

**MINUTES****REGULAR MEETING**

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

President: "Good morning. Good morning. The November 8, 2017, meeting of the Board of Estimates is now called to order. In the interest of promoting the order and efficiencies of these uh -- hearings, persons who are disruptive to the hearing will be asked to leave the hearing room immediately. Meetings of the Board of Estimates are open to the public for the duration of the meeting. The hearing room must be vacated at the conclusion of the meeting. Failure to comply may result in a charge of trespassing. I would to direct the Board members attention to the memorandum from my office dated November 6, 2017, identifying matters to be considered as routine agenda items together with any corrections and additions that have been noted by the Deputy Comptroller. I will entertain a Motion to approve all of the items contained on the routine agenda."

MINUTES

City Solicitor: "I would so Move, Mr. President."

Comptroller: "Second."

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

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

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

C & N Associates, LLC	\$ 2,440,000.00
Horton Mechanical Contractors, Inc.	\$ 8,000,000.00
J.F. Fischer, Inc.	\$ 83,130,000.00
Leading Technology Solutions, Inc.	\$ 8,000,000.00
Power and Combustion, Inc.	\$ 9,240,000.00
Retro Environmental, Inc.	\$ 8,000,000.00
Scriba Welding, Inc.	\$ 1,500,000.00

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:

AMEC Foster Wheeler Environment & Infrastructure, Inc.	Engineer
Jeezny Sourcing	Engineer
Manns Woodward Studios, Inc.	Architect
Pure Technologies U.S. Inc.	Engineer

**MINUTES****BOARDS AND COMMISSIONS**

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

**MINUTES**Health Department - Agreements

The Board is requested to approve and authorize execution of the Agreements and Amendment to Agreement.

AGREEMENTS

1. **FAMILY HEALTH CENTERS OF BALTIMORE, INC.                   \$80,000.00**

Account: 4000-480618-3080-279200-603051

The Family Health Centers of Baltimore, Inc. (FHCB) will implement the Seventeen Days curriculum, an evidenced based teen pregnancy prevention program designed to educate youth about contraception and STDs. The goal of Seventeen Days is to prevent HIV and Sexually Transmitted Infections, by improving youth's ability to make less risky sexual health choices.

The FHCB will attend monthly conference calls for Clinical Intervention Partners hosted by Planned Parenthood of MD, purchase the Seventeen Days curriculum, and designate appropriate staff to serve as training facilitators. The FHCB will ensure that clinical services are youth-friendly and that appropriate supportive services (mental health and substance use) are accessible, ensure evaluation activities are met, participate in team meetings, complete fiscal reports as required, and manage FHCB clinic activities. The period of the Agreement is July 1, 2017 through June 30, 2018.

The Agreement is late because of the Department's administrative process.

**MWBOO GRANTED A WAIVER.**

## MINUTES

Health Department - cont'd2. **FAMILY HEALTH CENTERS OF BALTIMORE, INC. \$40,000.00**

Accounts: 5000-520118-3080-288900-603051	\$35,000.00
6000-613017-3080-275200-603020	\$ 5,000.00

The FHCB will provide access to reproductive health services to the uninsured and underinsured citizens of Baltimore City. Services include, but are not limited to education, contraception, screening, and referral of reproductive-related cancers and education and screening of sexually transmitted infections. The period of the agreement is July 1, 2017 through June 30, 2018.

The Agreement is late because of a delay in the administrative review process.

3. **BETTY & DEBBIE'S FAMILY PLACE, INC. \$39,000.00**

Account: 5000-534018-3254-767806-607001

This Agreement will allow the Department to disburse State Subsidized Assisted Housing Funds to low-income residents at Betty & Debbie's Family Place, Inc.

Betty & Debbie's Family Place, Inc. is enrolled in the Senior Assisted Living Group Home Subsidy Program, and 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. The senior assisted residents receive shelter, meals, housekeeping, personal care services, and 24-hour on-site supervision. The period of the Agreement is July 1, 2017 through June 30, 2018.

The Agreement is late because the Department was waiting for information and the signature from the provider.

## MINUTES

Health Department - cont'd

4. **THE JOHNS HOPKINS UNIVERSITY** **\$65,494.00**

Account: 5000-569718-3023-273331-603051

The Johns Hopkins University School of Medicine's HIV Women's

Health Program will provide interventions needed to support HIV infected women receiving perinatal services with co-morbidities of HIV and substance abuse into non-medical case management services.

Services will be directed to immediate problem solving provided by a peer client advocate and will include, but not be limited to, assistance with: legal, financial, housing, transportation and psychosocial issues that will support the pregnant women with the ultimate goal of prevention of mother-to-child transmission of HIV and maintenance or improvement in maternal health. The period of the Agreement is July 1, 2017 through June 30, 2018.

This Agreement is late because the State of Maryland Department of Health and Mental Hygiene's (DHMH) Prevention and Health Promotion Administration (PHPA) programmatically manages State Special services. The providers are asked to submit a budget, budget narrative, and scope of services. The Department thoroughly reviews the entire package before preparing a contract and submitting it to the Board of Estimates. These budgets are many times revised because of inadequate information from the providers. This review process is required to comply with the grant requirements.

**MWBOO GRANTED A WAIVER.**

## MINUTES

Health Department - cont'd

5. **THE UNIVERSITY OF MARYLAND, BALTIMORE** **\$75,000.00**

Account: 4000-494418-3080-292300-603051

The University of Maryland, Baltimore School of Social Work will provide a process and outcome evaluation for the PREP program. In order to conduct the evaluation, the School of Social Work will serve as a member of the Project Work Team, develop and/or renew Institutional Review Board applications with The University of Maryland Baltimore, Maryland Department of Human Resources, Maryland Department of Health and Mental Hygiene, Maryland Department of Juvenile Services (DJS), and the Department's Public Health Review for the project including the research plan, consent procedures and documents, and all data collection instruments.

The Agreement is being presented at this time due to the delay in administration process.

6. **PACT: HELPING CHILDREN WITH SPECIAL NEEDS, INC.** **\$34,988.12**

Account: 6000-622118-3080-292300-603051

Pact: Helping Children with Special Needs, Inc. will provide health-related early intervention/case management services for the Baltimore Infants and Toddlers Program for eligible patients and will be reimbursed according to the Department of Health and Mental Hygiene policies for the Maryland Medical Assistance program. The period of the Agreement is July 1, 2017 through June 30, 2018.

The Agreement is late because budget revisions delayed processing.



## MINUTES

Health Department - cont'd

7. **HEALTH CARE FOR THE HOMELESS, INC.** **\$ 25,000.00**

Account: 5000-570418-3041-605800-603051

Health Care for the Homeless, Inc., a federally qualified health center, will work with the Department to improve the prevention, identification, and control of hypertension, diabetes, and pre-diabetes among Baltimore City residents.

The period of the Agreement is October 1, 2017 through September 30, 2018.

The Agreement is late because budget revisions delayed processing.

AMENDMENT TO AGREEMENT

8. **ASSOCIATED BLACK CHARITIES, INC.** **\$7,580,696.00**

Accounts: 4000-427717-3023-273302-603051	\$ 244,977.00
4000-427717-3023-273303-603051	\$7,335,719.00

On May 17, 2017 the Board approved the original agreement in the amount of \$6,252,765.00 for the period of March 1, 2017 through February 28, 2018.

This amendment will allow for an additional amount of \$7,580,696.00, making the new total amount \$13,833,461.00.

The additional funds will allow for Associated Black Charities, Inc. to provide additional Ryan White Part A program services.

**MWBOO GRANTED A WAIVER.**

## MINUTES

Health Department - cont'd

9. **ASSOCIATED BLACK CHARITIES, INC.** **\$877,820.00**

Accounts: 4000-498717-3023-606101-603051	\$ 48,768.00
4000-498717-3023-606102-603051	\$829,052.00

On May 17, 2017 the Board approved the original agreement in the amount of \$590,170.00 for the period of March 1, 2017 through February 28, 2018.

This amendment will allow for an additional amount of \$877,820.00 making the new total amount \$1,467,990.00.

The additional funds will allow for Associated Black Charities, Inc. to provide additional Ryan White Part A MAI program services.

**MWBOO GRANTED A WAIVER.**

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the foregoing Agreements and Amendment to Agreement. The Comptroller **ABSTAINED** on item nos. 8 and 9.

**MINUTES**

Health Department - Ratification of an Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to ratify the Agreement with Health Care for the Homeless, Inc. The period of the Agreement was July 1, 2017 through September 30, 2017.

**AMOUNT OF MONEY AND SOURCE:**

\$25,000.00 - 5000-570418-3041-6005800-603051

**BACKGROUND/EXPLANATION:**

Health Care for the Homeless, Inc., a federally qualified health center, will work with the Department to improve the prevention, identification, and control of hypertension, diabetes, and pre-diabetes among Baltimore City residents.

The ratification will allow for the Department to reimburse Health Care for the Homeless, Inc. for services provided.

The Agreement is late because budget revisions delayed processing.

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

UPON MOTION duly made and seconded, the Board ratified the Agreement with Health Care for the Homeless, Inc.

## MINUTES

OPTIONS/CONDEMNATION/QUICK-TAKES:

	<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>Department of Housing and Community Development - Options</u>				
1.	Sandel Invest-ments, LLC	2215 Booth Street	G/R \$48.00	\$ 440.00
2.	Morents, LLC	1816 W. Saratoga Street	G/R \$60.00	\$ 550.00
3.	Amy Sue Nochumowitz, Substitute Trustee under the Paul Wye Nochumowitz Deed of Trust for Jayne Hope Nochumowitz	2312 E. North Avenue	Sub-G/R \$96.00	\$ 330.00

Funds are available in account no. 9910-906126-9588-900000-704040, FY17 CORE Demo Project.

DHCD - Rescission and Approval of Option

4.	Irving Feldman	1313 Myrtle Avenue	G/R \$96.00	\$ 640.00
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On August 16, 2017, the Board approved the acquisition of the \$96.00 ground rent interest, by condemnation, in the property located at 1313 Myrtle Avenue for \$640.00. Since the original Board approval, Mr. Feldman has responded to the Department's offer and would like to proceed with a voluntary settlement. Therefore, the Board is requested to rescind the prior approval in the amount of \$640.00 and approve the option to purchase the \$96.00 ground rent interest in 1313 Myrtle Avenue for \$640.00.

Funds are available in City Bond Funds, account no. 9910-905142-9588-900000-704040, Upton Ball Fields Project.

## MINUTES

OPTIONS/CONDEMNATION/QUICK-TAKES:

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
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In the event that the option agreement/s fail/s and settlement cannot be achieved, the Department requests the Board's approval to purchase the interest in the above property/ies by condemnation proceedings for an amount equal to or lesser than the option amount/s.

DHCD - Condemnations

5.	Ilana Sniad	604 Pitcher Street	L/H	\$ 1,500.00
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Funds are available in account no. 9910-908044-9588-900000-704040, General Acquisitions Project.

6.	Christopher Belin	2215 Booth Street	L/H	\$ 7,600.00
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Funds are available in account no. 9910-906126-9588-900000-704040, FY17 CORE Demo Project.

DHCD - Condemnation or Redemption

7.	Anna T. Shipley and Sidney H. Tinley, Jr.	1546 McKean Avenue	G/R \$40.00	\$ 666.00
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Funds are available in account no. 9910-905507-9588-900000-704040, AG Demolition Project.

The Board is requested to approve acquisition of the ground rent interest by condemnation, or in the alternative may, SUBJECT to the prior approval of the Board, make application

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

to the Maryland Department of Assessments and Taxation to redeem or extinguish the \$40.00 ground rent interest for the property located at 1546 McKean Avenue.

UPON MOTION duly made and seconded, the Board approved the foregoing Options, Rescission and Approval of Option, Condemnations, and Condemnation or Redemption.

MINUTES

TRANSFERS OF FUNDS

\* \* \* \* \*

UPON MOTION duly made and seconded,

the Board approved

the Transfers of Funds

listed on the following pages:

4699 - 4701

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****TRANSFER OF FUNDS**

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Baltimore Development Corporation</u>		
1. \$ 750.00	9910-914022-9600	9910-906835-9603
1 <sup>st</sup> Comm. EDF	Constr. Reserve	Westside Project
	WS Historic Prop.	Initiative
	Stabilization	
10,000.00	9910-913990-9600	9910-921101-9601
23 <sup>rd</sup> EDF	Constr. Reserve	Commercial Revita-
	Commercial Revita-	lization
	lization	
4,220.00	9910-906993-9600	9910-909460-9601
24 <sup>th</sup> EDF	Constr. Reserve	Inner Harbor
	Inner Harbor Area	
3,810.00	9910-908040-9600	9910-903361-9601
24 <sup>th</sup> EDF	Constr. Reserve	Business Park
<b>\$ 18,780.00</b>	Business Park	Upgrade
	Main/Upgrades	

This transfer will provide funds to reimburse the Baltimore Development Corporation for eligible capital expenses for the month ending September 30, 2017.

Police Department

2. <b>\$2,000,000.00</b>	9918-948010-9205	9918-913112-9206
State Fund	Police Technology	Dept. of Justice -
	Upgrades	Mobile Data
		Computers

This transfer will provide funds to cover the costs for the Mobile Data Computers for the Police Department. This amount



**MINUTES****TRANSFER OF FUNDS****AMOUNT****FROM ACCOUNT/S****TO ACCOUNT/S**Police Department - cont'd

was transferred by the State for Police Equipment to comply with the Department of Justice Consent Decree.

Department of Recreation and Parks

3.	<b>\$ 80,000.00</b>	9938-911079-9475	9938-912079-9474
	1 <sup>st</sup> Park and	Bocek Park	Bocek Park Athletic
	Public Facilities	Athletic Center	Center
		(Reserve)	(Active)

This transfer will provide funds to cover costs for roof replacement at Bocek Park Field House.

Department of Public Works

4.	<b>\$ 250,000.00</b>	9958-906405-9526	9958-912990-9525-3
	SW Utility	Constr. Reserve	Engineering
		Citywide Stream	
		Restoration	

The transfer will provide cover the costs associated with in-house costs related to ER 4028.

MINUTES

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Department of General Services</u>		
5. \$2,000,000.00	9916-907095-9194	9916-902956-9197
2 <sup>nd</sup> Parks and Public Facilities Loan	Police HQ Fire Alarm Replacement Reserve	Police HQ/Central/ Annex Fire Alarm - Active
3,100,000.00	" "	" "
6 <sup>th</sup> Public <u>Building Loan</u>		
<b>\$5,100,000.00</b>		

The existing fire alarm system is outdated and certain parts of the system do not appear to be functioning, which prevents the City from performing a smoke and heat sensor test to get the State's approval of the system.

**MINUTES**

Police Department - Grant Adjustment Notice

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the Grant Adjustment Notice (GAN) from the U.S. Department of Justice. The GAN will extend the period of the grant through March 31, 2018.

**AMOUNT OF MONEY AND SOURCE:**

N/A

**BACKGROUND/EXPLANATION:**

On November 12, 2014, the Board approved the original grant in the amount of \$771,963.00 for the period of October 1, 2013 through September 30, 2017.

The City will utilize the funds from this award in support of crime reduction and prevention strategies. Additionally, the grant funding allows the Department to aim to reduce violent crime while continuing the commitment to community-based crime prevention programs.

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS NOTED THE NO-COST TIME EXTENSION.**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Grant Adjustment Notice from the U.S. Department of Justice.

**MINUTES**

Police Department - Grant Award

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize acceptance of the Grant Award from the U.S. Department of Justice. The period of the Grant Award is January 1, 2018 through December 31, 2019.

**AMOUNT OF MONEY AND SOURCE:**

\$169,992.00 - 4000-469818-2024-212600-600000

**BACKGROUND/EXPLANATION:**

This award will support the Department's Crime Lab Division and the grant funds will be used in the following ways: to purchase new equipment; have crime lab analysts in the Forensic Biology Laboratory certified through the American Board of Criminalistics; and to continue to work toward the elimination of forensic DNA case backlogs.

**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 Grant Award from the U.S. Department of Justice.

**MINUTES**

Department of Recreation and Parks - Capital Project  
Grant Agreements

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of four Capital Project Grant Agreements with the Maryland Board of Public Works, for: 1) Clifton Park Athletic Field, 2) Frank C. Bocek Park, 3) Fred B. Leidig Recreation Center, and 4) Morrell Park. The period of the Capital Project Grant Agreements is effective upon Board approval through June 1, 2023.

**AMOUNT OF MONEY AND SOURCE:**

\$ 500,000.00	- 9938-911093-9474
	DGS Item 136, Ch. 027, Acts of 2016
	Clifton Park
300,000.00	- 9938-912079-9474
	DGS Item 137, Ch. 027, Acts of 2016
	Frank C. Bocek Park
400,000.00	- 9938-907097-9474
	DGS Item 138, Ch. 027, Acts of 2016
	Fred B. Leidig Recreation Center
<u>300,000.00</u>	- 9938-914103-9474
	DGS Item 139, Ch. 027, Acts of 2016
	Morrell Park

**\$1,500,000.00**

**BACKGROUND/EXPLANATION:**

In 2016, Baltimore City received four State Capital Project grants to aid in funding the design and construction of four Recreation and Park projects in Clifton Park, Bocek Park, Fred B. Leidig Recreation Center, and Morrell Park.

**MINUTES**

Dept. of Rec. & Parks - cont'd

The Department has begun design work and executing these Grant Agreements will allow for the construction of these four projects.

The Enabling Act's authorization automatically terminates for any grant funds that are unexpended or unencumbered by June 1, 2023, or, no part of the project is under the contract by June 1, 2023.

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

UPON MOTION duly made and seconded, the Board approved and authorized execution of four Capital Project Grant Agreements with the Maryland Board of Public Works, for: 1) Clifton Park Athletic Field, 2) Frank C. Bocek Park, 3) Fred B. Leidig Recreation Center, and 4) Morrell Park.

**MINUTES**

Department of Human Resources - Governmental/Charitable  
Solicitation Application

**ACTION REQUESTED OF B/E:**

The Board is requested to endorse a governmental/charitable solicitation application for submission to the Board of Ethics to promote participation in the 2018 WorkBaltimore: Empowerment to Employment Convention. The period of the solicitation is effective upon approval by the Ethics Board through the end of December, 2018.

**AMOUNT OF MONEY AND SOURCE:**

No general funds are involved in this transaction.

**BACKGROUND/EXPLANATION:**

Donations will be solicited from a wide audience of individuals, businesses, and partners to create and establish a collaborative and integrated strategy that provide job readiness resources, prepare and equip Baltimore City residents with the employment opportunities and skills necessary to seek, secure, and retain employment opportunities.

This City-Wide Employment and Job Readiness Convention is designed to connect current Baltimore City residents with job opportunities, as well as attract people to live and work in Baltimore City. The Convention will facilitate the connection between active and passive, exploratory job seekers, and Baltimore City employers; provide job seekers with skills development workshops/seminars to assist them and/or ensure they receive resource assistance to effectively prepare for seeking, securing and retaining employment; and provide employers with a viable pool of qualified applicants who are poised to meet their current and future business demands.

## MINUTES

DHR - cont'd

This second annual, consecutive day event is intended to attract participation from the full spectrum of job seekers including the under-skilled, early career, mid-level, and highly skilled to provide a myriad of job readiness resources. The Department will provide concurrent workshops/seminars and job readiness resources which will include resume preparation/critique; interviewing skills; career transition; salary negotiation; recovering from involuntary separations; redevelopment; multicultural/generational workforce dynamics; workplace ethics/conduct; social media strategies for job search; non-degree job opportunities; adult literacy and computer training; job match assessments; record expungement; and childcare/eldercare resources.

The Department's goal is to connect Baltimore City residents with a high volume of local and diverse employers across multiple industries from nationally ranked medical facilities and institutions of higher learning to hospitality construction and athletic apparel manufacturing, as well as national retailers, Baltimore City is the home to a broad variety of employers. The Convention will provide City employers with an opportunity to recruit and hire from the local talent pool.

Lastly, the Department wishes to underscore the benefits of living and working in Baltimore City by partnering with groups and organizations that are committed to empowering and fostering growth and the revitalization of Baltimore City and its neighborhoods and business. The Convention will provide these partner stakeholders with a platform for engaging with current and future Baltimore City residents to provide services, and share information resources.

This enormous undertaking requires that the Department raise funds from interested donors and sponsors. In these solicitation activities, controlled donors will not be targeted and will be solicited, if at all, in the same manner as potential donors. There will be no suggestion that potential donors might receive special access or favored treatment from any City Agency or Official.



## MINUTES

DHR - cont'd

Baltimore City Code Article 8, Section 6-26, prohibits solicitation or facilitating the solicitation of a gift. An exception is provided for in the law to permit certain solicitations that are for the benefit of an official governmental program or activity, or a City-endorsed charitable function or activity. 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 designee.

UPON MOTION duly made and seconded, the Board endorsed the governmental/charitable solicitation application for submission to the Board of Ethics to promote participation in the 2018 WorkBaltimore: Empowerment to Employment Convention.

**MINUTES**

Department of Housing and - Transfer of Building Jurisdiction  
Community Development

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the transfer of the property located at 1812-1822 Greenmount Avenue (Block 1096, Lot 053) from the inventory of the Baltimore City Board of School Commissioners (05) to the inventory of the Department of Housing and Community Development (34).

**AMOUNT OF MONEY AND SOURCE:**

N/A

**BACKGROUND/EXPLANATION:**

The property known as 1812-1822 Greenmount Avenue will be transferred to the Department of Housing and Community Development as part of a development plan for mixed use in the Greenmount West community.

The Space Utilization Committee approved this transfer of jurisdiction on October 17, 2017.

UPON MOTION duly made and seconded, the Board approved the transfer of the property located at 1812-1822 Greenmount Avenue (Block 1096, Lot 053) from the inventory of the Baltimore City Board of School Commissioners (05) to the inventory of the Department of Housing and Community Development (34).

**MINUTES**

Department of Housing and - Transfer of Building Jurisdiction  
Community Development

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the transfer of the property located at 732-734 W. Lexington Street (Block 586, Lot 002) from the inventory of the Baltimore City Board of School Commissioners (05) to the inventory of the Department of Housing and Community Development (34).

**AMOUNT OF MONEY AND SOURCE:**

N/A

**BACKGROUND/EXPLANATION:**

The property known as 732-734 W. Lexington Street will be transferred to the Department of Housing and Community Development as part of a development plan in the Poppleton Community.

The Space Utilization Committee approved the transfer of jurisdiction on October 17, 2017.

UPON MOTION duly made and seconded, the Board approved the transfer of the property located at 732-734 W. Lexington Street (Block 586, Lot 002) from the inventory of the Baltimore City Board of School Commissioners (05) to the inventory of the Department of Housing and Community Development (34).

**MINUTES**

Department of Real Estate - Lease Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a Lease Agreement between the Mayor's Office of Human Services, Landlord, and Dayspring Programs, Inc., Tenant, for the rental of a portion of the property known as 621 N. Eden Street, consisting of approximately 6,350 square feet. The period of the lease is October 1, 2017 through September 30, 2019, with the option to renew for three additional 1-year periods.

**AMOUNT OF MONEY AND SOURCE:**

\$1.00 - if demanded

**BACKGROUND/EXPLANATION:**

The leased premises will be used for Dayspring Head Start Program operations to provide education, health, social services, and parent-community involvement opportunities to low-income children 3 - 5 years of age and their families. The Landlord will be responsible for fire insurance.

The Tenant accepts the premises in its current condition and will be responsible for maintenance, utilities, repairs, minor improvements, janitorial, security, and pest control. The Tenant will keep the sidewalk and entrances free of ice, snow and debris. The Tenant will maintain the necessary licenses for business operation. The Landlord and Tenant will meet to discuss proposed capital improvements and identify the party responsible to pay the costs associated with such improvements.

The Space Utilization Committee approved this Lease Agreement on October 17, 2017.

**MINUTES**

Department of Real Estate - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Lease Agreement between the Mayor's Office of Human Services, Landlord, and Dayspring Programs, Inc., Tenant, for the rental of a portion of the property known as 621 N. Eden Street, consisting of approximately 6,350 square feet.

**MINUTES**

Department of Real Estate - Allonge to Promissory Note Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the Allonge to Promissory Note Agreement with The Loading Dock, Inc. for 4201 E. Fairmount Avenue (Block 6263, Lot 023).

**AMOUNT OF MONEY AND SOURCE:**

Amount to be forgiven:

\$ 70,000.00 - Principal Balance  
32,563.71 - Accrued Interest  
**\$102,563.71** - Total

**BACKGROUND/EXPLANATION:**

On June 27, 2007, the Board of Estimates approved an amendment to agreement for the sale of 4201 E. Fairmount Street to The Loading Dock, Inc., for \$70,000.00, which was secured by a Purchase Money Mortgage. This Allonge to Promissory Note Agreement with The Loading Dock, Inc. is made for the purpose of modifying the terms of the repayment of the Promissory Note.

The Purchase Money Mortgage and Promissory Note outlined that years one through five would be interest accruing at 4% with no payments. A balloon payment of \$102,563.71 was due at the end of the 10<sup>th</sup> year.

To facilitate the expansion of the Pompeian Oil Company, The Loading Dock, Inc. has agreed to sign off on the alley closing, subject to the forgiveness of the principal balance and accrued interest of \$102,563.71. Should the property be sold or no longer

**MINUTES**

Department of Real Estate - cont'd

used for parking for the required ten years, then the total balance of \$70,000.00, along with interest will become due and payable.

**THE DIRECTOR OF FINANCE REVIEWED AND RECOMMENDED APPROVAL.**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Allonge to Promissory Note Agreement with The Loading Dock, Inc. for 4201 E. Fairmount Avenue (Block 6263, Lot 023).

## MINUTES

Department of Audits - Audit Report and Related Audit Digest

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

1. City of Baltimore Single Audit for the Fiscal Year Ending June 30, 2016.

President: "The first item on the non-routine agenda can be found on page 26, Department of Audits, Audit Report and Related Audit Digest. Will the parties please come forward?"

City Auditor: "Good morning Mr. President --"

President: "Good morning."

City Auditor: " -- and Members of the Board, I am Bob McCarty, the City Auditor. I am joined by Ms. Audrey Askew our Deputy City Auditor today."

Director of Finance: "Henry Raymond, Director of Finance."

City Auditor: "The Single Audit Report includes the previously issued Comprehensive Annual Financial Report or CAFR and the related report on Compliance and Internal Control over Financial Reporting. The Department of Audits and SSB & Company, LLC issued the CAFR portion of the report jointly. And, we have two members of [S]SB with us today, Bill Seymour and Monique Booker. The City



## MINUTES

has two significant deficiencies in Internal Control over Financial Reporting and both findings are con -- considered to be material weaknesses. The first is material weaknesses over the grant accounting function. Due to a lack of formal procedures and accountability at various City departments, the City was not able to establish accurate balances of grant accounts receivable and grant deferred revenue accounts. Grant expenditures and receipts were often allocated to the wrong grant ledger accounts, which could lead to overcharging certain grant accounts, overstating deferred revenues for other grant accounts, and improper billings of certain grants. We recommend that the City develop a formal procedure to timely and properly track and account for grant revenues and expenditures. To be able to reconcile grant account balances from the general ledger to systems maintained at the departments that receive them. We also recommend that the City establish a Grants Department that will be responsible for reconciling grant information. In addition, the City should invest in general ledger software that would accommodate accounting and recordkeeping for complex grants rec -- received by the City and

## MINUTES

should dedicate staff to properly account for its grants activities. The Department of Finance stated that it agrees with the finding and has implemented a grant revenue fund corrective action plan, which includes the following: Ah -- in fiscal year '17, Finance was granted additional staffing to form a Grant Management Unit. The City has implemented a new grant reporting and documentation module. And, finally in May 2017, Finance, established nine separate grant administrative policies that apply to all grant agencies. The second finding is material weaknesses over financial reporting function. The Department of Finance reports financial information based on the information provided and maintained by various City departments that process property tax activities, water and sewer activities, capital asset activity, and internal fund balance and/or transfer activity. The City's general ledger software, which is City Dynamics, makes it difficult to properly track property tax receivables, water billings, capital assets, and internal fund balances. Due to the large amount of activity in these accounts, it is difficult to perform a thorough post-closing review and detect all errors. We

## MINUTES

recommend that the City develop a formal procedure for monthly and year-end financial reporting procedures and checklists, and obtain more resources to assist in the preparation of financial statements. We also recommend that the City invest in financial reporting software that would help the City generate appropriate reports and compile financial statements. Ah -- Finance stated that it agrees with the finding and has provided a corrective action plan which includes the following: In regard to financial reporting software, the -- the selection will be made within the context of a Citywide Enterprise Resource Planning system strategy -- which is currently underway and managed by the Mayor's Office of Internal Technology, I am sorry, Information Technology, excuse me. In the meantime, Finance will continue to maintain its system and include an upgrade to the City Dynamics GP 2016 platform later this fiscal year. And -- And, lastly um -- evaluate current staffing levels to determine if accounting staff -- additional accounting staff are warranted, and review and/or establish procedures to improve reporting and statement preparation. Ah, that's on the CAFR side."

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Director of Finance: "I will address that. The Finance Department concurs with the two recommendations, excuse me, the two findings as noted -- um as the Auditor has pointed out the Department of Finance has taken appropriated corrective action. All of these items are in place and underway. Uh -- as it relates to the upgrade to the present GP Dynamic System, that is underway and will be completed next week uh -- November 13th. Agencies are uh -- going through training as it relates to the upgrades for with system which will result in improvements with the uh -- general ledger, accounts receivable, accounts payable, modules, workflow processes, and the uh -- general entry process to make improvements. The bigger picture is that the Department of Finance is working with uh -- Director Johnson of MOIT (Mayor's Office of Information Technology) looking at Citywide Enterprise Resource Systems for uh -- major overhaul of the City's Accounting System, Grants Management Systems, Customers Resource Management platform to track uh -- grants from uh -- cradle to grave, so all of that's underway and uh -- improvements are being made. A lot of the improvements are incremental because it will take a period of

## MINUTES

time but it is underway."

City Auditor: "Okay, thank you. Um -- the balance of the City Audit, the Single Audit Report is -- is issued solely by Department -- of Audits and this portion will be covered by Audrey Askew."

Deputy City Auditor: "Good morning Honorable Board Members --"

President: "Good morning."

Deputy City Auditor: "Mayor Pugh, President Young, and Comp -- Comptroller Joan Pratt. My name is Audrey Askew, the Deputy City Auditor. The 2016 Single Audit Report was issued -- was finalized on September 29, 2017 by our Single Audit Division. Management is responsible for compliance with federal statues, regulations, and contractual terms as it relates to the federal awards. Management is also responsible for establishing and maintaining effective Internal Controls over Compliance. Now, we consider the City of Baltimore's Internal Control over Compliance with the type of compliance requirements that could be direct and material um -- that could have a direct material effect on the programs in determining our, the appropriate auditing procedures. We are to

## MINUTES

report on the Internal Controls over the Compliance in -- in accordance with uniform guidance. We are not to express an opinion on the effectiveness of the Internal Control over compliance. Our responsibility is to express an opinion on the compliance for each of the City of Baltimore's major federal programs. We believe that our audit provides reasonable basis for our opinion in compliance for the programs. Now type of audit report that was issued was an unmodified opinion. And an unmodified opinion -- if you know in the past, it was considered an unqualified opinion. When you think of that, you kind of think of that it as a clean opinion. Um -- unmodified does not mean that the report was absent of issues or findings, it just merely states that the financial report was transparent enough for us to render such an opinion. Now during the planning phase of our audit um -- we identified ten major federal programs to audit. We noted 19 findings. Of the 19 findings, five findings warrant communication to those charged with governance, the Board. The other 14 findings are findings that relate to Internal Control and/or Compliance um -- deficiencies but they do not warrant communications with the Board,

## MINUTES

they are not of significant concern. For each of the findings, management is required to submit a corrective action plan, um -- and that's again for all of the findings. Uniform guidance now requires that these corrective action plan be submitted on a separate letterhead and they are to -- they are requiring a responsible party to be named um -- that will be held responsible -- to um -- for the corrective action plan. For the duration of this uh -- period, I will actually go into the findings and I will read a synop -- just an excerpt of the finding in -- and our recommendation. The first critical issue relates to the LIHEAP program. We issued a qualified finding on the LIHEAP program as it relates to eligibility of participants. This could be found as finding 2016 004. A qualified opinion means that our Audit after we completed our audit testing um -- the information provided to us uh -- was limited in scope and we were unable to render a clean assessment on -- for this area. Of 114 transactions tested, we noted numerous inaccuracies and diff -- discrepancies. Seven participant applications were not provided for testing. Original applications were missing for three participants. Two instances

## MINUTES

where approval signatures for MOHS were altered, either changed or added subsequent to receipt by our audit team. The MEAP award not listed on application for 40 participants. Four inst -- instances of no proof of residency or photocopy if -- if identification was missing. Seven instances of duplicate payments, four instances of certifier and/or intake signatures missing, and one instance where total income was not listed on application. Now we recommend that the MOH -- MOHS implement controls over its eligibility process. The next three findings are findings that relate to material weaknesses. A material weakness exists when the design or the operation of control over compliance does not allow management or its employees to perform their normal duties in a timely manner. A material weakness is de -- a reasonable possibility that there is a material non-compliance of a federal program that will not be prevented or detected and corrected in a timely basis. Just to note that a material weakness finding could escalate to a qualified opinion if not corrected. Finding 2016 001, Material Weakness over the Schedule -- of Expenditures of Federal Awards also known as the SEFA. This finding is kind of in conjunction with the two CAFR



## MINUTES

material weakness findings for the Department of Finance. During our 2016 audit, our Department prepared the SEFA for the City of Baltimore. Many times expenditure information in the accounting software differed from the expenditures reported by various City agencies. We were not able to clearly identify which amounts were accurate, so we used expenditure amounts from the accounting software. In addition, we were not able to test the SEFA as required by Uniform Guidance because much of the required information needed to be tested was not provided to our auditors. As Auditors we cannot prepare, test and report on a schedule which -- which we've prepared. The City of Baltimore, Department of Finance is responsible for preparing the SEFA, based upon grant information obtained from the financial accounting records and other information provided by each department. Now we recommend the Department of Finance establish policies and procedures to ensure that the federal funds are properly identified and reported accurately -- accurately on the SEFA in accordance with Uniform Guidance requirements. We also recommend that individuals respon-

## MINUTES

sible for administering federal assistance programs with the City of Baltimore receive training in grant administration. Now, is this the point where you would want to come in and I can finish the other pieces?"

Director of Finance: "Yes."

Deputy City Auditor: "Okay."

Director of Finance: "The Department of Finance concurs with the finding. Uh -- beginning in fiscal uh -- 2018, the SEFA which was the Schedule of Expenditure of Federal Awards will be prepared by the uh -- Finance Department. Uh -- from 1996 to the present uh that schedule has been prepared by the Department of Audits with the knowledge of our external auditors. Moving forward beginning in Fiscal 18 the Department of Finance will prepare the schedule."

Deputy City Auditor: "Finding 2016 005, Material Weakness over Payroll for the LIHEAP Program. We selected 54 payroll transactions. We noted that MOHS did not have the required written policy on compensation per Uniform Guidance. In addition, we noted these following issues or areas of concern. Four employees' names and/or positions were not noted in program budget. Twenty-seven

## MINUTES

instances where the employee did not sign in. Thirteen employee summary sheets did not match employee time sheets. Two instances where bi-weekly summary sheets are not -- were not authorized by supervisor. All employees sign in but do not sign out at the end of the day. Two instances where the employee left in fiscal year 2015, yet were paid salaries in 2016, and three instances where a payment was made to a person that was never an employee for the LIHEAP program. We recommend that the agency write procedures related to the federally funded payroll either partially or full and implement these procedures immediately. In addition, we recommend that the agency review the payroll for fictitious or former employees still listed within the payroll summary sheets. Finding 2016 007, A Material Weakness over Subrecipient Monitoring for the Continuum of Care and HOPWA (Housing Opportunities for Persons with AIDS) Programs. During the audit, we were not able to test Subrecipient Monitoring at the Mayor's Office of Human Services (MOHS), because monitoring was not performed on subrecipients during the audit period to ensure that sub-awards were used for authorized purposes, complied with the terms and

## MINUTES

conditions of the sub-awards and that the subrecipients achieved their performance goals. We recommend that MOHS implement a formal -- formal monitoring program to include review of subrecipient eligibility, financial and program performance, and review of audits, if required. Our final finding to note finding -- this finding is of significant deficiency meaning is less severe than the material weakness. Yet, important enough to merit attention to those charged with governance, its Finding 2016 018, Baltimore City Health Department. They draw -- drawdown funds based on a percentage. They were not able -- therefore, we were not able to test this ac -- accurately because they were not able to provide supporting documentation for the drawdowns. Federal government requires drawdowns based on actual expenditures and our recommendation is that Baltimore City Health Department incorporate controls to properly drawdown funds related to federal awards. Thank you. Any questions?"

President: "Thank you. Yeah um -- I have two questions. I see in the external audit letter found in part two of the single audit, the following language: the City Auditor did not have an external peer review by an unaffiliated audit organization as required by

## MINUTES

chapter three of Government Auditing Standards at least once every three years. The last external peer review was for the period ending December 31, 2011. What is the peer review process and what does it entails?"

City Auditor: "Uh -- the peer review process involves an outside independent auditing agency to come in and review our procedures to make sure we are in compliance with the AICPA and Yellowbook Standards."

President: And um -- why wasn't it done?"

City Auditor: "We had one scheduled to be completed by our due date which is December 31<sup>st</sup> '15 and the group we had -- had not hired yet but we had an agreement with is the Association of Local Government Auditors and they did not have the staffing at the time to prepare our performance audits. Which --"

President: "Okay."

City Auditor: "I am sorry."

President: "So, as we move forward um -- according Chapter three of Government Auditing Standards it needs to be done at least once every three years."

## MINUTES

City Auditor: "Yes."

President: "So, um -- I just want to put on the record that every three years we should be seeing this um -- peer review, external peer review."

City Auditor: "Correct. Yes sir."

President: "Okay."

President: All right. The second question, can you explain why Audits has not undergone um -- well I'll read excerpt what is audits doing to fix this problem -- you answered that. Why has Audits been preparing the SEFA for many years when the Code of Federal Regulations states the Auditee not the Auditor should complete the SEFA?"

City Auditor: "This is before my time when I started as City Auditor, but around the time of the RIO when they had the Early Retirement um -- Option back in 1996 around that time um -- at the time I don't believe it was even called BAPS but whatever they were called back then um -- they no longer had the staff to do it, and we -- the City Auditor at that time and the Director of Finance at that time worked it out that we would do it in the future, and we have discussed this with Finance over the years and um -- when the new dynamics program came in back in --"

## MINUTES

Director of Finance: "2009."

City Auditor: "2009, thank you. Um -- we had hoped that at that time it would be taken over but um -- um BAPS did not have the capability to do it yet."

President: "Okay."

City Auditor: "We had now worked -- I am sorry."

President: "No, go ahead finish."

City Auditor: "But now -- we have been working with Mr. Raymond and his BAPS staff and for fiscal year 2017's SEFA we are working jointly with them to complete it and we will turn it over to them fully for fiscal year 18."

President: "Okay, so when is it actually due to be reported?"

City Auditor: "The fiscal Year 17. The next one is due March 31, 2018."

President: "Okay, and it will be done on time?"

City Auditor: "Yes, it will."

President: "Okay, All right. Please NOTE -- any other questions? Please note that the Audit has been noted. Thank you."

**MINUTES**

Department of Public Works/Office - Amendment No. 1 to Agreement of Engineering and Construction

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of Amendment No. 1 to Agreement with O'Brien & Gere Engineers, Inc., Consultant, for Project 1211.2, On-Call Design & Engineering Services - Immediate Response and Investigation at Various Locations. The Amendment No. 1 extends the period of the Agreement through January 13, 2019 or until the upset limit is reached, whichever occurs first.

**AMOUNT OF MONEY AND SOURCE:**

\$0.00

**BACKGROUND/EXPLANATION:**

The current agreement expires January 13, 2018.

The Consultant will continue providing On-Call Civil/Engineering Consulting services for various water main appurtenances projects. The services may also include planning, design for rehabilitation and construction phase services related to the evaluation, assessment and, repairs, maintenance and new construction for the continued improvement of the City water system.

The scope of the original agreement includes: responding to water main emergencies and providing design documents (drawings/sketches, technical specifications and cost estimates) for emergency repairs to small and/or large diameter water mains and appurtenances necessitated due to water main breaks and/or leaks. All design documents must be prepared and submitted on an



**MINUTES**

DPW/OE&C - cont'd

expedited schedule with little or no advance notification; providing engineering services and field supports as required during construction, and geotechnical investigation and survey work to support the City's in-house designs; researching City and other utility records; preparation of easement plats including survey, where applicable, Right-of-Entry and Right-of-Way agreements, and co-ordination with the City of Baltimore Right-of-Way Office, when requested.

**MBE/WBE PARTICIPATION:**

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

**MBE:** 27%

**WBE:** 10%

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS NOTED THE TIME EXTENSION.**

UPON MOTION duly made and seconded, the Board approved and authorized execution of Amendment No. 1 to Agreement with O'Brien & Gere Engineers, Inc., Consultant, for Project 1211.2, On-Call Design & Engineering Services - Immediate Response and Investigation at Various Locations.

**MINUTES**

Department of Public Works/Office - Amendment No. 4 to Agreement of Engineering and Construction

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of Amendment No. 4 to Agreement with Whitman, Requardt & Associates, LLP, for WC 1160, Montebello Plant 2 Finished Water Reservoir Cover, Post Award Engineering Services. The Amendment No. 4 will extend the period of the Agreement through December 24, 2018 or until the upset limit is reached, whichever occurs first.

**AMOUNT OF MONEY AND SOURCE:**

N/A

**BACKGROUND/EXPLANATION:**

The original scope of services includes coordination of all engineering disciplines and sub-consultants required to perform the post award services.

Amendment No. 4 to Agreement will allow Whitman, Requardt & Associates, LLP to assist with the remaining construction claims against the City.

**MBE/WBE PARTICIPATION:**

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

**MINUTES**

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

**MBE:** 27%

**WBE:** 7%

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS NOTED THE TIME EXTENSION.**

UPON MOTION duly made and seconded, the Board approved and authorized execution of Amendment No. 4 to Agreement with Whitman, Requardt & Associates, LLP, for WC 1160, Montebello Plant 2 Finished Water Reservoir Cover, Post Award Engineering Services.

**MINUTES**

Department of Public Works - Employee Expense Statement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve an Employee Expense Statement to reimburse Mr. Michael Blouse for his Application for Operator Water Distribution Class 1 License.

**AMOUNT OF MONEY AND SOURCE:**

\$50.00 - 2071-000000-5521-632401-603020

**BACKGROUND/EXPLANATION:**

Mr. Blouse's Expense Statement is being submitted to the Board for approval because it has exceeded the 40-work day period for submission to Accounts Payable for reimbursement per AM-240-11.

Mr. Blouse is entitled to reimbursement for his application for Operator Water Distribution Class 1 License. His paper work was not submitted in a timely manner.

Mr. Blouse has been made aware of the proper procedures for submitting reimbursements and the eligible activities.

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

UPON MOTION duly made and seconded, the Board approved the Employee Expense Statement to reimburse Mr. Michael Blouse for his Application for Operator Water Distribution Class 1 License.

**MINUTES**

Department of Public Works - Ratification of a Renewable  
Energy Credit Sales Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to ratify the Renewable Energy Sales Agreement with the Northeast Maryland Waste Disposable Authority and DTE Energy Trading, Inc. The period of the agreement was January 1, 2016 through December 31, 2016.

**AMOUNT OF MONEY AND SOURCE:**

\$26,530.00 - 2051-000000-1981-742208-400973

**BACKGROUND/EXPLANATION:**

The City will sell 5,306 renewal energy credits to DTE Energy Trading, Inc. at a price of \$5.00 per credit for a total sales price of \$26,530.00.

The agreement is late because selling credits is a market based business causing prices to fluctuate between six (6) and twelve (12) months, therefore the best time to sell is now.

**APPROVED FOR FUNDS BY FINANCE**

UPON MOTION duly made and seconded, the Board ratified the Renewable Energy Sales Agreement with the Northeast Maryland Waste Disposable Authority and DTE Energy Trading, Inc.

**MINUTES**Department of Human Services - Agreements and an Amendment  
to Agreement

The Board of Estimates is requested to approve and authorize execution of the Agreements and an Amendment to Agreement.

AGREEMENTS

1. **CARROLL COUNTY HEALTH DEPARTMENT** **\$ 58,880.00**

Account: 4000-490818-3573-763201-603051

Baltimore City is the grantee for the Baltimore Eligible Metropolitan Statistical Area (BEMSA) for the Housing Opportunities for People with AIDS program. The BEMSA includes Baltimore City and the following counties: Baltimore, Anne Arundel, Carroll, Harford, Howard and Queen Anne.

Carroll County Health Department will use funds to provide rental assistance and supportive services to low-income individuals or to families who have a family member with AIDS. The period of the Agreement is July 1, 2017 through June 30, 2020.

The Agreement is late because the Department recently received an approved of the budget from Carroll County.

2. **BALTIMORE CHILD ABUSE CENTER, INC.** **\$100,000.00**

Account: 1001-000000-1220-146500-607004

The organization will use funds to cover the personnel costs of a Chief of Staff/Finance Director who will oversee operations for the Baltimore Child Abuse Center's forensic interview program for childhood victims of abuse. The period of the Agreement is July 1, 2017 through June 30, 2018.

**MINUTES**Department of Human Services - cont'd

The Agreement is late because of a delay in receiving the budget from the provider.

**MWBOO GRANTED A WAIVER.**AMENDMENT TO AGREEMENT**3. UNION BAPTIST CHURCH-SCHOOL, INC. \$ 11,276.00**

Account: 4000-486318-1772-516000-603051

One June 7, 2017, the Board approved an advance in the amount of \$242,230.00 to the organization. On August 9, 2017, the Board approved the remaining funds in the amount of \$1,211,148.00. The total amount awarded to Union Baptist Church-School, Inc. including the advance was \$1,453,378.00 to provide Head Start services to 175 eligible children in Baltimore City for 6 hours a day, 5 days per week for 170 days.

Amendment No. 1 will increase the amount of the award by \$11,276.00 making the total award amount \$1,464,654.00. The additional funding supports a mandatory 1% federal Cost of Living Adjustment awarded by the United States Department of Health and Human Services to all Head Start staff. All other terms and conditions of the Agreement will remain unchanged.

**MBE/WBE PARTICIPATION**

**MBE:** \$40,527.27

**WBE:** \$15,010.10

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

**MINUTES**

Department of Human Services - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of the foregoing Agreements and the Amendment to Agreement.



**MINUTES**

Mayor's Office of Employment - Governmental/Charitable  
Development (MOED)                      Solicitation

**ACTION REQUESTED OF B/E**

The Board is requested to endorse a Governmental/Charitable Solicitation application for submission to the Board of Ethics of Baltimore City for the Mayor's Office of Employment Development's 2018 YouthWorks Program. The period of the campaign will be effective upon approval by the Board of Ethics through October 31, 2018.

**AMOUNT OF MONEY AND SOURCE:**

There are no general funds associated with this request.

**BACKGROUND/EXPLANATION:**

Persons to be solicited include private and non-profit employers, philanthropic organizations, citizens, city, and state employees. Solicitation strategies to these groups include: media outreach, as well as direct mail from the Mayor, the Mayor's personnel, staff of the MOED and the YouthWorks Leadership Team, which includes the Hire One Youth Leadership Team. Solicitations will occur through presentations and support of special fundraising activities with proceeds going to support the YouthWorks program.

A potential donor list will be comprised of individuals and corporate entities that contribute to the economic, social, and cultural vitality of Baltimore City. 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 City 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 the other potential donors.

## MINUTES

MOED - cont'd

Once endorsed by the Board of Estimates, a formal application will be submitted to the Board of Ethics of Baltimore City, which will note MOED will be soliciting donations for its 2018 YouthWorks program.

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 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.

UPON MOTION duly made and seconded, the Board endorsed the Governmental/Charitable Solicitation application for submission to the Board of Ethics of Baltimore City for the Mayor's Office of Employment Development's 2018 YouthWorks Program.

**MINUTES**

Mayor's Office of Employment - Individual Training  
Development (MOED)                      Account Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of an Individual Training Account Agreement for Professional Services with All State Career, Inc. The period of the agreement is July 1, 2017 through June 30, 2018.

**AMOUNT OF MONEY AND SOURCE:**

\$57,000.00 - 4000-807517-6312-467253-603051  
                   4000-807518-6312-467253-603051  
                   4000-806717-6312-467253-603051  
                   4000-806718-6312-467253-603051  
                   2026-000000-6311-734100-603051

**BACKGROUND/EXPLANATION:**

The money will be drawn from FY17/FY18 Workforce Innovation and Opportunities Act (WIOA) Adult and FY17/FY18 WIOA Dislocated Worker and Casino Impact Area Funds. The accounts and amounts cannot be determined until the participants are registered.

All State Career, Inc. will provide training in areas specified on the Department of Labor, Licensing and Regulation (DLLR) list of approved Training Providers.

Training will consist of the programs described in the WIOA training programs and will include any participant attendance policies, academic benchmarks and the means of measuring achievements, completion standards and the total hours of each course in a certificate program. The maximum length of time a participant can remain in training is one year.

The agreement is late because additional time was necessary to reach a comprehensive understanding between the parties.

MINUTES

MOED - cont'd

**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 Individual Training Account Agreement for Professional Services with All State Career, Inc.

**MINUTES**

Mayor's Office of Immigrant - Grant Agreement  
and Multicultural Affairs

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the Grant Agreement with the Maryland State Department of Human Services. The period of the Grant Agreement is October 1, 2017 through September 30, 2018.

**AMOUNT OF MONEY AND SOURCE:**

\$359,444.00 - 5000-535918-1250-775700-603026

**BACKGROUND/EXPLANATION:**

In September 2017, the Mayor's Office of Immigrant and Multicultural Affairs (MIMA) responded to the RFP process for the Targeted Assistance Program (TAP) FY18 issued by the Department of Human Services, the Maryland Office of Refugee and Asylees (DHS/MORA). As a result, the Mayor and City Council of Baltimore were selected as the contractor and MIMA as the administrator. The employment and English Language training services required by the grant will be provided by the International Rescue Committee Baltimore (IRCB) as a subcontractor.

The funds for the Agreement originate from the Federal Office of Refugee Resettlement. The TAP employment program is designed to enable employable refugees in the Baltimore Metropolitan Region, to achieve economic self-sufficiency as soon as possible through

**MINUTES**

Mayor's Office of Immigrant - con't  
and Multicultural Affairs

job development and placement, removal of employment barriers, participation in vocational training, case management, and follow-up after job placement.

**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 Grant Agreement with the Maryland State Department of Human 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 of the leasehold interest in the property located at 2353 Druid Hill Avenue, Block 3416, Lot 034 by gift from KASC Associates, 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 \$600.00 total. Therefore, no City funds will be expended.

**BACKGROUND/EXPLANATION:**

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

KASC Associates, Inc. has offered to donate to the City, title to the property at 2353 Druid Hill Avenue. With the Board's approval, the City will receive clear and marketable title to the property, subject only to certain City liens. Accepting this donation is less costly than acquiring the property by tax sale foreclosure or eminent domain.

The Department will acquire the property subject to all municipal liens, other than water bills, and all interest and penalties that may accrue prior to recording a deed. A list of open municipal liens accrued through September 26, 2017, other than water bills which must be paid as part of the transaction is as follows:

MINUTES

DHCD - cont'd

Tax Sale #318188	Date: 5/15/17	\$ 2,336.23
Real Property Taxes	2017-2018	1,892.72
Property Registration	412587	<u>30.00</u>
<b>Total Taxes Owed:</b>		<b>\$ 4,258.95</b>

UPON MOTION duly made and seconded, the Board approved the acquisition of the leasehold interest in the property located at 2353 Druid Hill Avenue, Block 3416, Lot 034 by gift from KASC Associates, Inc., Owner, **SUBJECT** to municipal liens, interest, and penalties, other than water bills.



**MINUTES**

Department of Housing and - Community Development  
Community Development      Block Grant - 42 Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the Community Development Block Grant - 42 (CDBG) Agreement with The Arc Baltimore, Inc. The period of the CDBG Agreement is effective upon Board approval for six months.

**AMOUNT OF MONEY AND SOURCE:**

\$30,000.00 - 9997-906550-9593-900055-706047

**BACKGROUND/EXPLANATION:**

Under the terms of this CDBG Agreement, The Arc Baltimore, Inc. will utilize the funds to make handicapped accommodations for three developmentally disabled tenants at 3306 Rosalie Avenue to ensure continual access to their home. Rehabilitation work will include the removal of architectural barriers to make the bathroom ADA compliant and the installation of an ADA accessible front ramp. The renovations will improve the physical access to the home and the bathroom, include the independence of the three tenants, and enhance the homes livability.

**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 Community Development Block Grant - 42 Agreement with The Arc Baltimore, Inc.

**MINUTES**

Department of Housing and - Land Disposition Agreement  
Community Development

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the Land Disposition Agreement with Eager Street Development 28 LLC Developer, for the sale of the City-owned properties located at 2502 and 2530 E. Eager Street.

**AMOUNT OF MONEY AND SOURCE:**

\$ 5,000.00 - 2502 E. Eager Street  
5,000.00 - 2530 E. Eager Street  
**\$10,000.00** - Purchase price

**BACKGROUND/EXPLANATION:**

The project will consist of the rehabilitation of the properties. Once rehabilitated, the properties will be sold for homeownership. The project will be privately financed.

The property located at 2502 E. Eager Street has been journalized and approved for sale on May 29, 2010.

The City is authorized to dispose of 2530 E. Eager Street by virtue of the provisions of Article II, §15 of the Baltimore City Charter (as amended); Article 13 of the Baltimore City Code (as amended); which established the Department of Housing and Community Development; and Article 28, Subtitle 8 of the Baltimore City Code (as amended).

**STATEMENT OF PURPOSE AND RATIONALE FOR SALE BELOW THE WAIVER VALUATION PRICE:**

The properties were valued via the Waiver Valuation Process of the Appraisal Policy at \$9,900.00 each and will be sold below that

**MINUTES**

DHCD - cont'd

value for \$5,000.00 each. The sale of each property for \$5,000.00 will help promote a specific benefit to the immediate community, help eliminate blight from the neighborhood, and place the properties back on the tax rolls.

**MBE/WBE PARTICIPATION:**

The developer will purchase these properties for a price that is less than \$50,000.00 and will receive no City funds or incentives for the purchase or rehabilitation; therefore, MBE/WBE participation is not applicable.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Land Disposition Agreement with Eager Street Development 28 LLC Developer, for the sale of the City-owned properties located at 2502 and 2530 E. Eager Street.

**MINUTES**

Department of Housing and Community Development (DHCD) - Re-Subordination of HOME Loan

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the following:

- (i) the re-subordination of a loan previously made by the City from its HOME Investment Partnerships Program and a modification of certain terms and
- (ii) one or more agreements evidencing such re-subordination by and between the Mayor and City Council of Baltimore acting by and through the Department of Housing and Community Development (the "City") and the State of Maryland, as the superior lender, in each case as further described below.

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

**AMOUNT OF FUNDS AND SOURCE:**

No additional funds are required.

**BACKGROUND/EXPLANATION:**

On December 23, 1998, the Board approved a \$2,126,226.00 HOME Investment Partnerships Program loan (the HOME Construction Loan) and a \$456,039.00 HOME Investment Partnerships Program Loan (the HOME Acquisition Loan) together with the HOME Construction Loan, the HOME Loan) to Hanover Park Associates, Limited Partnership (the Existing Borrower), a Maryland limited partnership to support

## MINUTES

DHCD - cont'd

a portion of the hard costs of the new construction and rehabilitation costs associated with the Hanover Park Apartments (also known as Riverfront Townhomes) (the Project). One of the limited partners of the Borrower is an affiliate of the Cherry Hill Community Development Corporation (CHCDC), a local 501(c)(3) community housing development organization.

The Project is a mixed-income rental community comprised of 126 rental units within two-story townhouse buildings located at 220 Swale Avenue in Baltimore City, which is in the Cherry Hill neighborhood of Baltimore City. The Project is owned in fee-simple by the Existing Borrower. The initial development of the Project was performed by Landex Corporation (Landex) and financed using low income housing tax credits (LIHTC) and certain other sources, including but not limited to: (i) a first lien loan in the original principal amount of \$ \$2,323,576.00 made by Crestar Bank (now SunTrust Bank); (ii) a second lien loan by the State of Maryland's Department of Housing and Community Development (MD-DHCD) through its former Rental Housing Production Program (RHPP) in the original principal amount of \$1,000,000.00 (the Original RHPP Loan); and (iii) the HOME Loan, which was secured by a third priority lien. The HOME Loan supported 100 of the 126 units in the Project.

All 126 units are income restricted and are subject to the LIHTC regulations. Forty of the 126 units are set aside for households at or below 40% of the Area Median Income, adjusted for family size and currently receive a public housing operating subsidy. The 15 year LIHTC compliance period ended on December 31, 2015.

Given the age of the Project, certain deferred maintenance issues

## MINUTES

DHCD - cont'd

have arisen, which issues are outlined in the physical needs assessment by Dominion Due Diligence Group, dated March 23, 2016 (the D3G Report), a comprehensive building performance report prepared by Pando Alliance dated March 3, 2017 (the Energy Report), and a Building Evaluation Report prepared by Moseley Architects dated March 31, 2017 (the Building Re-Evaluation, and together with the D3G Report and the Energy Report, the Reports) and the MD-DHCD underwriting.

The Existing Borrower intends to transfer ownership of the Project to RF2, LLC (the New Borrower), a Maryland limited liability corporation. The members of the New Borrower are affiliates of Landex and CHCDC, the existing general partners of the Existing Borrower. The Existing Borrower will not receive any funds or compensation (\$0.00) from the transfer of Riverfront Townhomes.

In order to finance the transfer of the property and to address the deferred maintenance issues set forth in the Reports, the New Borrower contemplates the addition of approximately \$15,406,998.00 of proceeds from the following sources: (1) a loan from the Community Development Administration (CDA), a unit of the Division of Development Finance of MD DHCD in the approximate amount of \$10,785,000.00 (the Bond Loan), which will be made from the proceeds of tax-exempt bonds credit enhanced by the MD-DHCD's risk-share program and which have a term of 40 years and an interest rate currently estimated to be 4.55%; (2) a new loan from CDA through its Rental Housing Works program in the principal amount of approximately \$964,672.00 (the RHW Loan); (3) a loan from MD DHCD through its MEEHA/EmPOWER program funds in the principal amount of approximately \$1,512,000.00 (the EmPOWER Loan) and (4) equity of \$2,143,326.00. As such, the New Borrower expects

## MINUTES

DHCD - cont'd

to make annual principal and interest payments in the approximate amount of \$332,038.00. With respect to the proposed financing, the new proceeds of \$15,406,998.00 will be used to pay for the following:

Pay off of the existing first mortgage loan	\$ 1,667,640.00
Renovations per MD-DHCD underwriting	8,765,662.00
Fees related to Renovations	791,557.00
Financing Fees	2,135,143.00
MD-DHCD required Operating Reserve	620,500.00
MD-DHCD required initial RFR funding	468,030.00
Relocation	81,900.00
Construction Contingency	876,566.00
Total	<u>\$15,406,998.00</u>

Along with this new financing, the New Borrower has requested the assumption of the Original RHPP Loan, the Original Partnership Rental Housing Program (PRHP) Loan, and the Original HOME Loan. The Original HOME Loan currently has an interest rate of 10.5% and has a current outstanding balance of approximately \$6,984,355.00.

The acquisition and redevelopment of the Project will also be financed by approximately \$6,559,378.00 obtained through the syndication of new LIHTCs. Those funds will be used to pay down a portion of the Bond Loan at the end of construction and to pay a portion of the developer's fee.

The proceeds of the new financing will not result in cash back to the Existing Borrower and therefore is not in violation of the terms of the existing loan documents with respect to the HOME Loan.

In connection with the refinancing, the New Borrower is also requesting the following changes made to the terms of the HOME Loan:

## MINUTES

DHCD - cont'd

- (i) extend the term of the HOME Loan to be at least no earlier than the maturity date of the Bond Loan and the RHP Loan;
- (ii) release the existing Guaranty of Completion as the project has been completed for some time; and
- (iii) modify the existing note so that (1) the Borrower will be required to make annual payments of principal and contingent interest out of available cash flow (in an amount required by CDA) following payment of Project expenses authorized by CDA (including superior loan payments) so as to fully amortize the principal sum by the maturity date; and (iv) subordinate the HOME Loan to the loans issued by CDA and MD-DHCD.

An appraisal prepared by Novogradac and Company, LLP, dated March 20, 2017, determined that the "As Stabilized" value, assuming completion of the projected repairs and meeting the income restrictions, is \$8,600,000.00.

It is requested that the Law Department be permitted to make final changes to the documents with the concurrence of the Commissioner of the DHCD.

Because the City is a subordinate lender, MD-DHCD is requiring that the City and all other subordinate lenders execute a subordination agreement which the Department respectfully requests the Board's approval. The Department will collect a subordination fee in the amount of \$2,500.00.

All other terms and conditions of the Original Board of Estimates Approval remain in full force and effect.



**MINUTES**

DHCD - cont'd

**MBE/WBE PARTICIPATION:**

Article 5, Subtitle 28 of the Baltimore City Code Minority and Women's Business Program is fully applicable and no request for a waiver or exception has been made.

UPON MOTION duly made and seconded, the Board approved the:

(i) the re-subordination of a loan previously made by the City from its HOME Investment Partnerships Program and a modification of certain terms and (ii) one or more agreements evidencing such re-subordination by and between the Mayor and City Council of Baltimore acting by and through the Department of Housing and Community Development and the State of Maryland, as the superior lender, in each case as further described above. The Board also authorized the Commissioner of the Department of Housing and Community Development to execute any and all additional legal documents to effectuate this transaction subject to review and approval for form and legal sufficiency by the Department of Law.

**MINUTES**

Department of Housing and Community Development - Re-subordination of the Home Loan Hillside Park Apartments and Related Agreements

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the Re-subordination of the Home Loan for Hillside Park Apartments and Related Agreements (i) the re-subordination of a loan previously made by the City from its HOME Investment Partnerships Program and a modification of certain terms and (ii) one or more agreements evidencing such re-subordination by and between the Mayor and City Council of Baltimore acting by and through the Department of Housing and Community Development (the "City") and the State of Maryland, as the superior lender, in each case as further described below. The Board is also requested to authorize the Commissioner of the Department of Housing and Community Development to execute any and all additional legal 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:**

N/A

**BACKGROUND/EXPLANATION:**

On October 4, 1996 the Board approved a \$990,900.00 HOME Investments Partnerships Program loan (Original HOME Loan) to Hillside Park Associates, Limited Partnership (Existing Borrower), a Maryland limited partnership, to support a portion of the hard costs of the new construction and rehabilitation costs associated with the Hillside Park Apartments. The Board also approved on April 30, 1997, a Technical Clarifying Amendment. The general partner of the Existing Borrower is an affiliate of the Housing Authority of Baltimore City (HABC).

Hillside Park Apartments is a mixed-income rental community comprised of 94 apartments in 21 two-story walk-up buildings (Project) located at 4902 Parkton Court in the Beechfield

## MINUTES

Department of Housing and - cont'd  
Community Development

neighborhood of Baltimore City. The Project is owned in fee-simple by the Existing Borrower. The initial development of the Project was performed by Landex Corporation (Landex) and financed using low income housing tax credits (LIHTC) and certain other sources, including but not limited to: (i) a first lien loan in the original principal amount of \$725,000.00 funded from Baltimore Community Development Financing Corporation (CDFC); (ii) a second lien loan by the State of Maryland's Department of Housing and Community Development (MD DHCD) through its former Rental Housing Production Program (RHPP) in the original principal amount of \$999,077.00 (Original RHPP Loan); (iii) a fourth lien loan by MD DHCD through its Partnership Rental Housing Program (PRHP) in the original principal amount of \$1,950,000.00 (Original PRHP Loan); and (v) the Original HOME Loan, which was secured by a fifth priority lien. All 94 units are income restricted and are subject to the LIHTC regulations. Thirty of the 94 units are set aside for households at or below 50% of the Area Median Income, adjusted for family size and currently receive a public housing operating subsidy.

Originally placed in service in 1998, the 15-year LIHTC compliance period ended on December 31, 2014. The public housing operating subsidy has been insufficient to fund adequately the operations of the 30 public housing units. Thus, the other 64 affordable units have been funding the net operating losses on the public housing units. The operating losses have created deferred maintenance issues as outlined in the physical needs assessment prepared by Dominion Due Diligence Group dated June 28, 2016 (the D3G Report), the comprehensive building performance report prepared by Pando Alliance dated February 10, 2017 (Energy Report) and the Building Evaluation Report prepared by Moseley Architects dated March 27, 2018 (Building Re-evaluation, and together with the D3G Report and the Energy Report, the Reports) and the MD-DHCD underwriting.

## MINUTES

Department of Housing and - cont'd  
Community Development

In order to finance the transfer of the property and to address the deferred maintenance issues described in the Reports, the New Borrower's contemplates the addition of approximately \$10,416,698.00 of new loan funds from the following sources: (1) a loan from the Community Development Administration (CDA), a unit of the Division of Development Finance of MD DHCD in the approximate amount of \$6,950,000.00 (Bond Loan), which will be made from the proceeds of tax-exempt bonds credit enhanced by the MD DHCD's risk-share program and which have a term of 40 years and an interest rate currently estimated to be 4.55%; (2) a new loan from CDA through its Rental Housing Works program in the principal amount of approximately \$2,082,919.00 (RHW Loan); (3) a loan from MD DHCD through its MEEHA/EmPOWER program funds in the principal amount of approximately \$928,336.00 (EmPOWER Loan); and (4) equity of \$455,443.00. As such, the New Borrower expects to make annual principal and interest payments in the approximate amount of \$223,195.00. The Existing Borrower intends to transfer ownership of Hillside Park Apartments to HSP2, LLC (New Borrower), a Maryland limited liability corporation. The members of the New Borrower are affiliates of Landex and HABC, the general partners of the Existing Borrower. Please note that the Existing Borrower will not receive any funds or substantial monetary compensation from the transfer of Hillside Park Apartments.

The proceeds of the new financing will not result in cash back to the Existing Borrower and therefore is not in violation of the terms of the existing loan documents with respect to the HOME Loan.

## MINUTES

Department of Housing and - cont'd  
Community Development

Pay off of the existing first mortgage loan	\$	486,146.00
Renovations per MD-DHCD underwriting		5,784,136.00
Fees related to Renovations		638,241.00
Financing Fees		1,488,633.00
MD-DHCD required Operating Reserve		410,581.00
MD-DHCD required initial RFR funding		296,000.00
Relocation		94,000.00
Construction Contingency		578,414.00
Development Fee		640,547.00
<b>Total</b>	<b>\$</b>	<b>10,416,698.00</b>

Along with this new financing, the New Borrower has requested the assumption of the Original RHPP Loan, the Original PRHP Loan, and the Original HOME Loan. The Original HOME Loan currently has an interest rate of 10.5% and thus has a current outstanding balance of approximately \$2,977,000.00.

The acquisition and redevelopment of the Project will also be financed by approximately \$3,570,547.00 obtained through the syndication of new LIHTCs. Those funds will be used to pay down a portion of the Bond Loan (\$2,930,000.00) at the end of construction and to pay a portion of the developer's fee.

In connection with the refinancing, the New Borrower is also requesting the following changes to the terms of the HOME Loan: (i) extend the term of the HOME Loan to be at least no earlier than the maturity date of the Bond Loan and the RHP Loan; (ii) release the existing Guaranty of Completion as the project has been completed for some time; (iii) modify the existing note so that the Borrower will be required to make annual payments of principal and contingent interest out of available cash flow (in an amount required by CDA) following payment of Project expenses authorized by CDA (including superior loan payments) so as to fully amortize the principal sum by the maturity date; and (iv) subordinate the HOME Loan to the loans issued by CDA and MD-DHCD.

**MINUTES**

Department of Housing and - cont'd  
Community Development

In addition to the above, CDA and MD DHCD are requesting a change to the terms of the Original PRHP Loan. When originally made, while payments on the Original PRHP were deferred until maturity, the Original PRHP contained an agreement that any payment of principal and interest on the PRHP would be made to the City. That was because of the regulations then governing the PRHP program. The CDA and MD DHCD have since changed the regulations so that such payments would be made to the CDA. Since it is not anticipated that any such payments will be made on the Original PRHP Loan and the funds were not funded by the City, there is no substantive change to the City's position.

An appraisal prepared by Novogradac and Company, LLP, dated July 6, 2017, determined that the "As Stabilized" value, assuming completion of the projected repairs and meeting the income restrictions, is \$5,200,000.00.

It is requested that the Law Department be permitted to make final changes to the documents with the concurrence of the Commissioner of the Department of Housing and Community Development. Because the City is a subordinate lender, MD-DHCD is requiring that the City and all other subordinate lenders execute a subordination agreement which the Department respectfully requests the Board's approval. The Department will collect a subordination fee in the amount of \$2,500.00.

All other terms and conditions of the Board's October 4, 1996 approval and its April 30, 1997 Technical Clarifying Amendment remain in full force and effect.

**MBE/WBE PARTICIPATION:**

Article 5, Subtitle 28 of the Baltimore City Code Minority and Women's Business Program is fully applicable and no request for a waiver or exception has been made.

**APPROVED FOR FUNDS BY FINANCE**

## MINUTES

DHCD - cont'd

UPON MOTION duly made and seconded, the Board approved the Re-subordination of the Home Loan for Hillside Park Apartments and Related Agreements (i) the re-subordination of a loan previously made by the City from its HOME Investment Partnerships Program and a modification of certain terms and (ii) one or more agreements evidencing such re-subordination by and between the Mayor and City Council of Baltimore acting by and through the Department of Housing and Community Development and the State of Maryland, as the superior lender, in each case as further described above. The Board also authorized the Commissioner of the Department of Housing and Community Development to execute any and all additional legal documents to effectuate this transaction subject to review and approval for form and legal sufficiency by the Department of Law.

**MINUTES**

Department of Law - Settlement Agreement and Release

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the Settlement Agreement and Release for the action brought by Jamar Kennedy, Plaintiff, against Police Officers Scott Armstrong, Maria Perez, Nicholas Lancetta, Gregory Edleman and Sheena Newman for assault, battery, false arrest and imprisonment, malicious prosecution and state constitutional torts.

**AMOUNT OF MONEY AND SOURCE:**

\$135,000.00 - 1001-000000-2041-716700-603070

**BACKGROUND/EXPLANATION:**

On September 23, 2014, police officers were in the 3000 block of Greenmount Avenue to assist with crowd control outside of Melba's Nightclub. The Plaintiff departed the club and then returned to retrieve a personal item. Once he was back in the club he was approached by an aggressive "bouncer" who ordered him to leave. While explaining his reason for returning, an altercation resulted and he was put into a chokehold by the "bouncer" and forced outside. Officer Armstrong observed the Plaintiff struggling with the bouncer, intervened, and attempted to detain the Plaintiff. A struggle ensued and other officers assisted in subduing the Plaintiff, who was tased and forced to the ground.

The Plaintiff claims that he suffered an asthma attack as a result of the encounter, together with multiple physical injuries and the expenses of defending subsequent legal proceedings. He attributes his injuries to the unnecessary and excessive force employed by the officers.

The Plaintiff filed suit seeking \$5,000,000.00 in compensatory and punitive damages and attorneys' fees. Because of conflicting factual issues and considering the uncertainty of how a jury might



## MINUTES

Law Department - cont'd

view the circumstances, the parties propose to settle the matter for a total sum of \$135,000.00 in return for a dismissal of the litigation.

Based on a review of the facts and legal issues specific to this case, the Settlement Committee of the Law Department recommends that the Board of Estimates approve this request.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Settlement Agreement and Release for the action brought by Jamar Kennedy, Plaintiff, against Police Officers Scott Armstrong, Maria Perez, Nicholas Lancetta, Gregory Edleman and Sheena Newman for assault, battery, false arrest and imprisonment, malicious prosecution and state constitutional torts.

**MINUTES**

Department of Law - Second Amendment to Pedestrian  
Promenade Easement Agreement and  
Grant of Easement Rights

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the Second Amendment to Pedestrian Promenade Easement Agreement and Grant of Easement Rights (Second Amendment) for the public promenade at the Moorings at Canton townhouse project (the Moorings).

**AMOUNT OF MONEY AND SOURCE:**

No funding is required. The public promenade at the Moorings was completed and opened to the public in 2013.

**BACKGROUND/EXPLANATION:**

The Second Amendment will amend and supersede the previously-approved First Amendment to Pedestrian Promenade Agreement dated May 16, 2012. All other parties to the Second Amendment have executed the document. Upon the Board's approval it will be recorded in the Land Records for Baltimore City. This is the last step relating to the settlement of litigation which resulted in the construction of the new pier-based public promenade at the Moorings.

This request arises from litigation brought by the City in 2010 to require the construction of a permanent public promenade at the Moorings to replace the previously-existing floating promenade. The litigation was vigorously contested for two years until a settlement was reached in 2012 whereby a new pier-based promenade was agreed to which satisfied the City's requirement for a landside promenade of the same construction and quality elsewhere within the waterfront areas of the City. The townhouse owners adjacent to the promenade were permitted to maintain their existing rear yards, including the improvements built in those rear yards before the City filed its lawsuit. The developer of the Moorings undertook the obligation to construct the new promenade. The City's portion

## MINUTES

Department of Law - cont'd

of what was then the estimated cost of approximately \$1,000,000.00 was \$400,000.00, with the developer to bear the cost of the remainder. The promenade was built to the satisfaction of the Department of Planning, the agency responsible for coordinating the entire waterfront promenade system, and is serving the public.

The Board approved the First Amendment, but the parties thereto, the Moorings Homeowners' Association (the HOA), the developer, and the City, later discovered two aspects of the First Amendment, which required revisions. First, during construction the developer made a minor change to the configuration at one end of the new pier-based promenade in response to field conditions. The change is depicted in Schedule B to the Second Amendment, the "Drawing of Pier-Based Promenade Area." The change does not affect the quality or decrease the width of the promenade and for this reason was satisfactory to the Department of Planning. Second, certain references to the prior easement held by the City that had been replaced by the new easement to the pier-based public promenade were inadvertently retained in the relevant drawing. Understandably, the HOA requested that these references be removed so that there would be no confusion going forward.

The Second Amendment accomplishes each of these changes. It took such a long time to prepare the Second Amendment and obtain all of the necessary signatures because after settlement of the court case and construction of the new pier-based promenade, the private parties to the settlement believed that no further resources would be needed to retain and pay for the additional attorney time to assist with the drafting and review of the Second Amendment and to retain and pay for the professional services to create the new drawing of the Pier-Based Promenade Area. Ultimately, however, these tasks were accomplished.

**MINUTES**

Department of Law - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Second Amendment to Pedestrian Promenade Easement Agreement and Grant of Easement Rights for the public promenade at the Moorings at Canton townhouse project.

**MINUTES**

Office of the City Council - Governmental/Charitable  
Solicitation Application

**ACTION REQUESTED OF B/E:**

The Board is requested to endorse a Governmental/Charitable Solicitation Application for submission to the Board of Ethics of Baltimore City for Mr. Zeke Cohen and staff to provide recommendations to local individuals, businesses, civic leaders, the foundation community and the general public to financially support the Southeast Community Development Corporation, Baltimore Stars Project, Baltimore Corps, Creative Alliance, The Intersection, Banner Neighborhoods, Safe Streets, Healthcare for the Homeless, Casa De Maryland and other similar organizations. The period of the campaign will be effective upon approval by the Board of Ethics through October 1, 2018.

**AMOUNT OF MONEY AND SOURCE:**

No general funds are involved in this transaction.

**BACKGROUND/EXPLANATION:**

Donations will be solicited from Baltimore businesses, civic leaders, the foundation community, and the general population. A potential donor list will be comprised of individuals and corporate entities that contribute to the economic, social, and cultural vitality of Baltimore City. 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 City 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.

Mr. Cohen's office seeks to recommend the following nonprofits organization to be supported financially by local individuals, businesses, civic leaders, the foundation community and the general public:

## MINUTES

Office of the City Council - cont'd

- the Southeast Community Development Corporation offers homeownership counseling, bolstering neighborhood development & environmental sustainability,
- the Baltimore Stars Project is an emerging program promoting youth development, college readiness and career skills,
- the Baltimore Corps builds the capacity of Baltimore's most promising leaders to accelerate social innovation,
- the Creative Alliance is an arts & cultural center in Highlandtown. The Creative Alliance cultivates emerging talent through its "Artist in Residence Program," facilitates arts and education programs and curates cultural events,
- the Intersection equips young people with civic leadership skills to become leaders in their communities,
- the Banner Neighborhoods engages with residents, businesses and other stakeholders to support strong neighborhood development throughout Southeast Baltimore. Banner neighborhoods also facilitates several youth programs focused at increasing academic outcomes, and experiential learning opportunities,
- Safe Streets, an anti-violence initiative, employs ex-offenders to mediate conflict. Safe Streets' programming has reduced violence by 27% in the 4 areas they are active in,
- Healthcare for the Homeless has been a long-standing direct service provider for people experiencing homelessness throughout Baltimore. Providing and linking people with healthcare services, and housing assistance,

**MINUTES**Office of the City Council - cont'd

- Casa De Maryland advocates on behalf of the Latino community throughout Maryland. They also provide legal services, English language classes, and serve as a community support,
- and other similar organizations.

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 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.

**MBE/WBE PARTICIPATION:**

N/A

UPON MOTION duly made and seconded, the Board endorsed the Governmental/Charitable Solicitation Application for submission to the Board of Ethics of Baltimore City for Mr. Zeke Cohen and staff to provide recommendations to local individuals, businesses, civic leaders, the foundation community and the general public to

**MINUTES**

Office of the City Council - cont'd

financially support the Southeast Community Development Corporation, Baltimore Stars Project, Baltimore Corps, Creative Alliance, The Intersection, Banner Neighborhoods, Safe Streets, Healthcare for the Homeless, Casa De Maryland and other similar organizations. The President **ABSTAINED**.



**MINUTES**

Department of Planning - Baltimore City Public School System  
Capital Improvement Program for  
FY 2019-2024

**ACTION REQUESTED OF B/E:**

The Board is requested to **NOTE** the report of the Planning Commission on the Baltimore City Public School System's (BCPSS) Capital Improvement Program (CIP) for FY 2019-2024.

**AMOUNT OF MONEY AND SOURCE:**

\$459,835,000.00 - FY 2019-2024 (of which \$102,000,000.00 is City General Obligation (G.O.) bond funds, and \$357,835,000.00 is State funds)

\$110,886,000.00 - FY 2019 Request (of which \$17,000,000.00 is City General Obligation (G.O.) bond funds and \$93,886,000.00 is State funds)

**BACKGROUND/EXPLANATION:**

Annually the BCPSS must submit an updated and detailed CIP for the upcoming fiscal year and the forthcoming five years to the State of Maryland. This CIP submission receives approval from the Board of School Commissioners, the City of Baltimore Planning Commission, Board of Finance, and the Board of Estimates. The FY 2019-2024 received its first approval by the Baltimore City Board of School Commissioners on October 10, 2017.

On October 19, 2017, the Planning Commission approved the BCPSS CIP for FY 2019-2024.

The requested funding will provide resources to create an educational environment that encourages the highest caliber of teaching, learning, and facility utilization. The Board of Estimates' support of this plan will assist the BCPSS' effort to

**MINUTES**

Department of Planning - cont'd

provide enhanced learning environments and improve educational opportunities for the children of Baltimore City.

UPON MOTION duly made and seconded, the Board **NOTED** the report of the Planning Commission on the Baltimore City Public School System's Capital Improvement Program for FY 2019-2024.

**MINUTES**

Board of Finance - Baltimore City Public School System  
 Capital Improvement Program,  
 FY 2019 - 2024

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**ACTION REQUESTED OF B/E:**

The Board is requested to approve the Baltimore City Public School System (BCPSS) Fiscal Year 2019-2024 Capital Improvement Program (CIP).

**BACKGROUND/EXPLANATION:**

Procedures for administration of the school capital program require that the BCPSS submit annually an updated detailed capital program for the upcoming year and ensuing five fiscal years to the State Interagency Committee on School Construction. As a condition of receiving State school construction aid, the BCPSS is required to submit the CIP by the end of November of each year.

This action requires approval of this program by the appropriate local governing body. As a condition of gaining approval of this local government, a review process has been established that includes the School Board, Planning Commission, Board of Finance, and the Board of Estimates, to serve as the means by which the Mayor will support and endorse the program.

The Board of Finance, at a scheduled meeting on October 23, 2017, considered and endorsed the FY 2019 Capital Budget totaling \$110,886,000.00 and the FY 2019-2024 CIP totaling \$459,835,000.00. Annual program distributions are as follows:

**BCPSS Fiscal Year 2019 – 2024**  
**Capital Improvement Plan (\$000)**

<b>Source/FY</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>	<b>Total</b>
<b>State</b>	93,886	76,921	56,919	59,379	18,650	52,080	357,835
<b>City</b>	17,000	17,000	17,000	17,000	17,000	17,000	102,000
<b>Total</b>	110,886	93,921	73,919	76,379	35,650	69,080	459,835

**MINUTES**

Board of Finance - cont'd

UPON MOTION duly made and seconded, the Board approved the Baltimore City Public School System Fiscal Year 2019-2024 Capital Improvement Program.

**MINUTES**

Department of Finance - Overlap in Employment

**ACTION REQUESTED OF B/E:**

The Board is requested to approve an overlap in employment for Job number 1411-12079 Operations Director I (Budget Director). The period of the employment overlap is November 18, 2017 through April 9, 2018.

**AMOUNT OF MONEY AND SOURCE:**

\$5,330.77 - 1001-000000-1411-160400-601001

**BACKGROUND/EXPLANATION:**

In accordance AM-211-1, Overlap in employment is a condition that exists when two employees occupy the same position at the same time. Overlap of greater than 20 working days must have prior approval of the Board of Estimates.

The Deputy Budget Director position (Job number 1411-40872 Operations Manager II) will assume the duties of Budget Director effective November 18, 2017 due to the resignation of the present Budget Director. The transition will formally begin on November 18, 2017. The transition will end on December 31, 2017 and will allow the former Budget Director to remain in pay status until accrued leave is exhausted on April 9, 2018. The approval of this request will allow for the vacated Deputy Budget Director position to be filled on or about November 18, 2017.

**MBE/WBE PARTICIPATION:**

N/A

**APPROVED FOR FUNDS BY FINANCE**

UPON MOTION duly made and seconded, the Board approved the overlap in employment for Job number 1411-12079 Operations Director I.

## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

Bureau of Purchases

- |                                                                                                                                                   |              |         |
|---------------------------------------------------------------------------------------------------------------------------------------------------|--------------|---------|
| 1. FIRELINE CORPORATION<br>PROTECTION ONE ALARM<br>MONITORING, INC.                                                                               | \$200,000.00 | Renewal |
| Contract No. B50004301- Repairs and Maintenance of Electronic Fire Alarm Systems - Department of General Services - P.O. Nos. P533698 and P535185 |              |         |

On November 18, 2015, the Board approved the initial award in the amount of \$300,000.00. The award contained three 1-year renewal options. Subsequent actions have been approved. This first renewal in the amount of \$200,000.00 is for the period November 18, 2017 through November 17, 2018, with two 1-year renewal options remaining. The above amount is the City's estimated requirement.

MBE/WBE PARTICIPATION:

On September 10, 2015, MWBOO determined that no goals would be set because of no opportunity to segment the contract. Each call is a unique, self-contained service and is of short duration, usually performed by a single technician. Fireline Corporation is a City-certified WBE.

**MWBOO GRANTED A WAIVER.**

- |                                                                                                                                |              |         |
|--------------------------------------------------------------------------------------------------------------------------------|--------------|---------|
| 2. BELAIR ROAD SUPPLY<br>COMPANY, INCORPORATED                                                                                 | \$ 25,000.00 | Renewal |
| Contract No. B50003786 - Sewer Bricks & Pavers - Department of Public Works, Bureau of Water and Wastewater - P.O. No. P529060 |              |         |

## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

Bureau of Purchases

On October 15, 2014, the Board approved the initial award in the amount of \$20,000.00. The award contained three renewal options. Subsequent actions have been approved. This final renewal in the amount of \$25,000.00 is for the period October 17, 2017 through October 16, 2018. The above amount is the City's estimated requirement.

MBE/WBE PARTICIPATION:

Not applicable. The initial award was below MBE/WBE subcontracting threshold of \$50,000.00. The agency requires approximately \$25,000.00 of bricks and pavers annually.

- |                                                                                                                                                                          |                       |                        |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|------------------------|
| 3. <u>JESCO, INC.</u>                                                                                                                                                    | <u>\$2,500,000.00</u> | <u>Selected Source</u> |
| Contract No. 06000 - O.E.M. Parts, Warranty and Service John Deere Forestry and Construction Equipment - Dept. of General Services - Fleet Management - Req. No. R776816 |                       |                        |

The vendor is the only John Deere dealer authorized to service Forestry and Construction Equipment in the State of Maryland. All other categories of John Deere equipment were recently competitively bid under Solicitation No. B50005068. On October 18, 2017, the Board approved the award to T.E.K. Equipment Repair, LLC and Finch Services, Inc. The above amount is the City's estimated requirement.

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

## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

Bureau of Purchases

**MBE/WBE PARTICIPATION:**

On September 29, 2017, MWBOO waived the goals. This is a selected source, as the only vendor in Maryland to provide warranty services for John Deere Forestry and heavy construction equipment.

**MWBOO GRANTED A WAIVER.**

4. CONSTELLATION NEW ENERGY,  
INC.

JOHNSTON CONTROLS, INC.

ENERGY SYSTEMS GROUP, LLC N/A

Maryland State Contract DGS-07-EPC-IDC-7.0 - Energy Performance Contract

This will be financed by the energy rebate obtained from the contract.

The State of Maryland competitively bid and awarded a statewide contract Energy Performance Contract to nine pre-qualified firms. These firms were invited to submit proposals to meet the requirements of Baltimore City. The three proposals received were evaluated and recommended for the award. Individual tasks will be awarded based on proposals received from those three firms. The period covered is September 20, 2017 through September 19, 2020, with two 1-year options. The above amount is the City's estimated requirement.

**MWBOO SET GOALS OF 8% MBE AND 3% WBE.****MBE/WBE PARTICIPATION:**

On September 29, 2017, MWBOO set goals of 8% MBE and 3% WBE. The vendors are committed to be compliant as the scope of work is set for individual tasks.



## MINUTES

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

5. a. HARBOR TRUCK SALES  
AND SERVICE INC. t/a  
BALTIMORE FREIGHTLINER
- b. DONAHOO COLLISION  
CENTER
- c. MIDDLETON & MEADS  
COMPANY, INC.
- d. VALLEY CHEVROLET, LLC  
t/a AUTONATION  
CHEVROLET TIMONIUM
- e. AL PACKER'S WHITE  
MARSH FORD, LLC
- f. LORD'S COLLISION EXPERTS  
t/a SECURITY AUTO BODY
- g. BEAVER'S AUTO BODY  
REPAIR CENTER, INC.
- h. LINTHICUM FERNDALE  
AUTO & TRUCK REPAIR,  
INC.
- i. R&E BODY & PAINT, INC.
- j. C&W BODY & FENDER  
SHOP, INC.
- k. HERMAN BORN & SONS,  
INC.

**\$600,000.00**

Extension

Contract No. B50001415 - Body Shop Repair Service - Department of General Services, Fleet Division - P.O. Nos. P515180, P515181, P515182, P515183, P515184, P515185, P515186, P515187, P515188, P515189 and P515190

On October 06, 2010, the Board approved the initial award in the amount of \$6,000,000.00. The award contained two renewal options. On November 20, 2013, the Board approved the first













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:

4788 - 4792

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.



**MINUTES****RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS**

Department of Public Works/Office of Eng. & Constr.

- |                                                                                         |                       |                |
|-----------------------------------------------------------------------------------------|-----------------------|----------------|
| 1. SC 974, On-Call Assessment and Repairs of Sanitary Sewer Mains and Laterals - Zone B | SAK Construction, LLC | \$6,776,081.00 |
|-----------------------------------------------------------------------------------------|-----------------------|----------------|

**MWBOO SET GOALS OF 19% FOR MBE AND 5% FOR WBE.**

<b>MBE:</b> P&P Sewer Tech, Inc.*	\$680,150.00	10.03%
-----------------------------------	--------------	--------

<b>WBE:</b> TFE Resources, Ltd.	\$666,270.00	9.83%
---------------------------------	--------------	-------

Bidder did not achieve the MBE goal. Bidder exercised good faith effort in trying to achieve the goals and was granted a waiver.

\*The MBE subcontractor is not in good standing with the Department of Assessments and taxation. The Bidder will be allowed to substitute an approved MBE if P&P Sewer Tech, Inc. is not in good standing at the time of award.

**MWBOO FOUND VENDOR IN COMPLIANCE.**

**A PROTEST WAS RECEIVED FROM IPR NORTHEAST, LLC.**

10555 Tucker Street  
Beltsville, MD 20705  
Tel 301-595-0312 Fax 301-595-0316  
KToohey@teamipr.com  
www.teamipr.com/ipr-northeast.html



SEPTEMBER 15, 2017

**Bernard C. "Jack" Young**

Baltimore City Council President  
100 N. Holliday Street  
Suite 400  
Baltimore, MD 21202  
P: 410- 396-4804  
E: [CouncilPresident@baltimorecity.gov](mailto:CouncilPresident@baltimorecity.gov)

**Joan M. Pratt, CPA**

Baltimore City Comptroller  
100 N. Holliday Street  
Suite 400  
Baltimore, MD 21202  
P: 410-260-7980  
E: [joan.pratt@baltimorecity.gov](mailto:joan.pratt@baltimorecity.gov)

RE: Baltimore City Sanitary Contract No. 974 for On-Call Assessment and Repairs of Sanitary Sewer Mains and Laterals – Zone B  
– Bid Date of Wednesday, August 16, 2017 at 11:00am EST

Dear Distinguished Members of the Board of Estimates,

IPR Northeast, LLC (IPR) is writing this letter to inquire about Baltimore City's current intentions to award the above referenced project which bid on August 16, 2017. The bid results read on August 16, 2017 at approximately 12:00p reflected that the apparent low bidder was SAK Construction, LLC at a bid of \$6,776,081.00 and IPR was the apparent second low bidder at a bid of \$7,872,165.50. Based upon these results, IPR obtained a copy of SAK Construction's bid package from the Baltimore City Board of Estimates to confirm the responsiveness of SAK Construction's Bid.

In review of SAK Construction's Bid, it is IPR's opinion that their package failed to meet the required compliance with Baltimore City's Minority and Women's Business Program. SAK Construction's bid package included one (1) MBE that achieved 10% of the required 19% MBE goal. SAK also submitted a MBE Participation Waiver Request Form for the remaining 9%, but the form did not include the necessary attachments required to support their good faith efforts. As detailed on the request form, the Contractor is required to attach documentation of your good faith efforts to secure, contact, and negotiate with MBEs and WBEs including:

1. The reason your company is unable to secure sufficient MBE/WBE participation to meet the stated goals
2. The efforts made by your company to select portions of the contract to be performed by MBEs and WBEs
3. For each MBE or WBE that placed a bid that you considered to be unacceptable, a statement that explains the basis for that conclusion.

Additionally, the waiver request requires the Contractor to attach a listing of all MBE and WBE firms contacted by the Contractor when performing their good faith efforts. SAK Construction did not include any of these attachments in their bid to support their waiver request. Therefore, it is IPR's understanding that SAK Construction's bid should be considered non-responsive. Furthermore, as the second lowest bidder, IPR was able to meet all MBE and WBE stated goals, and we feel all aspects of our bid are responsive.

Overall, it is our sincere hopes that Baltimore City's Board of Estimates agreed with our assessment that SAK Construction's Bid was non-responsive, and will move forward to award the contract to IPR Northeast. Additionally, IPR would be happy to meet with the members of the Board of Estimates to provide you with additional information on our capabilities, staffing, and past performance. Furthermore, if you have any questions or concerns, please feel free to reach out at any time. Thank you in advance for your time and consideration with this matter.

Warm regards,

A handwritten signature in black ink, appearing to read "Kevin Toomey", with a long horizontal flourish extending to the right.

Kevin Toomey

GENERAL MANAGER

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

Department of Public Works/Office of Eng. & Constr. - cont'd

2. TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$9,408,861.00	9956-903569-9549	
Water Utility	Construction Reserve	
Funds	On-Call Sanitary	
\$ 677,608.00	-----	9956-907855-9551-2
		Extra Work
677,608.00	-----	9956-907855-9551-3
		Design
871,000.00	-----	9956-907855-9551-5
		Inspection
6,776,081.00	-----	9956-907855-9551-6
		Construction
406,564.00	-----	9956-907855-9551-9
<u>\$9,408,861.00</u>		Administration

The funds will be used to cover the cost associated with the award for SC 974, Assess & Repair Small Diameter Sanitary Sewers & Laterals-Zone B to SAK Construction, LLC.

President: "The next item on the non-routine agenda can be found on pages 76-77, items 1 and 2, Recommendation for Contract Awards SC 974, On-Call Assessment and Repairs of Sanitary Sewer Mains and Laterals - Zone B, will the parties please come forward?"

## MINUTES

Mayor: "They're not here."

President: "Um, is the protestor here? Okay um -- I'll entertain a motion."

City Solicitor: "Mr. President, I'm going to move award of the contract, as recommended."

Comptroller: "Second."

President: "All those in favor say AYE. All opposed NAY. But shouldn't we um -- move to --"

City Solicitor: "Protest abandoned?"

President: "Yeah."

City Solicitor: "I move that we declare the protest abandoned by non-appearance of the protestant."

President: "And, we are moving the award forward."

City Solicitor: "We are moving the award forward."

Comptroller: "Second."

President: "All those in favor say AYE. Those opposed NAY. The Motion carries."

\* \* \* \* \*

**MINUTES****RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS**

Department of Public Works/Office of Eng. & Constr.

3. WC 1361, AMI/R Urgent R.E. Harrington \$2,764,154.00  
 Need Metering Infra- Plumbing & Heating  
 structure Repair & Co., Inc.  
 Replacement at Various  
 Locations (Up to 3" &  
 Larger Water Service)

**MWBOO SET GOALS OF 13% FOR MBE AND 6% FOR WBE.**

<b>MBE:</b> R.E. Harrington Plumbing	\$ 967,453.90	35%
& Heating Co., Inc.*		
K.L. Phillips Trucking, LLC.	96,745.39	3.49%
James Little d/b/a Little	<u>82,924.62</u>	<u>3%</u>
Contractors		
	<b>\$1,147,123.91</b>	<b>41.49%</b>
 <b>WBE:</b> Franqui Enterprise, LLC	\$ 82,924.62	3%
R & R Contracting Utilities,	<u>82,924.62</u>	<u>3%</u>
Inc.		
	<b>\$ 165,849.24</b>	<b>6%</b>

\*Indicates Self-Performance

**MWBOO FOUND VENDOR IN COMPLIANCE.**

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

Department of Public Works/Office of Eng. & Constr. - cont'd

4. TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$1,991,417.00	9960-909100-9558	
Water Utility	Constr. Res.	
Bonds	Water Infrastructure	
	Rehab	
1,991,417.00	" "	
Baltimore Co.		
<b>\$3,982,834.00</b>		
\$ 276,415.00	-----	9960-903599-9557-2
		Extra Work
276,415.00	-----	9960-903599-9557-3
		Engineering
500,000.00	-----	9960-903599-9557-5
		Inspection
2,764,154.00	-----	9960-903599-9557-6
		Construction
165,850.00	-----	9960-903599-9557-9
<b>\$3,982,834.00</b>		Administration

The funds will be used to cover the cost associated with the award for W.C. 11361, AMI/R Urgent Need Metering Infra-structure Repair & Replacement at Various Locations (Up to 3" & Larger Water Service) to R.E. Harrington Plumbing & Heating Co., Inc.

**MINUTES****TRAVEL REQUESTS**

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>Police Department</u>			
1. Donald Slimmer	Hazardous Materials Technician Program for CBRNE Anniston, AL Dec. 17 - 22, 2017	General Fund	\$0.00

This is a training course provided at no cost to the Department at the Department of Homeland Security's FEMA training facility in Anniston, Alabama.

2. Karen Sokol	Hazardous Materials Technician Program For CBRNE Anniston, AL Dec. 3 - 9, 2017	General Fund	\$0.00
----------------	--------------------------------------------------------------------------------------------	-----------------	--------

This is a training course provided at no cost to the Department at the Department of Homeland Security's FEMA training facility in Anniston, Alabama.

Department of Planning

3. Walter Gallas	Past Forward 2017 National Preservation Conference Chicago, IL Nov. 14 - 26, 2017 (Reg. Fee \$395.00)	General Funds	\$1,215.35
------------------	-------------------------------------------------------------------------------------------------------------------------	------------------	------------

The conference dates are November 14 - 17. The nights of November 17 - 26 will be at Mr. Gallas' own expense.



MINUTES

TRAVEL REQUESTS

Department of Planning - cont'd

The Board, UPON MOTION duly made and seconded, approved the travel requests.

**MINUTES**

Department of Housing and Community Development (DHCD) - Memorandum of Understanding

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of (1) a Memorandum of Understanding with the Baltimore City Public School System (BCPS) to transfer site control to the City for that portion of the school sites located at 1601 E. Lombard Street and 100 S. Caroline Street which is necessary to achieve the Perkins Old Town Somerset (POS) Transformation Plan and (2) a Partnership Certification and Letter of Commitment outlining the commitments of the City to the POS Transformation Plan.

**AMOUNT OF MONEY AND SOURCE:**

N/A

**BACKGROUND/EXPLANATION:**

Developer Procurement:

In 2014, the DHCD issued a Request for Qualifications for a master developer and selected in March of 2015, Perkins Opportunity Housing (POH), a joint venture consisting of CRC LLC and Northern Real Estate Urban Ventures.

The DHCD spent approximately 15 months in due diligence, data gathering, and planning which included a survey of Perkins residents. In June 2016, POH withdrew from the project and the DHCD accepted their withdrawal. Following the Housing Authority of Baltimore City (HABC) procurement rules, the HABC awarded an Exclusive Negotiating Privilege to the second highest-scoring developer, Perkins Point Partners (PPP) a joint venture of Henson Development, Mission First, and Beatty Development in August of 2017.

## MINUTES

DHCD - cont'd

In September 2017 PPP requested the HABC approve the addition of a national affordable housing developer, McCormack Baron Salazar and Baltimore based Cross Street Partners. The HABC approved the addition of these developers.

Choice Neighborhoods Implementation Grant:

HUD recently announced \$132 million in Choice Neighborhood implementation funding, and each community may receive up to \$30 million to support community transformation efforts. The HABC is working with the Mayor's office, and government, nonprofit, business and community leaders in Baltimore to advance a Choice Neighborhoods plan for the redevelopment of 629 units of public housing in the Perkins Homes community. Both the transfer of site control and City commitments are contingent on the award of the Choice Neighborhoods Implementation Grant (CNI). The grant application is due on November 22, 2017.

The Choice Neighborhoods initiative goes well beyond simply providing replacement units for the residents currently living in Perkins Homes. The initiative includes a comprehensive transformation of the Somerset and Oldtown neighborhoods, including extensive commercial revitalization efforts, and the development of mixed-income residential communities, as well as educational and community facilities and programmed open space.

Choice Neighborhoods funding supports a community-driven approach to neighborhood transformation, and so engaging residents and community partners is foundational to crafting a plan that addresses the three core goals of:

Housing: Replace distressed public and assisted housing with high quality mixed-income housing that is well-managed and responsive to the needs of the surrounding neighborhood.

## MINUTES

DHCD - cont'd

Neighborhood: Attract public and private reinvestment in distressed neighborhoods to improve the amenities and assets (e.g. safety, good schools, commercial activity) available to the community.

People: Improve educational and economic outcomes through services and supports delivered directly to youth and their families.

MOU with BCPS:

The MOU provides site control for the housing planned on the school sites at 1601 Lombard Street and 100 S. Caroline Street. Site control is a threshold issue with the CNI grant. The MOU has been approved by the Solicitor's Office for legal form and sufficiency.

Partnership Certification and Letter of Commitment:

The City is expected to commit in writing that should the grant be awarded it will provide support for the necessary elements of the grant.

The Partnership Certification identifies the commitment as follows:

- Commitment to the POS Transformation Plan and Implementation Schedule.
- Commitment to Work Collaboratively.
- Leverage of Available Funds.
- Acting as Co-Applicant
- Certification of Site Control
- Commitment of Funds as identified in the Letter of Commitment.
- Coordination of City Activities.

**MINUTES**

DHCD - cont'd

- The City, via the DHCD, will serve as the Neighborhood Implementation Entity (NIE). The NIE is responsible for implementation of the Neighborhood component of the POS Transformation Plan.

**MBE/WBE PARTICIPATION:**

Article 5, Subtitle 28 of the Baltimore City Code Minority and Women's Business Program is not applicable.

UPON MOTION duly made and seconded, the Board approved and authorized execution of (1) a Memorandum of Understanding with the Baltimore City Public School System to transfer site control to the City for that portion of the school sites located at 1601 E. Lombard Street and 100 S. Caroline Street which is necessary to achieve the Perkins Old Town Somerset Transformation Plan and (2) a Partnership Certification and Letter of Commitment outlining the commitments of the City to the POS Transformation Plan. The President **ABSTAINED** for the DHCD item only.

MINUTES

President: "There being no more business before the Board, we will recess until bid opening at twelve noon, thank you."

\* \* \* \* \*

**MINUTES**

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

**BIDS, PROPOSALS, AND CONTRACT AWARDS**

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

Department of Public Works - WC 1272, Pennington Avenue &  
Vicinity Water Main Replacements  
**BIDS TO BE RECV'D: 11/15/2017**  
**BIDS TO BE OPENED: 11/15/2017**

Department of Public Works - WC 1328, Montebello Filtration  
Plant No. 1, Infrastructure  
Improvements  
**BIDS TO BE RECV'D: 11/22/2017**  
**BIDS TO BE OPENED: 11/22/2017**

## MINUTES

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

Department of General Services - GS 15823, Courthouse East  
Roof Replacement

CitiRoof Corporation  
Flynn Mid-Atlantic Baltimore  
Simpson of Maryland, Inc.  
CAM Construction Co., Inc.

Department of Public Works - SC 976, Sewer Collection  
System Improvements in  
the Greenmount, Hamden,  
and Bolton Hill Areas of  
the Jones Falls Sewershed

IPR Northeast, LLC  
Instuform Technologies  
Spiniello  
Metra Industries  
SAK Construction  
Pleasants Construction, Inc.  
Anchor Construction Corporation  
AM-Liner East Inc.  
Civil Construction, LLC



## MINUTES

Department of Public Works

- SC 963, Improvements to the Sanitary Sewers in the South West Area of Baltimore City and Maidens Choice Pressure Sewer Assessment and Uplands Sewer Replacement

Spiniello  
Metra Industries  
Pleasants Construction, Inc.  
AM-Liner East, Inc

Bureau of Purchases

- B50005141, One Tone Crew Cab Utility Body Pickup Trucks with Cranes

Chas S. Winner d/b/a Winner Ford  
Custom Truck & Equipment/ TNT Equipment\*  
Century Ford of Mt Airy Inc.  
Chapman Chevrolet

Bureau of Purchases

- B50005156, Polymeric Flocculants for Centrifuge Dewatering for Back River Wastewater Treatment Plant

BASF Corporation  
Polydyne Inc.  
Kemira Water Solutions, Inc. - NO BID  
Coyne Chemical - NO BID

\*UPON MOTION duly made and seconded, the Board declared the bid of Custom Truck & Equipment/TNT Equipment **NON-RESPONSIVE** due to the company's failure to proffer a bid guarantee as mandated by the solicitation's instructions.

MINUTES

Bureau of Purchases

- B50005165, Caterpillar Heavy  
Equipment - OEM. Parts & Service

Alban Tractor Co., Inc.

Bureau of Purchases

- B50005128, Solar Trash  
Compacting Stations and  
Companion Recycling Stations

Eceptacle

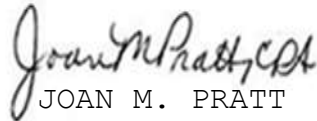
Ecube Labs

Wastequip Manufacturing Company LLC - NO BID

Big Belly Solar, Inc.

\* \* \* \* \*

There being no objections, the Board, UPON MOTION duly made and seconded, adjourned until its next regularly scheduled meeting on Wednesday, November 15, 2017.

  
JOAN M. PRATT  
Secretary