02

MINUTES

DHCD - cont'd

The listed municipal liens, other than current water bills, will be administratively abated after settlement.

UPON MOTION duly made and seconded, the Board approved the acquisition by gift of the fee simple interest of the property located at 2427 E. Chase Street from Black Knight Rod & Gun Club, owner, **SUBJECT** to municipal liens, interest, and penalties, other than water bills.

MINUTES

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

ACTION REQUESTED OF B/E:

The Board is requested to approve the acquisition by gift of the leasehold interest in the properties located at 1612 and 1636 E. Preston Street from RAL Property, Inc., 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 \$1,200.00 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.

Mr. Roland Lane, principal of RAL Property, Inc. will pay all current water bills up through the date of settlement. The City's acceptance of this donation is less costly than acquiring the property by tax sale foreclosure or eminent domain. The liens for 1612 and 1636 E. Preston Street are itemized as follows:

Cumulative Real Property Taxes 2010-2011
1612 E. Preston Street

Total Taxes	\$	71.40
Interest/Penalties		0.00
Other		0.00
Tax Sale Interest		0.00
Miscellaneous Bills		406.00
Rental Registration		167.20
Total Municipal Liens	\$	<u>644.60</u>

MINUTES

DHCD - cont'd

Cumulative Real Property Taxes 2010-2011
1636 E. Preston Street

Total Taxes	\$	242.76
Interest/Penalties		0.00
Other		0.00
Tax Sale Interest		0.00
Miscellaneous Bills		0.00
Rental Registration		<u>167.20</u>
Total Municipal Liens	\$	409.96

The listed municipal liens, other than current water bills, will be administratively abated after settlement.

UPON MOTION duly made and seconded, the Board approved the acquisition by gift of the leasehold interest in the properties located at 1612 and 1636 E. Preston Street from RAL Property, Inc., owner, **SUBJECT** to municipal liens, interest, and penalties, other than water bills.

MINUTES

Department of Housing and - Land Disposition and
Community Development Acquisition Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a land disposition and acquisition agreement to exchange five properties owned by G&A Tax Cert and PEEPS GTOR, LLC, developer, SUBJECT to any municipal liens, for five comparable properties owned by the City. The proposed property exchange is as follows:

<u>OWNER(S)</u>	<u>PROPERTY</u>	<u>TOTAL MUNICIPAL LIENS 2009-2011</u>
G&A Tax Cert	1823 N. Regester St.	\$ 142.80 16.68 51.60 4.90 401.42 198.15 126.69 200.00 167.20 \$1,309.44
G&A Tax Cert	1829 N. Regester St.	\$ 71.40 250.68 233.52 201.07 \$ 756.67
G&A Tax Cert	1831 N. Regester St.	\$ 71.40 250.68 233.52 201.07 \$ 756.67
PEEPS GTOR, LLC	1518 Rutland Ave.	\$ 71.40 130.00 \$ 201.40
PEEPS GTOR, LLC	1127 N. Bond St.	\$ 71.40 130.00 \$ 201.40

MINUTES

DHCD - cont'd

In exchange for:

Mayor & City Council	1614 N. Bond St.
Mayor & City Council	1602 N. Bond St.
Mayor & City Council	1510 N. Caroline St.
Mayor & City Council	1515 N. Caroline St.
Mayor & City Council	1606 E. Lanvale St.

AMOUNT OF MONEY AND SOURCE:

The City agrees to pay for all settlement costs related to the properties the City is acquiring, not to exceed \$3,000.00.

Account: 9910-9588-908087-900000-704044

BACKGROUND/EXPLANATION:

The Department of Housing and Community Development, Land Resources Division strategically acquires and manages vacant or abandoned properties, ultimately enabling these properties to be returned to productive use and improving Baltimore's neighborhoods.

Ms. Ellen Burke, authorized agent for G&A Tax Cert and PEEPS GTOR, LLC, received notice of the City's intent to demolish the properties at 1823, 1829 and 1831 N. Regester Street, which are a part of an entire block demolition on the 1800 block of N. Regester Street. Because G&A Tax Cert and PEEPS GTOR, LLC intended to rehabilitate these properties, a property exchange was proposed for the Regester Street properties with comparable City-owned properties that are located in an area better suited for rehabilitation. G&A Tax Cert and PEEPS GTOR, LLC will deliver good and marketable title, subject to any municipal liens.

Additionally, it was agreed that the developer would transfer good, clear, and marketable title for two of their other properties, 1518 Rutland Ave. and 1127 N. Bond St., in exchange for two City-owned properties.

MINUTES

DHCD - cont'd

The properties identified as candidates for the exchange are all part of major redevelopment projects, for which the City would need to take title to in the near future. The City has agreed to convey two properties on Caroline Street, two properties on Bond Street, and one property on Lanvale Street creating a small site assemblage for the developer and contributing to the revitalization of the Oliver community. As a condition of the exchange, the developer has agreed to rehabilitate the five properties within 18-months of the date of transfer.

This exchange will allow the City to more expeditiously demolish the hazardous structures and take title to eight additional properties that are needed for other redevelopment projects. The property exchange is less costly than acquiring the properties through tax sale foreclosure or eminent domain. The exchanges will also further the City's effort to eliminate blight and protect the health and safety of its citizens.

STATEMENT OF PURPOSE AND RATIONALE FOR TRANSFER OF PROPERTY BY MEANS OF COMPARABLE EXCHANGE:

The rationale behind the exchange of properties was to ensure that properties owned by the developer that fell into priority project areas could be acquired by the City in a manner less costly than tax sale foreclosure or condemnation. The properties that are being conveyed as a comparable exchange to the developer will facilitate redevelopment in an area suited and poised for rehabilitation.

APPROVED FOR FUNDS BY FINANCE

(FILE NO. 57183)

UPON MOTION duly made and seconded, the Board approved and authorized execution of the land disposition and acquisition agreement to exchange five properties owned by G&A Tax Cert and PEEPS GTOR, LLC, developer, SUBJECT to any municipal liens, for five comparable properties owned by the City.

MINUTES

Department of Housing and - Lien Release
Community Development

ACTION REQUESTED OF B/E:

The Board is requested to approve the release of liens, plus all accrued interest and/or penalties on the vacant property located at 2527 W. North Avenue for the transferee, Coppin State University.

AMOUNT OF MONEY AND SOURCE:

\$87,259.07, plus all accrued interest and/or penalties

BACKGROUND/EXPLANATION:

Pursuant to the Annotated Code of Maryland, Tax Property 14-806, the Board has the authority to release liens against real property under certain circumstances. In this case, the property in question complies with all requirements under the lien release law:

- the property is a vacant lot,
- the liens exceed the assessed value of the property, and
- the transferee will redevelop the property and return it to productive use within a reasonable time and eliminate blighting conditions.

The property is a vacant lot and the liens exceed the assessed value of the property. Coppin State University will assemble the property as part of a 10-acre site for the construction of a new academic building and eliminate blighting conditions. The release of liens on this property will make it financially feasible for redevelopment and prevent tax abandonment.

Prior to settlement, the transferee will pay the purchase price listed in the agreement of sale in the amount of \$6,750.00. This amount exceeds the assessed value of the property, which is \$3,000.00 for the property. The amount paid will be applied to satisfy the water bill, real estate taxes, flat tax first and other liens that have accrued prior to the date of this lien release.

MINUTES

DHCD - cont'd

Any additional property tax assessments, water charges, and liens that accrue from the date of this lien release will be the responsibility of the transferee to pay prior to settlement. Failure to record the deed and pay the purchase price listed in the agreement of sale of \$6,750.00 for the property located at 2527 W. North Avenue, within 120 days from the date of approval by the Board, will void this release.

(FILE NO. 56674)

UPON MOTION duly made and seconded, the Board approved and authorized execution of the release of liens, plus all accrued interest and/or penalties on the vacant property located at 2527 W. North Avenue for the transferee, Coppin State University.

MINUTESEnoch Pratt Free Library - TRANSFER OF LIFE-TO-DATE
SICK LEAVE

The Board is requested to approve the transfer of LIFE-TO-DATE sick leave days from the listed City employees to the designated employee, Teresa Lecato.

The transfer of sick leave days is necessary in order for the designated employee to remain in pay status with continued health coverage. The City employees have asked permission to donate the sick leave days that will be transferred from their LIFE-TO-DATE sick leave balances as follows:

<u>NAMES</u>	<u>DAYS</u>
Jerome Teagle	5
James Grant	5
Helen Townsend	5
Alice Gamble	<u>5</u>
TOTAL	20

APPROVED FOR FUNDS BY FINANCE

THE LABOR COMMISSIONER RECOMMENDED APPROVAL.

The Board approved the transfer of LIFE-TO-DATE sick leave days from the listed City employees to the designated employee, Teresa Lecato.

MINUTES

Department of - Consent of Assignment
Transportation

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a consent of assignment with AECOM USA, Inc. formerly DMJM Harris, Inc. for the following contracts:

1. **CONTRACT 980, RECONSTRUCTION OF NEW KIRK ST.
FROM BOSTON STREET TO KEITH AVENUE.**

2. **CONTRACT 1003, REHABILITATION OF SINCLAIR LANE
BRIDGE OVER CSXT RAILROAD.**

BACKGROUND/EXPLANATION:

The Department has agreed to accept the name change of DMJM Harris, Inc. to AECOM USA, Inc. for the above agreements formerly under the name of DMJM Harris, Inc.

MBE/WBE PARTICIPATION:

AECOM USA, Inc. will continue to comply with Article 5, Subtitle 28 of the Baltimore City Code and MBE and WBE goals established in the original agreement.

(FILE NO. 57150)

UPON MOTION duly made and seconded, the Board approved and authorized execution of the consent of assignment with AECOM USA, Inc. formerly DMJM Harris, Inc. for the above contracts.

MINUTESMayors' Office - Agreement**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of an agreement with the Family League of Baltimore City, Inc. (FLBC). The period of the agreement is July 1, 2010 through June 30, 2011.

AMOUNT OF MONEY AND SOURCE:

\$ 750,000.00	-	1001-000000-4460-692000-607001
4,527,483.00	-	1001-000000-4460-692000-607001
\$5,277,483.00	-	Total

BACKGROUND/EXPLANATION:

The City is continuing to work to maintain community schools programs strategically across the City - bringing resources, opportunities, and services into the City's school buildings to better support students, their families, and the community. The allocation of \$750,000.00 will fund the efforts of seven community-based organizations to continue operating community school programs in 18 City schools. The allocation of \$4,527,483.00 will assist in funding 33 community-based organizations to operate 57 high quality out of school time programs in the City.

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 the Family League of Baltimore City, Inc. The Mayor **ABSTAINED**.

MINUTES

THERE WERE NO PROPOSALS AND SPECIFICATIONS.

PRESIDENT: "If there is no further business, the Board is in recess until twelve o'clock noon for the receiving and opening of bids."

CLERK: "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 Purchases - B50001598, Fire Hose
BIDS TO BE RECV'D: 10/27/2010
BIDS TO BE OPENED: 10/27/2010

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:

Bureau of Purchases - B50001599, Supply and Deliver
Firefighter Helmets

Maryland Fire Equipment
Corporation
The Mallory Company
Herkimer Industries

Bureau of Purchases - B50001637, Request for Bids for Truck
Accessories

Truckin Stuff
Acres automotive

Bureau of Purchases - B50001659, Pharmaceuticals for the
Fire Department

Citizens Pharmacy Services
Bound Tree Medical, LLC
Midwest Medical Supply Co.,
LLC
Henry Schein EMS
Southeastern Emergency - NO BID
Equipment
Correct Rx Pharmacy Services, Inc.

MINUTES

There being no objections, the Board, UPON MOTION duly made and seconded, *adjourned until its next regularly scheduled meeting on Wednesday, October 27, 2010.



JOAN M. PRATT
Secretary