

MINUTES**REGULAR MEETING**

Stephanie Rawlings-Blake, President
Sheila Dixon, Mayor
Joan M. Pratt, Comptroller and Secretary
George A. Nilson, City Solicitor
David E. Scott, Director of Public Works
Donald Huskey, Deputy City Solicitor
Ben Meli, Deputy Director of Public Works
Bernice H. Taylor, Deputy Comptroller and Clerk

The meeting was called to order by the President.

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**THE DEPARTMENT OF FINANCE
PRESENTS THE
PRELIMINARY BUDGET RECOMMENDATIONS FOR FY 2010
TO THE BOARD OF ESTIMATES**

President: "Moving to the non-routine agenda. The first Item is Page No. 1, Department of Finance, Preliminary Budget Recommendations for the Fiscal Year 2010."

Mr. Andrew Kleine: "Good morning, Madam President, Madam Mayor, and members of the Board. I am the City Budget Director. The preliminary budget for fiscal 2010 is recommended at \$2,750,000,000.00, a decrease of \$186,000,000.00 or 6.3% from fiscal 2009. That is across all funds. The operating budget plan is recommended at \$2,230,000,000.00, an increase of \$35,000,000.00 or 1.6%. The capital budget is recommended at

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Dept. of Finance, Preliminary Budget FY 2010 - cont'd

\$522,000,000.00, a decrease of \$221,000,000.00 or 30%. This budget reflects the economic crisis our country is in. The general fund, which is supported primarily by local sources, is recommended at \$1,348,000,000.00, an increase of \$2,500,000.00 or 0.2% above fiscal 2009. This is effectively a zero growth budget and the smallest general fund increase in 12 years. The general fund operating budget is recommended at \$1,345,000,000.00, an increase of \$7,650,000.00 or 0.6%. The Pay-Go capital portion of the general fund budget is recommended at \$3,500,000.00, a reduction of \$5,100,000.00 or 59%. On the revenue side, property tax revenue is up \$42,500,000.00 or 6.2% from fiscal 2009. However, the growth and property tax revenue is offset by revenue losses in virtually every other category. Transfer and recordation taxes are down \$15,500,000.00 or 25%. Income tax revenue is down \$10,000,000.00 or 3.8%. Investment earnings are down \$10,000,000.00 or 76%, and Those are just a few examples. In the face of zero revenue growth and \$65,000,000.00 in cost increases required to maintain the current level of services, we have proposed a realistic

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Dept. of Finance, Preliminary Budget FY 2010 - cont'd

responsible budget that does not raise taxes and involves significant belt-tightening to ensure fiscal soundness and keep the City moving forward. Highlights of the recommended budget include putting more police officers on patrol; shifting to one-plus-one trash and recycling collection; and reinvesting cost savings in street and alley cleaning; reorganizing management of recreation facilities; this includes closing underutilized centers and converting PAL centers into recreation centers, with expanded programming for youth. We will also be continuing the Youth Works Summer Jobs Program and after school programs. The budget includes abolishing 527 positions across all funds, including 153 that are currently filled. Many have asked if the Federal stimulus money will rescue our budget. The answer is the stimulus money is temporary and targeted. It will help the City in many ways, but it won't balance this year's operating budget or solve our long-term structural deficit. A couple of concerns before I close, first I want to emphasize that the revenue

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picture remains uncertain. The State faces severe fiscal problems and last week wrote down its revenue projection for fiscal year 2010 by an additional \$716,000,000.00. The General Assembly is currently debating a variety of options that would reduce aid to local jurisdictions next year. We do not yet know the magnitude of these reductions and how they are going to impact our budget. Further, we don't know the depth and duration of this recession. It is hard to be conservative enough in this economic climate and we must preserve options for dealing with the unknown as we go into fiscal year 2010. My second concern is that our pension obligations are growing at an alarming rate. This budget contains a nearly \$20,000,000.00 or 18% increase in pension costs across all funds. That is modest compared to what we think we are going to be facing in fiscal year 2011, given the performance of the financial markets. Reform is essential to prevent pension costs from swallowing the rest of the general fund budget. Finally, I would note that the Board of Estimates' Tax Payers Night is scheduled for Thursday, April 2, 2009, at 6:00 o'clock p.m. at the War Memorial Building. Thank you

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and I am happy to answer any questions."

President: "Thank you. Are there any questions? Madam Mayor."

Mayor: "Thank you, Mr. Kleine. I really want to -- before we move this process forward -- as was stated, in the preliminary budget --. I think that there are six things, one, that the fiscal responsibility of this budget is at a zero growth budget. I think that over this last year we have tried to forecast, even though we don't know the ultimate outcome, by having the job freezes, which has helped us to not have even additional layoffs. We have maintained a budget that really focuses on the progress that we have made. We have no new taxes, as you have stated. We have to and have tightened up our budget. I really need to emphasize because people think that the stimulus is going to be an answer; what the stimulus will do is it will help us to maintain over the next two years some of the infrastructure and capital projects, but it is not going to help us to close the structural deficit or the gap that we face. Fiscal reform through legislation that was introduced to the

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City Council must be passed for us to divert any additional cuts. Monday, I spent the evening in Annapolis -- I very seldom get headaches, but I left there with a headache. With the deficit that they now face between this fiscal year and 2010 of \$1,160,000,000.00, which means that local municipalities are going to face some additional cuts. We don't know what they are. That is why I think this preliminary budget really keeps things tight, but also looks at potentially additional cuts. I really want to emphasize two points that I think are important: Our maintenance of efforts in schools, particularly with the progress that we have made, we have actually increased what we are giving the schools. Our public safety efforts and the progress that they are making, we are now able to get and maintain more police officers by putting officers back in the streets versus running the PAL Programs, but we are also -- I think this needs to be noted -- and we will elaborate on this in the weeks to come with presentations, but Recreation and Parks is actually going to be expanding programs to provide opportunities to young people, which is significant.

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We don't have as many counties that are facing furloughs at this point and that is why we want to minimize layoffs, but that does not take us out of the water as relates to that. So again, this is a preliminary budget. It has to go through the process. It will be handed over to the City Council. So, at this point I make a MOTION that we move this process through -- this preliminary budget through its process as we continue to deal with some really major hard decisions that we are going to have to make. I will say that this budget -- and I think the philosophy in what we have tried to maintain over the last two years, is to be as effective and efficient, but also innovative as well as accountability. As I said last night to the Mt. Vernon Association, we all work for the taxpayers in the City and we have to make sure that we are responsible in how we operate with the taxpayers' dollars. We are feeling the crunch of what is happening nationally and internationally. We have to make some really tough decisions, but also have to continue to maintain a quality service as we move this budget process forward."

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Clerk: "You don't need a Motion."

Mayor: "You just have to -- "

President: "So Noted. Thank you. Madam Comptroller?"

Comptroller: "I would like to thank Mr. Kleine and the Finance Department for their hard work. These are unprecedented times and it was very challenging. We appreciate all the time and effort that you put into preparing this preliminary budget and balancing it. Although some agencies are getting a decrease in funding, it appears that the delivery of service will not be decreased and in some agencies there will be an expansion of services. So, I thank you for that."

President: "Again, I want to echo the remarks of the Comptroller to thank you and to thank Mr. Gallagher. Every time I look at the news about our current recession and what it is doing to municipalities all over the country, I am prayerful that Mr. Gallagher does not make a trip up to the sixth floor to fill out retirement papers. Is it still up on the sixth floor? (laughter) Oh, it is on Redwood? See, I don't know."

Solicitor: "We are not telling him where the office is."

(Laughter)

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Dept. of Finance, Preliminary Budget FY 2010 - cont'd

President: "It is on the sixth floor."

Solicitor: "It has moved again."

(Laughter)

President: "But, it is that serious. I know that -- I want to thank the Vice President, Councilman Reisenger, for being here and for -- in advance for the work I know he is going to have to do with the Council, with the budget chair, with the other members to approve this budget. It is going to be a very tough budget. When times are good -- when we are arguing about surplus, it is a whole other thing; trying to preserve the bond rating of the City and to preserve the quality of service that we are able to provide for the City -- and at the same time find a way for us to promote growth and economic development in the City. I am pleased that the education budget -- that we are increasing our share; the maintenance of effort that we continue to keep that commitment. I think the progress of the schools, to date, is a testament to the good thinking that went into that decision to keep that -- despite previous decline in enrollment -- to keep that maintenance of effort. So, I want to thank you for your work."

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Dept. of Finance, Preliminary Budget FY 2010 - cont'd

Mr. Kleine: "Thank you."

President: "So NOTED."

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

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

Abel Recon, LLC	\$	1,500,000.00
Certified Maintenance Company, Inc.	\$	3,915,000.00
Comer Construction, Inc.	\$	8,000,000.00
Consolidated Waterproofing Contractors	\$	8,000,000.00
Galway Bay Corporation	\$	69,204,000.00
Genesis Steel Services	\$	8,000,000.00
Harkins Builders, Inc.	\$	158,340,000.00
Heitkamp, Inc.	\$	36,707,000.00
Housing Tech, LLC T/A Modu Tech Builders	\$	8,000,000.00
K-O Construction, Inc.	\$	1,956,000.00
Mel McLaughlin Company	\$	1,500,000.00
The Shockey Precast Group	\$	88,668,000.00
Titan Industrial Services, Inc.	\$	8,000,000.00

2. Prequalification of Architects and Engineers

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

EBL Engineers, LLC.	Engineer
McKee & Associates, Inc.	Engineer

MINUTES**BOARDS AND COMMISSIONS**

Patton Harris Rust & Associates, Inc.	Landscape Architect Engineer Land Survey Property Line Survey
Surburban Consultants Engineers, Inc.	Engineer

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

MINUTES

Department of Recreation and Parks - Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an agreement with the Living Classrooms Foundation, Inc. The period of the agreement is effective upon Board approval through August 7, 2009.

AMOUNT OF MONEY AND SOURCE:

\$ 64,118.00	-	1001-478-005-00-326
20,500.00	-	3001-513-013-00-326
20,500.00	-	3001-518-001-04-326
25,000.00	-	2071-546-017-04-326
25,000.00	-	2071-546-019-04-326
41,000.00	-	3001-501-004-00-326
\$196,118.00		

BACKGROUND/EXPLANATION:

The Departments of Public Works, Transportation, and Recreation and Parks will collaborate in the funding of project SERVE (Service - Empowerment - Revitalization - Volunteerism - Employment), a job training and employment program of the Living Classrooms Foundation, Inc. Through this program, Living Classrooms Foundation, Inc. will clean, improve and maintain five Baltimore City park properties and their surrounding neighborhoods, to include but not limited to clean sweeping alleys and sidewalks, cleaning and maintaining fire hydrants, street lamp poles and designated traffic medians, cleaning and maintaining local storm drain inlets, and removing graffiti.

MWBOO GRANTED A WAIVER.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the agreement with the Living Classrooms Foundation, Inc. The President **ABSTAINED.**

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Department of Recreation and Parks - AM Manual Policy Waiver
Executive Search Expenses

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize the waiver of Administrative Manual Policy 240-12, Executive Search Expenses, to allow for the reimbursement of executive search expenses for Ms. Abby McNeal, a candidate for the position of Division Chief I, Bureau of Parks, within the Department of Recreation and Parks.

AMOUNT OF MONEY AND SOURCE:

\$ 364.00 - Airfare: Denver to Baltimore
216.00 - Subsistence @ 1 night
\$ 580.00 - 1001-000000-4780-363600-603001

BACKGROUND/EXPLANATION:

Pursuant to AM 240-12, "under certain circumstances, expenses related to candidate interview requirements associated with filling executive level positions may be defrayed by the City". Typically, this privilege is reserved for agency head and bureau head personnel. Board of Estimates approval is required for exceptions to the policy. If hired, Ms. McNeal will serve as Deputy to the Associate Director of Parks. The Department requests that the Board waive the policy so that Ms. McNeal may be reimbursed for her interview-related travel expenses. The amount of the expenses is below the \$800.00 maximum that may be

MINUTESRecreation and Parks - cont'd

authorized by the Agency Head. Receipts will be submitted for reimbursement after the travel has been completed.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved and authorized the waiver of Administrative Manual Policy 240-12, Executive Search Expenses, to allow for the reimbursement of executive search expenses for Ms. Abby McNeal, a candidate for the position of Division Chief I, Bureau of Parks, within the Department of Recreation and Parks.

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Department of Finance - New AM Policy AM-501-14

ACTION REQUESTED OF B/E:

The Board is requested to approve a new Administrative Manual Policy, AM-501-14, Seat Belt Use. The policy is effective 60 days from the date of Board approval.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

The intent of this AM policy is to demonstrate the City of Baltimore's continuing commitment to employee safety and zero tolerance for non-compliance with seat belt use in City vehicles and while on City business. The City of Baltimore has been an advocate of seat belt use in all motor vehicles. When seat belts are used properly, data supports that lives are saved and injuries are reduced in motor vehicle accidents.

The policy exceeds the State Adult Seat Belt Law by requiring all occupants in City Vehicles or personal vehicles being driven on City business to wear seat belts. The State law covers only the driver and the front seat passenger next to the door, if the passenger is 16 years of age. Children 16 years of age and younger in all seating positions, in all vehicles, are required to be restrained under Maryland's Child Passenger Safety Law.

The Administrative Manual policy, AM-501-14 has been reviewed and approved by the Office of the Labor Commissioner, Law Department, Department of Human Resources, Finance Department Office of Risk Management, and Division of Occupational Safety.

CORRESPONDENCE WAS RECEIVED FROM LOCAL 44 AFSCME AND THE CITY UNION OF BALTIMORE, LOCAL 800.



LOCAL 800

City Union of Baltimore

Local 800, AFT, AFL-CIO

"Celebrating 20 Years of Service"

President
Brenda J. Clayburn
Executive Vice President
Robert E. Cotton
Treasurer
Tammy Vines
Secretary
Lorraine Wilson

March 12, 2009

Executive Board
Clyde Boatwright
Gaye Burrell
Catherine Butler
Shirley Cooper
William Corbin
LaVerne Foster
Donald Morris
Yvonne C. Rice
Maurice Robinson
Donn Waddy

Honorable Stephanie Rawlings-Blake, President
Baltimore City Council
100 North Holliday Street
Baltimore, Maryland 21202

Dear President Rawlings-Blake:

After careful review, the City Union of Baltimore (CUB) urges the Board of Estimates to not adopt the proposed "Seat Belt Use", Administrative Manual 501-14 for the following reasons:

1. Legislative for the State of Maryland has already promulgated rules and regulations with respect to seat belts. Any rules that exceed existing law is unreasonable and should not be imposed on employees.
2. Disciplinary as it relates to civilians in the Police and Fire departments represented by CUB and American Federation of State, County and Municipal Employees (AFSCME) shall be in accordance with each bargaining unit's Memorandum of Understanding, and not to be superseded by General Orders or Manual of Procedures.
3. Inventory of current deficient city vehicles to ensure they have passenger(s) seat belts and that they are in working conditions.
4. Statistics which prompted this proposed procedure.
5. Educational and campaign awareness before implementation.
6. How this policy will be enforced?
7. Labor/Management with input before policies are written.

I maybe reached at 410.962.1492 if you have any questions.

Sincerely,

Brenda J. Clayburn
President

Honorable Stephanie Rawlings-Blake
March 12, 2009
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/dmp

c: Honorable Joan Pratt, Comptroller
Babila R. Lima, Office of the City Council President
Deborah F. Moore-Carter, Labor Commissioner
Glennard Middleton, Executive Director, AFSCME
Daniel O'Connor, Esquire

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3/30/09 12:30

Glenard S. Middleton, Sr.
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March 3, 2009

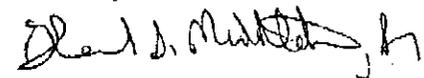
Deborah F. Moore-Carter, Labor Commissioner
Office of the Labor Commissioner
417 E. Fayette Street, Suite 1405
Baltimore, MD 21202

Re: City of Baltimore New AM 501-14

Dear Deborah:

I have a copy of the Memorandum written by Edward J. Gallagher, Director of Finance, addressed to the Board of Estimates, dated February 19, 2009. Mr. Gallagher proposes a new seat belt policy to apply to all City employees that "exceeds" the State Adult Seat Belt Law. This is to respond. The subject matter is a term or condition of employment under the Municipal Employees Relation Ordinance ("MERO"). We presently have a closed Memorandum of Understanding. As the issue was not raised in the negotiations for the current agreement, we decline to consent and insist that you continue to observe existing conditions. The proposed AM is an unauthorized and untimely change, nor have we been consulted about it. We urge the Board of Estimates not to adopt the proposed AM.

Sincerely,



Glenard S. Middleton, Sr.
Executive Director

cc: Members of Board of Estimates
Presidents City Unions

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Department of Finance - New AM Policy AM-501-14 - cont'd

President: "We have a second item and that is a protest, Department of Finance, New AM Policy-501-14. Who wants to start?"

Ms. Susan Shawver, Risk Manager, City of Baltimore: "I will start. Good morning Madam President, Madam Mayor, Madam Comptroller, and members of the Board, my name is Susan Shawver, City Risk Manager. For many years, the City has been operating under a safety policy statement regarding seat belts. Our goal today is to formulize an already existing safety policy into an AM policy. The policy has not changed. The AM policy, just like the safety policy statement requires all occupants of the vehicle to buckle-up. In addition, this applies to employees who use their personal vehicles for City business. The policy is broader than the Maryland Law which requires all occupants of the front seat to buckle-up. Our job is to not discriminate between the front seat and the back seat occupants of City vehicles. They are all important to us and it is our job to ensure that they make it home safely to their families each and every day. In closing, this is all about employee safety."

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Department of Finance - New AM Policy AM-501-14 - cont'd

There is no cost to the City for this policy, only savings in the number and costs of injuries to our employees. Thank you."

President: "Thank you. Did you have anything to add?"

Ms. Deborah Moore-Carter, Labor Commissioner: "Yes. Good morning Madam President, Madam Mayor, Madam Comptroller, and members of the Board of Estimates. I would add that --"

President: "State your name please."

Ms. Deborah Moore-Carter: "I am Deborah Moore-Carter, Labor Commissioner. I would add that --"

President: "I know who you are, it is for the recording."

Ms. Deborah Moore-Carter: "I would add that the Unions were sent this policy twice, in early January. We asked for comments. We received comments from a couple of the Unions and based on that some of the policy was changed. Then we sent it out again to ask the Unions if they understood the affect on their membership. Most of the Unions agreed with the policy. But, I will say that one of the things that we need to do a better job of is, once there are policies in place there has to be an education

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Department of Finance - New AM Policy AM-501-14 - cont'd

component. The employees need to know - well, the employer has the right to establish work rules. However, employees need to know that the work rules exist. So, therefore the policy won't be in effect for 60 days so that we can involve the Unions in an education program. The second thing that needs to happen in order to let employees know is that we have to either do it by orientation sessions, through bulletin boards, or through other means where we have access to our employees. We also -- first line supervisors and all supervisors need to be aware of the policy because we all have to be concerned with consistent enforcement. The other thing that we need to do is ensure that the City vehicles all have working seatbelts. So, my next recommendation would be to work with General Services and the Union so that we can do an inventory within the 60 day time frame to ensure that before we enforce the policy, that the seatbelts are working."

President: "Ms. Clayburn?"

Ms. Clayburn, President, City Union of Baltimore: "Good Morning, Madam President, Madam Mayor, Madam Comptroller, members of the

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Department of Finance - New AM Policy AM-501-14 - cont'd

Board, my name is Brenda Clayburn I am the President of the City Union of Baltimore. We have some concerns in reference to this administrative policy. Ms. Deborah Moore-Carter has pretty much echoed all of the concerns in the letter that was addressed to you and her. The first concern is that this policy exceeds the existing law. It is unreasonable and should not be imposed on our employees. I would like to say secondly, that the Union is very interested in employee safety and workplace safety. However, what happened to the labor management co-op in this particular policy is that we have asked to be involved in other policies. Not to meet one week and then we find out the next week that the memo has gone out to the Board of Estimates. Earlier this year, probably in the fall, the Unions was asked to do a campaign to help our members to understand the existing law for the driver and the passenger on the driver's side to wear their seatbelts, in which we did. In our general Stewart Council monthly meetings, we told them this is the State law, you have to wear your seat belts. We would do the same here, but there needs to be an educational process to members, not after the policy, before the policy.

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Department of Finance - New AM Policy AM-501-14 - cont'd

Morale is bad as it is in the City of Baltimore and just sending these memos out stating you are going to be disciplined, you are may lose your job, when I don't wear my seatbelt for the State law, I pay \$25.00, but with this policy, I may stand a chance of losing my job. Number one, my issue in my letter of protest is -- also the deficiency of the cars in Baltimore City -- there is a \$60.00 fine if you don't have a seatbelt in the back seat, Maryland law. So, is the City in compliance? Has there been an inventory done of the City cars to make sure that all of the cars are in compliance? These things -- in the spirit of the morale of our employees, let's do these things first. Let's have the orientation first, the educational process first, then put the memo out. What is the urgency of this bill that it can't wait until these things are done first? I thank the Board for your time."

President: "Thank you very much Ms. Clayburn."

Mr. Glen Middleton, President, AFSME, Local 44: "Good morning to the Honorable President of the City Council of Baltimore, Stephanie Rawlings-Blake, Honorable Mayor of Baltimore,

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Department of Finance - New AM Policy AM-501-14 - cont'd

Sheila Dixon, and also good morning to the Honorable Comptroller of the City of Baltimore, Joan Pratt, and to the other distinguished members of the Board of Estimates of the City of Baltimore, I'm Glenn Middleton, I serve as the President of AFSME, Local 44; those municipal employees actually pay taxes here and they work for these taxpayers here. They are very effective. They are very efficient. They are also very accountable, like the members of the City Union of Baltimore. They are the most important resource we have in the City of Baltimore. But also, they are the most disciplined. They are the most disrespected. They are the most retaliated against and when we come up with these new policies, I would hope that as my sister, the President of the Baltimore City Union, shared with you that first of all we talk about education and training. These are adults. They are citizens. But also, they are like our children, we educate and train them first. Why don't we do that first with our employees? There are always new policies and new administrative decisions that are making changes that affect these employees. They are working much longer. They are working

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Department of Finance - New AM Policy AM-501-14 - cont'd

much harder now. They don't mind doing it because they want to keep their jobs. We know that that budget is a preliminary budget, but we do have concerns because there are other options that we can come up with. But, as I close out -- because everything was pretty much shared with you by my sister from the Baltimore City Union. But, those workers in the Department of Public Works, those workers in the Department of Transportation, those workers in other areas like Recreation and Parks their trucks, their cars that they drive, their vehicles have not been properly checked to make sure that there are seatbelts in the rear. There is a State law that talks about the front seats. Then also, where are the stats as to why we are doing this? Why is there always such a rush to do something that will discipline the employees? I thank you for this time. I hope you will delay this until there is an education process first, an information process and then some training. Thank you."

President: "Mr. Middleton, if you could estimate - I don't know if you could as well, Ms. Clayburn, how many vehicles do you think would need to be checked for the back seat compliance?"

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Department of Finance - New AM Policy AM-501-14 - cont'd

Mr. Middleton: "I don't know how many, but as I talked to a lot of our workers in the last month or so, they have been sharing with me that a lot of the vehicles in Solid Waste, the Sanitation Department -- they support the Mayor in her Cleaner -- and all of you -- on the Cleaner Greener Baltimore, because it is our City. But, I can not give you the numbers. But, I hope there are numbers out there that we can talk about -- and in Recreation and Parks and in other areas too and the Department of Transportation."

President: "Okay. Does the Administration know what the --"

Mr. Middleton: "They are old, old vehicles too."

Ms. Clayburn: "I apologize for not bringing the law. I did have the law that states, vehicles after a certain year must have seatbelts in the backseats and I believe its '91. But, I am not -- I don't want to quote. I am sure the Law Department can give you that information. Our members complain all the time about the deficiencies of our vehicles; that the seatbelts don't work --nonetheless they are not in there. But there are other things that we won't get in to because this is the seatbelt law. There

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Department of Finance - New AM Policy AM-501-14 - cont'd

are other deficiencies in these cars that we have concerns about."

President: "Does the Administration know how many vehicles would need to be checked?"

Director of Public Works: "Madam President, if I may just make a few comments on what has been discussed today. One, as Mr. Middleton has stated, our employees are the most important asset that we have in the City and in the Department of Public Works, specifically in my case. We are very concerned about their safety. So, we would support any measure that would protect our employees and if seatbelts is one of those things, then we encourage -- we have encouraged seatbelt wearing throughout the Department. We do encourage all safety -- whether it is speeding -- whether it is the condition of the vehicle. If anything comes to our attention where there is a deficiency, we have worked with Fleet to ensure that the Fleet vehicles are inspected and are operable. As far as the seat belts in the back seats, we would go through and ensure that the seatbelts are in working condition. If there is a situation where one of our employees

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Department of Finance - New AM Policy AM-501-14 - cont'd

has to ride in the back seat -- or is riding in the back seat -- and is caught in violation and the seatbelt does not exist or is not in working condition, that would be considered during the investigation. There would be an investigation prior to any disciplinary action being taken. So, I would argue that the statement that we will be disciplining employees when the seatbelt does not exist or is not in working condition, is not a valid argument, but a consideration that must be considered during the investigation phase. There is and must be as the Labor Commissioner stated, an education process where all of our employees, including the management staff, will be held to the same accountability. So, we ourselves must be well-educated on what the policy is and we must follow that policy. Again, we are concerned with the safety of not only those front-line employees of CUB and AFSME, but also MAPS and all of our employees within the Department of Public Works and within the City."

President: "Do you know how many vehicles need to be checked?"

Director of Public Works: "I think that we would have to go

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Department of Finance - New AM Policy AM-501-14 - cont'd

through the fleet and we could investigate and look at all of the vehicles. But, I am not aware of the exact number."

Mayor: "During the policy discussion, was there a discussion about the number of vehicles that have the seatbelts?"

Ms. Shawver: "No."

Ms. Moore-Carter: "No."

President: "So, when you pick 60 days, is that just an arbitrary number you chose?"

Ms. Moore-Carter: "Basically, the first thing that is supposed to happen in the morning is the driver is supposed to check the vehicle --"

President: "No, no, no. Before, you said that this was about safety, not about penalty."

Ms. Moore-Carter: "Correct."

President: "So, there should be some determination about the seatbelts in the fleet of cars in the City -- the ones that we are putting our employees in everyday."

Ms. Moore-Carter: "Right. As I stated earlier, we will be

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Department of Finance - New AM Policy AM-501-14 - cont'd

checking with General Services to make sure that there is an inventory that all cars have working seatbelts."

President: "But, no one here today -- you are asking us to make a decision about the policy today, but no one here today can tell us how many cars need to be evaluated and if it can be done in the 60 days you have chosen before implementing punishment."

Ms. Moore-Carter: "Well, part of the responsibility of the driver is to do a pre-trip inspection every morning. That includes inspecting whether or not the vehicles have working seatbelts. So, there is a process in place to determine whether or not the seatbelts work."

President: "You know that does not really answer my question? We are not asking the employees -- this is an AM manual. This is an administration enforcement tool. I am sure we are not depending on employees to make an inventory check every day to see if -- that is impossible."

Mayor: "But, you are saying that is a requirement?"

Director of Public Works: "It is a requirement and they do."

Mayor: "It is a requirement of the employee to --?"

MINUTES

Department of Finance - New AM Policy AM-501-14 - cont'd

President: "So, if a car does not have a back seat seatbelt, are we still sending our employees out in them?"

Mr. Middleton: "Yes, they are?"

City Solicitor: "The only vehicles that would not have back seat seatbelts would be vehicles manufactured before 1991. I am leaving aside regular vehicles that might have back seatbelts that are not functioning or that would need to be repaired or replaced. But, installations should have occurred in all post 91 vehicles, which would be the majority of the City fleet, I would think."

President: "It just seems like we are putting an unfair burden on the employee. They are supposed to check to see if it is a working seatbelt and then they are the only ones are responsible or vulnerable for disciplinary action."

Mayor: "But, they are also responsible for reporting that if that is part of their --"

President: "The Administration should be responsible for knowing how long it would take instead of giving us some random number

MINUTES

Department of Finance - New AM Policy AM-501-14 - cont'd

of how long it would take to verify that all the vehicles are operational, not operational, but have the back seat seatbelts."

Director of Public Works: "Madam President. A safety check is required on all pre-trip inspections. Every employee, before they take a vehicle out, is required to conduct a full pre-trip inspection on that vehicle."

Solicitor: "In addition to the City doing a review of its fleet itself, it would seem to me that a driver who is going to get behind the wheel of a vehicle and transport passengers in the back seat owes it to the passengers in the back seat to do as a part of that safety check, a determination as to whether the back seat seatbelts are working for the benefit and the safety of the passengers in the back seat."

President: "Madam Comptroller."

Comptroller: "Of course, for all of us safety is of the utmost importance. But, it seems like it could have been better collaboration between the Unions and the Administration. We do not know if the vehicles have back seat seatbelts or whether they are operable. As safety is of the utmost importance, it is

MINUTES

Department of Finance - New AM Policy AM-501-14 - cont'd

possible for us to take an inventory of what vehicles do have back seat seatbelts, which ones are operable before we implement this policy? Because, as an employee that drives a City vehicle, if I find out today that there is an a new AM manual procedure that will discipline me because I may not have my seatbelt -- I understand what you are saying that they would not be penalized -- but education, I think, is important and training is important. I just think that before we implement this policy that there should be some training and there should be an inventory of the vehicles."

Mr. Middleton: "Madam President, just ten seconds please? Let me just say that I beg to differ with Mr. Scott. Yes, our drivers are required to pre-trip every morning, but they are also ordered out to do their job. They are ordered or they are disciplined right now if they do not leave immediately at a certain time, especially in the Solid Waste Department. So, if you are saying that they won't be disciplined -- first of all there are seatbelts every day, because these vehicles are old, that are failing everyday and not working. They are missing and

MINUTES

Department of Finance - New AM Policy AM-501-14 - cont'd

they are broken. They are not even there. Nothing is being done that should be -- supervisors and management that should be following up. All they want to do is discipline and then you get a letter a week later and then you get a suspension. So, there should be, as you are saying, the process of education and training, information first before we proceed with this. The Unions do not have a problem with this. We want safety. We want our members protected."

President: "I have serious concerns. First of all, my primary concern is with the safety of our City employees. However, I have serious concern also about this process about notification of the Unions. The first time I heard about this policy was when I saw it on the draft agenda -- after repeatedly asking, if there are policies -- AM policies -- going on the agenda that we be briefed before it reaches the agenda. That did not happen. I asked whether the Unions had been contacted and was told that, I think, that one or two -- you received feedback from one or two. But, when there is a --"

Mayor: "But, they were all contacted."

MINUTES

Department of Finance - New AM Policy AM-501-14 - cont'd

City Solicitor: "Yes, they were all contacted."

Mayor: "Let's make that clear, they were all contacted and only two responded to the letters that they sent out to them."

City Solicitor: "And it seems to me that we have not --"

President: "I was not done."

Mayor: "I just wanted to share some records."

President: "Again, I was not done. When there is a policy change -- when that is the response, it seems that it would behoove the Administration to do a little bit more outreach. Because more outreach would get more input. That evidence -- that contention of mine was made true by the fact that when I asked you to go back and do phone calls to try to get feedback -- do additional outreach to the Unions, other than just the memo that goes out, you received more feedback, more constructive feedback from the Unions. I think that there should always be participation. If a memo goes out and it does not have the desired effect of getting the feedback that you want -- I am not saying that we do not have a responsibility to respond, but if you are not getting the response, you do not just close the door and just move forward."

MINUTES

Department of Finance - New AM Policy AM-501-14 - cont'd

You do what I ask, which is to do the follow-up to get what should happen which is participation by the Unions in crafting policy. I agree with the Comptroller that an inventory of the vehicles should be done prior to the implementation of this policy. If we are concerned primarily about safety rather than just the City's liability, that's what would be done. Additionally, I agree with Ms. Clayburn when she said that this is a workplace rule that should have been negotiated. Again, this is not just a safety issue but also an education issue. My office has outreach workers who are required to perform City business in their own vehicles routinely. Again, we did not know anything about this policy until it went on the agenda. The Comptroller said the same thing. I am sure that if I was not given the information, neither were any of the other Council members so their staff might have been able to make comments and/or give constructive insight into the policy. We can not continue to do business like this. When we are making what I think are workplace rules, workplace changes, we owe it to our employees to do more than send a memo and call it a day. So,

MINUTES

Department of Finance - New AM Policy AM-501-14 - cont'd

if there was a MOTION by the Comptroller to delay the implementation or to delay the Vote until after there is an inventory, I second that. All those in favor say AYE.

Comptroller: "AYE."

President: "AYE. Opposed?"

Mayor: "No."

City Solicitor: "No."

Director of Public Works: "No."

President: "Motion fails."

City Solicitor: "Madam President, "Madam President I MOVE the approval of the policy as proposed with the following understandings: Its effectiveness will be in 60 days. During the interval of the 60 days there will be a serious effort to fully educate employees on what is really simply a formulization of an existing policy. And finally, that at the earliest possible time, the City will do a review of its fleet so that the City, in conjunction with the workers who drive and ride in these vehicles, can determine if there are seatbelts -- whether they are in the front seat of the back seat, that are not functioning and they need to be fixed or repaired."

MINUTES

Department of Finance - New AM Policy AM-501-14 - cont'd

Director of Public Works: "Second."

President: "All those in favor say AYE."

Mayor: "AYE."

Director of Public Works: "AYE"

City Solicitor: "AYE."

President: "Opposed? No"

Comptroller: "I oppose - more outreach and collaboration would equal support."

President: "Thank you. The policy is approved. Are there any other comments?"

Mayor: "I just have one announcement for the cameraman that is still here. Darren, if you can come up. This is the Cameraman of the Year. I have to check to see whether or not you get my best shot (laughter). I want to present this award to you. Congratulations. (Applause)"

Mr. Darren Durlach, Cameraman, Fox 45 (WBFF) News: "Thank you."

President: "Now turn around to your own cameraman for him to catch it. Congratulations. "

Mayor: "Let's see if he gets your best side."

(laughter)

MINUTES

Dept.of Finance - New AM Policy AM-501-14/Announcement - cont'd

Mr. Durlach: "Thank you."

President: "Thank you."

MINUTESBureau of General Services - Minor Privilege Permit Applications

The Board is requested to approve the following applications for a Minor Privilege Permit. The applications are in order as to the Minor Privilege Regulations of the Board and the Building Regulations of Baltimore City.

<u>LOCATION</u>	<u>APPLICANT</u>	<u>PRIVILEGE/SIZE</u>
1. 3500 Ash St.	3500 Ash Street, LLC	One awning 15'5" x 3'
Annual Charge: \$212.63		
2. 519 W. Pratt St.	Greenhouse Apartments, LLC	Two double face electric signs 4'3" x 4', one double face non-illuminated sign 2'9" x 11'4", four banner signs 12" x 72", one awning 10'8" x 6", one awning 5'8" x 7'3", two fluorescent tubes
Annual Charge: \$1,080.80		

MINUTES

Bureau of General Services - cont'd

	<u>LOCATION</u>	<u>APPLICANT</u>	<u>PRIVILEGE SIZE</u>
3.	1301 Bayard St.	Jae Kon Yoo	Retain three flat signs 14' x 2', 2' x 2', and 3' x 2½'

Annual Charge: \$126.60

Since no protests were received, there are no objections to approval.

There being no objection, the Board, UPON MOTION duly made and seconded, approved the Minor Privilege Permits.

MINUTES

Baltimore Development Corporation - Lease Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a lease agreement with Morris Plumbing and Heating, tenant, for the rental of a portion of the property known as 2901 Druid Hill Park Drive, Suite A46, at the Business Center @ Park Circle, consisting of approximately 217 square feet. The period of the agreement is March 1, 2009 through February 28, 2010.

AMOUNT OF MONEY AND SOURCE:

<u>Annual Rent</u>	<u>Monthly Installments</u>
\$3,906.00	\$325.50

The lessee will have the option to renew for one additional one-year term for an amount equal to a 4% increase to the annual rent.

BACKGROUND/EXPLANATION:

The tenant is a general contractor that provides general contracting services in the Baltimore Metropolitan area.

The space is leased on an "as is" basis and does not require the landlord to make any modifications. The tenant will be responsible for any additional improvements or build-out of the premises.

All other landlord services such as utilities, limited janitorial services, maintenance and repairs to the premises are included in the base rent.

MINUTES

BDC - cont'd

In addition, the tenant is obligated to maintain and keep in force general public liability, contractual liability and property damage insurance protection for the premises and name the City as additionally insured under the insurance policies.

(FILE NO. 57009)

UPON MOTION duly made and seconded, the Board approved and authorized execution of the lease agreement with Morris Plumbing and Heating, tenant, for the rental of a portion of the property known as 2901 Druid Hill Park Drive, Suite A46, at the Business Center @ Park Circle, consisting of approximately 217 square feet.

MINUTES

Baltimore Development Corporation - Lease Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a lease agreement with BMW Cleaning Solutions, LLC, tenant, for the rental of a portion of the property known as 2901 Druid Hill Park Drive, Suites A11, A13, and A48 consisting of approximately 709 square feet of office space, and Suite B107 consisting of approximately 1,088 square feet of warehouse space for a total of 1,797 square feet, at the Business Center @ Park Circle. The period of the agreement is March 1, 2009 through February 29, 2012.

AMOUNT OF MONEY AND SOURCE:

<u>Annual Rent</u>	<u>Monthly Installments</u>
\$14,656.92	\$1,221.41

The lessee will have the option to renew for one additional three-year term for an annual increase amount equal to 4% of the base rent of the previous 12 month period for each year of the renewal term.

BACKGROUND/EXPLANATION:

BMW Cleaning Solutions, LLC is a full-service cleaning company that provides various cleaning services primarily to commercial clients, including carpet cleaning, and mold remediation. The company was founded in 2001. BMW Cleaning Solutions, LLC has approximately 17 full-time employees and hires part-time staff, as needed.

The space is leased on an "as is" basis and does not require the landlord to make any modifications. The tenant will be responsible for any additional improvements or build-out of the premises.

MINUTES

BDC - cont'd

All other landlord services such as utilities, limited janitorial services, maintenance and repairs to the premises are included in the base rent.

In addition, the tenant is obligated to maintain and keep in force general public liability, contractual liability and property damage insurance protection for the premises and name the City as additionally insured under the insurance policies.

(FILE NO. 57010)

UPON MOTION duly made and seconded, the Board approved and authorized execution of the lease agreement with BMW Cleaning Solutions, LLC, tenant, for the rental of a portion of the property known as 2901 Druid Hill Park Drive, Suites A11, A13, and A48 consisting of approximately 709 square feet of office space, and Suite B107 consisting of approximately 1,088 square feet of warehouse space for a total of 1,797 square feet, at the Business Center @ Park Circle.

MINUTESDepartment of Planning - Fiscal 2010 - 2015 Capital Budget
and Capital Improvement Program

The Board is requested to **NOTE** receipt of the recommended Capital Budget for FY 2010 and the Six-Year Capital Improvement Program, with recommended amendments, and to **REFER** both to the Director of Finance and the Board of Finance for review and to make a report and recommendations to the Board of Estimates.

The recommended program totals \$3,280,000,000.00 for capital projects during fiscal years 2010 - 2015, and \$517,750,000.00 to be appropriated in July as part of the FY 2010 budget.

UPON MOTION duly made and seconded, the Board **NOTED** receipt of the recommended Capital Budget for FY 2010 and the Six-Year Capital Improvement Program, with recommended amendments, and **REFERRED** both to the Director of Finance and the Board of Finance for review and to make a report and recommendations to the Board of Estimates.

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

The Board is requested to approve and authorize execution of a lease agreement with L & J Waste Recycling, LLC, lessee, for rental of 1.05 acres located at 222 N. Calverton Road. The period of the agreement is December 1, 2008 through November 30, 2013.

AMOUNT OF MONEY AND SOURCE:

\$1.00 - Annual Rent

BACKGROUND/EXPLANATION:

The leased premises will be used for the lessee's receiving facility/recycling center for "Commingled Recyclable" waste products and for various other activities incidental to the operations of the recycling center.

The annual rental of \$1.00 takes into consideration the lessee's estimated cost of \$89,400.00 to clean up the leased premises and make it acceptable for use as a recycling center. Per the Bureau of Solid Waste, it would cost the City roughly \$90,000.00 to clean up the site. The Bureau of Solid Waste's estimate of \$90,000.00 does not include the possibility of environmental remediation issues/costs. The lessee during the clean up also removed 173 tires. The lessee provided copies of receipts for the clean up which totaled \$109,316.00. A site visit was performed after the clean up by the lessee to confirm the completion of the cleanup.

The lessee is responsible for maintaining the leased premises in first class condition, making all repairs at its sole cost and expense, and complying with all applicable, federal, state and local laws, ordinances, rules, and regulations.

The Space Utilization Committee approved this lease agreement at its meeting of March 10, 2009.

MINUTES

Space - cont'd

The lease is subject to early termination should the City determine this site is needed for the Red Line. The lessee reserves the first right of refusal, should the City determine it has no further use for the premises and offers it for disposition.

The lease agreement is late due to administrative issues.

(FILE NO. 57011)

UPON MOTION duly made and seconded, the Board approved and authorized execution of the lease agreement with L & J Waste Recycling, LLC, lessee, for rental of 1.05 acres located at 222 N. Calverton Road.

MINUTES

Department of Real Estate - Tax Sale Certificate

ACTION REQUESTED OF B/E:

The Board is requested to approve the assignment of a Tax Sale Certificate to Mr. Simon Grant and Mr. Igal Nidam for an amount that is less than the lien amount for the property located at 2636 E. Chase Street.

AMOUNT OF MONEY AND SOURCE:

<u>Property Address Amount</u>	<u>Assessed Value</u>	<u>Flat Taxes & Water</u>	<u>Total Liens</u>	<u>Assignment</u>
2636 E. Chase Street	\$3,000.00	\$4,929.13	\$54,016.39	\$4,929.13

BACKGROUND/EXPLANATION:

The City acquired the Tax Sale Certificate for 2636 E. Chase Street on May 12, 2008 in the amount of \$47,034.65. Mr. Simon Grant and Mr. Igal Nidam offered to purchase the Tax Sale Certificate for 2636 E. Chase Street for \$4,929.13, file the petition to foreclose, acquire title to the property and return it to productive use. The assignment amount of \$4,929.13 for the Tax Sale Certificate will cover the flat taxes and water bills on that property.

(FILE NO. 56662)

UPON MOTION duly made and seconded, the Board approved the assignment of a Tax Sale Certificate to Mr. Simon Grant and Mr. Igal Nidam for an amount that is less than the lien amount for the property located at 2636 E. Chase Street.

MINUTES

Department of Real Estate - Tax Sale Certificate

ACTION REQUESTED OF B/E:

The Board is requested to approve the assignment of a Tax Sale Certificate to Mr. Gregory Barnes for an amount that is less than the lien amount for the property located at 619 Gutman Avenue.

AMOUNT OF MONEY AND SOURCE:

<u>Property Address</u>	<u>Assessed Value</u>	<u>Flat Taxes & Water</u>	<u>Total Liens</u>	<u>Assignment Amount</u>
619 Gutman Avenue	\$3,000.00	\$2,385.96	\$15,050.24	\$3,000.00

BACKGROUND/EXPLANATION:

The City acquired the Tax Sale Certificate for 619 Gutman Avenue on May 12, 2008 in the amount of \$13,104.96. Mr. Gregory Barnes has offered to purchase the Tax Sale Certificate for 619 Gutman Avenue for \$3,000.00, file the petition to foreclose, acquire title to the property and return it to productive use. The assignment amount of \$3,000.00 for the Tax Sale Certificate will cover the flat taxes and water bills on that property.

(FILE NO. 56662)

UPON MOTION duly made and seconded, the Board approved the assignment of a Tax Sale Certificate to Mr. Gregory Barnes for an amount that is less than the lien amount for the property located at 619 Gutman Avenue.

MINUTES

Health Department - Agreements, Inter-Governmental
Agreement and an Amendment to Agreement

The Board is requested to approve and authorize execution of the various agreements, inter-governmental agreement and amendment to agreement.

AGREEMENTS

1. **TOWSON UNIVERSITY** **\$ 0.00**

The organization will assign fully qualified nursing students from Towson University to the Health Department for on the job field experience in Community Health Nursing services. It is agreed by the parties that there will be no compensation made for any services rendered pursuant to the performance of this agreement. The period of the agreement is September 1, 2008 through August 31, 2011.

The agreement is late because it was recently finalized.

2. **SANDTOWN-WINCHESTER NURSING HOME, LLC** **\$ 0.00**

The organization will serve as a volunteer station for the Senior Companion Program. Through a grant from the Corporation for National and Community Service, the department sponsors the Senior Companion Program. The grant pays for 100% of the cost for Senior Companions to volunteer to assist special needs clients who want to remain in their homes. While the Senior Companions are on duty, the grant provides for their life insurance, transportation and other benefits. The period of the agreement is July 1, 2008 through June 30, 2009.

The agreement is late because it was recently returned.

MINUTES

Health Department - cont'd

3. **ALEXIS M. R. MITCHELL** **\$31,500.00**

Account No. 4527-201-889-03-318

Ms. Mitchell will work as the Coordinator for the Baltimore City Animal Response Team. She will perform animal preparedness planning functions. The goal of the animal preparedness planning for the City is to protect pet owners, pets and other animals in the event of an emergency that displaces pet owners from their homes. The period of the agreement is January 1, 2009 through June 30, 2010.

APPROVED FOR FUNDS BY FINANCE

4. **THE JOHN HOPKINS UNIVERSITY (JHU)** **\$44,258.00**

Account No. 1001-000000-3100-295900-603051

The organization will provide physician services at various school-based health centers. The JHU will provide these services at the Doris Johnson and Heritage High, Dunbar and Homeland Security Academy/Institute of Business and Entrepreneurship High School-based Health Centers. The period of the agreement is July 1, 2008 through June 30, 2009.

The agreement is late because it was misplaced by the provider.

MWBOO GRANTED A WAIVER.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED ITEM NOS. 3 AND 4 AND HAD NO OBJECTIONS

MINUTES

Health Department - cont'd

INTER-GOVERNMENTAL AGREEMENT

5. **BALTIMORE COUNTY, MARYLAND**

\$0.00

The inter-governmental agreement fulfills the requirement under Section 2602{300ff-12} (a) (2) of the Ryan White HIV/AIDS Treatment Modernization Act of 2006 (Ryan White), that requires the Chief Elected Official, in the City's case the Mayor of Baltimore City, of the eligible metropolitan area (EMA) to establish through an agreement, an administrative mechanism to allocate funds and services based on - the number of AIDS cases; the severity of need for outpatient and ambulatory care services; and health and supportive services personnel needs, and to establish an HIV Health Services Planning Council.

This inter-governmental agreement will allow the Health Resources Services Administration (HRSA) to release the FY 2010 Ryan White Part A grant funds to Baltimore's EMA. A fully executed agreement must be submitted to the HRSA prior to the granting of this year's award. The period of the agreement is March 1, 2009 through February 28, 2010.

The inter-governmental agreement is late because it was misplaced.

MINUTES

Health Department - cont'd

AMENDMENT TO AGREEMENT

6. **THE JOHNS HOPKINS UNIVERSITY (JHU)** **\$3,666.00**

Account No. 4245-304-901-29-351

On December 17, 2008, the Board approved the original agreement with the JHU for \$18,555.00 for the period of July 1, 2008 through June 30, 2009. Under this amendment the JHU will provide additional services for HIV Psychosocial Support associated with the transition of Health Education Resource Organization, Inc. services to other AIDS service organizations.

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, inter-governmental agreement and amendment to agreement.

MINUTES

Health Department - Expenditure of Funds

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize an expenditure of funds to pay OraSure Technologies, Inc.

AMOUNT OF MONEY AND SOURCE:

\$2,874.68 - 1001-310-001-00-437

BACKGROUND/EXPLANATION:

The Department requests approval to make payment to the OraSure Technologies, Inc. for HIV-1 Oral Fluid test kits. The order was erroneously duplicated by program staff. Without the approved Purchase Order for this order, the Department could not pay the vendor.

APPROVED FOR FUNDS BY FINANCE

AUDITS APPROVED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved the expenditure of funds to pay OraSure Technologies, Inc.

MINUTES

Department of Housing and - Head Start Agreements
Community Development

The Board is requested approve and authorize execution of the Head Start agreements.

1. **MORGAN STATE UNIVERSITY - \$ 65,184.00**
MORGAN STATE UNIVERSITY HEAD
START PROGRAM (MSU)

Account: 5868-605-900-00-351

Under the terms of this agreement, the funds will allow the MSU to pay a portion of the salary of the Head Start Program's two Education Coordinators. The Coordinators will provide career development planning, monitoring, evaluation, coaching, and technical assistance to teaching staff. The program will also purchase classroom supplies and support training activities for parents. The period of the agreement is October 1, 2008 through September 30, 2009.

MWBOO GRANTED A WAIVER.

2. **YMCA OF CENTRAL MARYLAND, INC. - \$1,481,230.00**
EMILY PRICE JONES HEAD START
PROGRAM

Account: 4863-605-914-99-351

Under the terms of this agreement, the organization will provide Head Start services to 321 children and their families in Baltimore City. The funds will be used for the organization's operating expenses. A four-month advance of funds, in the amount of \$715,616.00, was approved by the Board on July 16, 2008, for a total contract award of \$2,196,846.00. The period of the agreement is July 1, 2008 through June 30, 2009.

MINUTES

DHCD - cont'd

MBE/WBE PARTICIPATION:

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

MBE: Genesis Office Systems, Inc.	\$ 859.00	0.04%
Personal Electric, LLC	7,000.00	0.32%
MR Hopkins Transportation	9,000.00	0.41%
A & A Plumbing Co.	7,000.00	0.32%
Total	\$23,859.00	1.09%

WBE: B & B Lighting Supplies, Inc.	\$ 2,500.00	0.11%
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MWBOO FOUND VENDOR IN COMPLIANCE.

MWBOO GRANTED A WAIVER OF THE BALANCE OF THE MBE/WBE GOALS.

OF THE TOTAL CONTRACT AMOUNT OF \$2,196,846.00, \$1,948,613.00 IS FOR ITEMS THAT ARE PROPRIETARY AND NON-SEGMENTABLE.

The agreements are late because of delays in the administrative review process.

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 Head Start agreements.

MINUTES

Department of Housing and Community Development - Ratify Head Start Agreement and Amendment to Head Start Agreement

The Board is requested to ratify a Head Start agreement and approve and authorize execution of an amendment to Head Start agreement.

RATIFICATION OF AGREEMENT

- | | | |
|----|---|--------------------|
| 1. | THE JOHNS HOPKINS HOSPITAL/
OFFICE OF COMMUNITY HEALTH (JHU)
MARTIN LUTHER KING JR./HEAD START/
EARLY HEAD START PROGRAM | \$53,349.00 |
|----|---|--------------------|

Account: 5868-605-800-00-351

Under the terms of this agreement, the funds will allow the Martin Luther King Jr./Head Start/Early Head Start Program to extend program hours in four multi-classroom sites and provide six months of work experience in child care to ten participants, who will receive a 90 clock-hour certificate. In addition, the organization will serve pregnant mothers and hire two staff persons to supplement the child/staff ratio while other staff persons attend class. The period of the agreement was October 1, 2007 through September 30, 2008.

The agreement is late because of delays in the signatory process in the JHU legal Department.

AUDITS REVIEWED AND HAD NO OBJECTION.

MINUTES

DHCD - cont'd

AMENDMENT TO AGREEMENT

2.	DAYSPRING PROGRAMS, INC. -	\$30,950.00
	DAYSPRING HEAD START PROGRAM	
	Accounts: 4863-605-913-99-313	\$11,489.00
	1001-177-016-99-313	\$19,461.00

The Dayspring Programs, Inc. provides Head Start services for 102 children and their families in Baltimore City. On July 23, 2008, the Board approved a four month advance of funds in the amount of \$241,690.00. On November 5, 2008, an agreement was approved in the amount of \$725,069.00. An amendment for a collaboration agreement with Sandi's Learning Center was approved on December 24, 2008 in the amount of \$170,000.00.

Under the terms of this amendment to agreement, the funds will be used to provide for an increase in rent for the Collington Avenue location. All other terms and conditions of the original agreement remain unchanged.

MWBOO GRANTED A WAIVER.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board ratified the Head Start agreement and approved and authorized execution of the amendment to Head Start agreement.

MINUTES

Department of Housing and - Agreement
Community Development

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an agreement with Morgan State University (MSU). The period of the agreement is March 1, 2009 through February 28, 2010.

AMOUNT OF MONEY AND SOURCE:

\$50,200.00 - 2089-593-829-80-351

BACKGROUND/EXPLANATION:

Under the terms of this agreement, the funds will be used to support the MSU's Institute for Urban Research (IUR), Community Development Resource Center (CDRC). The IUR/CDRC will provide a broad range of technical assistance, research support, and information dissemination. Specifically, the IUR/CDRC will produce two special reports that provide communities with information needed to undertake community development efforts. In addition, a two-day educational forum will be conducted to assist in the community development efforts.

MWBOO GRANTED A WAIVER.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the agreement with Morgan State University.

MINUTES

Department of Housing and - Modification to
Community Development (DHCD) Intergovernmental Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the modification to the intergovernmental agreement with the State of Maryland Department of Human Resources.

AMOUNT OF MONEY AND SOURCE:

\$554,821.00 - 5-859-184-911-99

BACKGROUND/EXPLANATION:

The DHCD Office of Home Energy Programs provides energy assistance grants to low-income residents to help with heating and utility costs.

This modification to the intergovernmental agreement is necessary due to the continuing need for energy assistance services and increase in energy assistance applications.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved and authorized execution of the modification to the intergovernmental agreement with the State of Maryland Department of Human Resources.

MINUTES

Department of Public Works/ - Right-of-Entry Agreement
Bureau of General Services

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the right-of-entry agreement with Julius W. Lloyd and Catherine C. Lloyd, owners of the property known as 713 East Cold Spring Lane.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

The City, acting through the Department of Public Works, Bureau of Water and Wastewater is proposing to enter onto the property known as 713 East Cold Spring Lane to perform any and all construction work to determine the cause of the unusual ground settling.

The work will be performed under an existing on-call contract.

MBE/WBE PARTICIPATION:

N/A

UPON MOTION duly made and seconded, the Board approved and authorized execution of the right-of-entry agreement with Julius W. Lloyd and Catherine C. Lloyd, owners of the property known as 713 East Cold Spring Lane.

MINUTES

Department of Public Works/ - Right-of-Entry Agreement
Bureau of General Services

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the right-of-entry agreement with Barbara A. Maxwell, owner of the property known as 715 East Cold Spring Lane.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

The City, acting through the Department of Public Works, Bureau of Water and Wastewater is proposing to enter in onto the property known as 715 East Cold Spring Lane to perform any and all construction work to determine the cause of the unusual ground settling.

The work will be performed under an existing on-call contract.

MBE/WBE PARTICIPATION:

N/A

UPON MOTION duly made and seconded, the Board approved and authorized execution of the right-of-entry agreement with Barbara A. Maxwell, owner of the property known as 715 East Cold Spring Lane.

MINUTES

Department of Public Works - Right-of-Entry Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the right-of-entry agreement with Chevron Asphalt Co./grantor, c/o Chevron U.S.A., Inc. for the property known as 1950 Chesapeake Avenue.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

The City acting by and through the Department of Transportation proposes to temporarily relocate and install a Homeland Security pole on private property owned by Chevron Asphalt Co. The Chevron Asphalt Co. has agreed to donate the use of their land at no cost to the City, during the construction period associated with the Reconstruction of Chesapeake Avenue, Phase II, Project No. TR 03309.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the right-of-entry agreement with Chevron Asphalt Co./grantor, c/o Chevron U.S.A., Inc. for the property known as 1950 Chesapeake Avenue.

MINUTES**TRAVEL REQUESTS**

<u>Name</u>	<u>To Attend</u>	<u>Amount</u>
<u>Department of Public Works</u>		
1. Lorenzo L. Garrett	American Soc. for Public Admin. Annual Conference Miami, FL March 21 - 25, 2009 (Reg. Fee - \$385.00)	\$1,680.00
2. Justin DeSantis	Government Finance Officers Association 103 rd Annual Conference Seattle, WA June 27 - July 2, 2009 (Reg. Fee - \$620.00)	\$2,505.00

UPON MOTION duly made and seconded, the Board approved the travel requests. The Mayor **ABSTAINED** on Item No. 2. The Director of Public Works **ABSTAINED** on Item Nos. 1 and 2.

MINUTES

Department of Transportation - On-Call Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an on-call agreement with Johnson, Mirmiran & Thompson, LLP, for Project No. 1097, On-Call Construction Management Services within Baltimore City. The period of the agreement is effective upon Board approval for three years with a one-time renewal option or until the upset limit is reached, whichever occurs first.

AMOUNT OF MONEY AND SOURCE:

\$2,000,000.00 - Upset Limit

BACKGROUND/EXPLANATION:

The Department of Transportation has negotiated and procured the consulting agreement approved by the Boards and Commission and the Architectural and Engineering Awards Commission and now desires to utilize the services of Johnson, Mirmiran & Thompson, LLP. The cost of services rendered will be on actual payroll rates not including overhead and burdens times at a set multiplier.

MBE/WBE PARTICIPATION:

MWBOO SET SUB-GOALS OF 11% FOR AFRICAN AMERICANS (AA); 2% FOR HISPANIC AMERICANS (HA); 14% FOR ASIAN AMERICANS (AsA); AND 0% FOR NATIVE AMERICANS (NA).

MBE:	AA:	SC Meyers & Assoc., Inc.	\$220,000.00	11.00%
	HA:	Mercado Consultant, Inc.	40,000.00	2.00%
	AsA:	Sabra, Wang & Assoc., Inc.	100,000.00	5.00%
	AsA:	RJM Engineering, Inc.	180,000.00	9.00%
			<u>\$540,000.00</u>	<u>27.00%</u>

MINUTES

Department of Transportation - cont'd

WBE: Ross Technical Services, Inc.; \$180,000.00 9.00%

MWBOO FOUND VENDOR IN COMPLIANCE.

AUDITS NOTED THE AGREEMENT AND WILL REVIEW THE TASK ASSIGNMENTS.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the on-call agreement with Johnson, Mirmiran & Thompson, LLP, for Project No. 1097, On-Call Construction Management Services within Baltimore City.

MINUTES

Police Department - Acceptance of Grant Award Agreement and Appropriation Adjustment Order

ACTION REQUESTED OF B/E:

The Board is requested to approve acceptance of a grant award agreement with the Governor's Office of Crime Control and Prevention (GOCCP). The Board is also requested to approve an appropriation adjustment order to transfer appropriation from Program Number 201 to Program Number 202. The period of the agreement is October 1, 2008 through September 30, 2009.

AMOUNT OF MONEY AND SOURCE:

Grant Award - \$61,035.00

Appropriation Adjustment Order:

<u>Amount</u>	<u>From:</u>	<u>Amount</u>	<u>To:</u>
\$61,035.00	4000-201-095	\$49,907.00	4554-202-907-3
		\$11,128.00	4554-202-907-5

BACKGROUND/EXPLANATION:

The GOCCP recently awarded funding to the Baltimore Police Department's Crime Laboratory. The purpose of the funding is to enhance the knowledge and expertise of 27 members within the Crime Laboratory through professional training sessions, on-site and throughout the country. A file server and desktop personal computer will also be purchased to increase the Crime Laboratory's efficiency. This project will directly benefit the Crime Laboratory, as well as those who live and visit the Baltimore region through a reduction in crime.

MINUTES

Police Department - cont'd

The request is late because the grant notification was recently received.

APPROVED FOR FUNDS BY FINANCE

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

UPON MOTION duly made and seconded, the Board approved acceptance of the grant award agreement with the Governor's Office of Crime Control and Prevention. The Board also approved the appropriation adjustment order to transfer appropriation from Program Number 201 to Program Number 202.

MINUTES

Police Department - Memorandum of Agreement Amendment No. 2

ACTION REQUESTED OF B/E:

The Board is requested to approve a memorandum of agreement, amendment no. 2 with the Maryland Emergency Management Agency (MEMA). The amendment no. 2 extends the period of the grant through March 31, 2009.

AMOUNT OF MONEY AND SOURCE:

There are no additional funds involved.

BACKGROUND/EXPLANATION:

On March 26, 2008, the Board approved amendment no. 1 from MEMA to extend the end date of the award period from March 31, 2008 through September 30, 2008.

The FFY 2006 Homeland Security Grant Program is provided to enhance the ability of Maryland and its jurisdictions to prevent, deter, respond to, and recover from threats and incidents of terrorism.

This request is late because amendment no. 2 was recently received from grantor.

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 memorandum of agreement, amendment no. 2 with the Maryland Emergency Management Agency.

MINUTES

Police Department - Expenditure of Funds

ACTION REQUESTED OF B/E:

The Board is requested to approve payment by direct payment order to AT&T. The invoice covers the period February 10, 2009 through March 4, 2009.

AMOUNT OF MONEY AND SOURCE:

\$1,642.15 - 1001-204-068-00-304

BACKGROUND/EXPLANATION:

AT&T provides essential 1-800 redirect service, which is critical to the day-to-day operations of the Baltimore City Police Department. AT&T, through its phone line provides a necessary tool for local and out of jurisdiction investigations, to include long distance service for daily covert operations.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved payment by direct payment order to AT&T.

MINUTES

Police Department - Expenditure of Funds

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize an expenditure of funds to pay Shannon-Baum Signs by Direct Payment Order (DPO).

AMOUNT OF MONEY AND SOURCE:

\$2,698.50 - 1001-204-008-00-326

BACKGROUND/EXPLANATION:

The Department requests approval to make payment to the vendor by DPO for Baltimore Police Department parking decals. Purchase Order 218289 assigned to the vendor expired before a change order could be completed to add additional funds to the existing purchase order. At this time, the funds under the purchase order for the vendor have been completely utilized and this is the only remaining outstanding invoice.

APPROVED FOR FUNDS BY FINANCE

AUDITS APPROVED AND HAD NO OBJECTIONS

UPON MOTION duly made and seconded, the Board approved and authorized an expenditure of funds to pay Shannon-Baum Signs by Direct Payment Order.

MINUTES

Baltimore Police Department - Expenditure of Funds

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize an expenditure of funds to pay the U.S. Department of Justice.

AMOUNT OF MONEY AND SOURCE:

\$1,626.26 - 1001-224-053-00-350

BACKGROUND/EXPLANATION:

During the course of a recent grant monitoring site visit by the U.S. Department of Justice for Award No. 1998LBVX2832, it was determined that administrative equipment costs in the amount of \$1,626.26 are ineligible for grant participation. After the payment is made, the account can be closed.

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

UPON MOTION duly made and seconded, the Board approved and authorized the expenditure of funds to pay the U.S. Department of Justice.

MINUTES

TRANSFERS OF FUNDS

* * * * *

UPON MOTION duly made and seconded,

the Board approved

the Transfers of Funds

listed on the following page:

898

SUBJECT to receipt of favorable reports

from the Planning Commission,

the Director of Finance having

reported favorably thereon,

as required by the provisions of the

City Charter.

MINUTES

TRANSFERS OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Department of Recreation and Parks</u>		
1. \$ 300,000.00	9938-475-750	
State	Reserve - Bldg.	
	Renov. FY'08	
380,000.00	9938-475-759	
Rec. & Pks.	Reserve	
<u>24th Series</u>	Park & Rec. Facil.	
	Renov. FY'09	
\$ 680,000.00	-----	9938-474-750
		Active - Bldg.
		Renov. FY'08

This transfer will provide funds to cover the costs associated with the replacement of the refrigeration system at Mt. Pleasant Ice Rink.

2. \$ 4,000.00	9938-475-746	
Rec. & Pks.	Reserve - Park	
24 th Series	& Playgrounds	
	Renov. FY'08	
12,000.00	" "	
State		
<u>\$ 16,000.00</u>	-----	9938-474-746
		Active - Park
		& Playgrounds
		Renov. FY'08

This transfer will provide funds to cover the costs associated with design services under On-Call Contract No. 1065, Task No. 9 to Oasis Design Group.

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. COMPUTYPE | \$ 7,370.00 | Selected Source |
| Solicitation No. 06000 - Barcode Labels - Health Department -
Req. No. R514828 | | |

These products are compatible with the barcode label printer used by the Bureau of Disease Control lab.

- | | | |
|--|-------------|-------------|
| 2. CBS OUTDOOR | \$20,000.00 | Sole Source |
| Solicitation No. 08000 - Bus Shelter Advertisement - Health
Department - Req. No. R518304 | | |

The vendor has the exclusive contract with MTA for the bus shelter advertising program throughout Baltimore City.

- | | | |
|---|-------------|---------|
| 3. ALLIANCE MEDICAL, INC. | \$15,580.00 | Low Bid |
| Solicitation No. 07000 - Breathing Mask - Fire Department -
Req. No. R518836 | | |

- | | | |
|---|-------------|---------|
| 4. CORROSION REPAIR
AND SERVICE, INC. | \$12,770.00 | Low Bid |
| Solicitation No. 07000 - Repair Scrubber Stacks of Odor
Scrubber - Department of Public Works - Req. No. R519571 | | |

- | | | |
|---|-------------|-------------|
| 5. XEROX CORPORATION | \$ 6,182.46 | Sole Source |
| Solicitation No. 08000 - Xerox Printer Warranties -
Department of Finance - Req. No. R514936 | | |

Xerox Corporation is the manufacturer of the equipment and provider of the on-site services under this extended warranty and is the only company that can provide the on-site services and maintain the warranties.

It is hereby certified that the above procurement is of such a nature that no advantage will result in seeking nor would it be practical to obtain competitive bids. It has been determined that the price is fair and reasonable.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

Bureau of Purchases

- | | | |
|--|-------------|-----------------|
| 6. THE CONFERENCE CENTER
AT THE MARITIME INSTITUTE | \$ 6,500.00 | Low Bid |
| Solicitation No. 07000 - Rental Space - Mayor's Office of
Employment Development - Req. No. R519091 | | |
| 7. W.W. GRAINGER | \$15,500.00 | Low Bid |
| Solicitation No. 07000 - Heaters - Department of Public Works
- Req. No. R518542 | | |
| 8. BAILEY MEDICAL
ENGINEERING | \$ 9,329.20 | Selected Source |
| Solicitation No. 06000 - Breast Pumps - Health Department -
Req. No. R515123 | | |
| This commodity is delivered directly from the manufacturer
with a substantial discount off of state-mandated pricing
under the Maryland WIC Program. | | |
| 9. HOWARD UNIFORM CO. | \$11,000.00 | Low Bid |
| Solicitation No. 07000 - Uniforms - Police Department - Req.
No. R507073 | | |
| 10. KOLS CONTAINER | \$24,405.49 | Low Bid |
| Solicitation No. 07000 - Sampling Containers - Department of
Public Works - Req. No. R514081 | | |
| 11. DRIVECAM, INC. | \$ 3,997.80 | Ratification |
| Solicitation No. N/A - Vehicle Camera System - Department of
Public Works - Req. No. R509484 | | |

An invoice for a vehicle camera installed in a City refuse packer was never submitted for payment by the Fleet Management Division. Authority is requested to issue a purchase order to the above vendor in the amount of \$3,997.80.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

Bureau of Purchases

- | | | |
|---|-------------|-----------------|
| 12. MID-ATLANTIC WASTE
SYSTEMS | \$ 5,793.94 | Selected Source |
| Solicitation No. 06000 - Past Due Invoices - Department of
Public Works - Req. No. R508442 | | |

The Fleet Management Division inadvertently failed to enter and pay several invoices for services, which were rendered. Authority is requested to issue a purchase order in the amount of \$5,793.94.

- | | | |
|---|----------------|-------------|
| 13. SINGER ASSOCIATES
FIRE EQUIPMENT, INC. | \$1,000,000.00 | Sole Source |
| Solicitation No. 08000 - OEM Parts and Service for Pierce
Fire Apparatus - Department of Public Works, Fleet Management
Division - Req. No. R516499 | | |

The O.E.M. replacement parts and repair services are needed for the City's Pierce Fire Apparatuses. The vendor is the only authorized dealer for the State of Maryland and will perform all warranty maintenance and repairs.

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

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

Bureau of Purchases

- | | | |
|--|---------|-----------|
| 14. RGA, INC. | \$ 0.00 | Extension |
| Solicitation No. 08000 - Traffic Signal Vehicle Detection -
Department of Transportation - Req. No. R504032 | | |

The vendor is the sole provider and manufacturer of the traffic signal vehicle detection system that is already established at the Department of Transportation. The agency desires to extend the term of the contract to ensure continued operations. Funding will be requested as needed.

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

MWBOO GRANTED A WAIVER.

- | | | |
|--|--------------|-------------|
| 15. WARD DIESEL
FILTER SYSTEMS | \$ 77,750.00 | Sole Source |
| Solicitation No. 08000 - Ward No-Smoke Diesel Exhaust Removal
Systems - Department of Public Works, Fleet Management
Division - Req. No. R517476 | | |

Ward Diesel Filter products comprise the majority of the equipment currently being used in the Baltimore City Fire Department and is only available from the manufacturer.

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

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS
--------	-----------------	-------------

Bureau of Purchases

- | | | |
|---|--------------|----------|
| 16. CORRELLI, INC. | \$500,000.00 | Increase |
| Solicitation No. B50000020 - Aftermarket Heavy Equipment Repairs - Department of Public Works, Bureau of General Services, Fleet Management Division - Req. No. R140984 | | |

On October 10, 2007, the Board approved the multiple vendor award to Fleet Pride in the amount of \$1,000,000.00, Waste Equipment in the amount of \$1,000,000.00 and Correlli Inc. in the amount of \$1,000,000.00 for a total of \$3,000,000.00. Due to the increased usage of Correlli Inc., an increase in the amount of \$500,000.000 is necessary for Correlli Inc., making the award amount to Correlli Inc., \$1,500,000.00. No increase for the other two vendors is required at this time.

MWBOO SET GOALS OF 0% MBE AND 0% WBE.

- | | | |
|--|--------------|----------|
| 17. HERITAGE CHRYSLER | \$ 40,000.00 | Increase |
| BP 04154 - OEM Parts and Service (Chrysler Cars and Light Trucks) - Department of Public Works, Fleet Management Division - P.O. No. P145251 | | |

On June 16, 2004, the Board approved the multiple vendor award to Heritage Chrysler in the amount of \$675,000.00, Al Packer Ford in the amount of \$4,200,000.00 and Norris Ford in the amount of \$3,350,000.00 for a total of \$8,225,000.00. On December 13, 2006 the Board approved an increase of \$200,000.00 to Heritage Chrysler. Due to an increased requirement for repairs and maintenance on Chrysler cars and light trucks, an increase in the amount of \$40,000.00 is requested for Heritage Chrysler, making the total award to this vendor \$915,000.00. No increase for the other two vendors is required at this time.

ON MARCH 8, 2004, NO GOALS WERE SET BECAUSE THERE WAS NOT AN OPPORTUNITY TO SEGMENT THE CONTRACT.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

Bureau of Purchases

18. SECURITY EQUIPMENT CO.	\$ 16,983.00	Increase
----------------------------	--------------	----------

Solicitation No. B50000613 - Compact 4-Wheel Drive Tractor with Loader - Department of Public Works - Req. No. R510376

The Board approved the initial award on September 17, 2008 for the amount of \$16,983.00. The Board is requested to approve an increase to the award in the amount of \$16,983.00 to purchase an additional tractor. This increase will make the total contract amount \$33,966.00.

Bureau of General Services

19. CARPET FAIR COMMERCIAL DIVISION	\$ 9,690.00	Low Bid
--	-------------	---------

IC 503 - Installation of Vinyl Composition Tile - Bureau of General Services - Req. No. N/A

The tile is for the Greenmount School, located at 501 W. 30th Street.

UPON MOTION duly made and seconded, the Board approved the informal awards, renewals, increases to contracts, and extensions.

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:

906 - 909

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

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

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS:

Department of Transportation

- 1. TR 07030, Terrace Road Widening at Smith Avenue Machado Constr. Co., Inc. \$185,398.00

- MBE:** M & F Contracting Company, Inc. \$50,100.00 27.02%

- WBE:** Haines Industries, Inc. \$15,020.00 8.10%

MWBOO FOUND VENDOR IN COMPLIANCE.

2. **TRANSFER OF FUNDS**

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$133,417.00	9950-509-563	
MVR	Constr. Res.	
	Terraces Imprv.	
79,790.70	9950-507-416	
MVR	Constr. Res.	
<u>\$213,207.70</u>	Hawkins Point Rd.	
	Bridge	
\$185,398.00	-----	9950-508-563-6
		Struc. & Imprv.
18,539.80	-----	9950-508-563-5
		Inspections
9,269.90	-----	9950-508-563-2
<u>\$213,207.70</u>		Contingencies
		Terrace Road
		Widening at Smith
		Avenue

This transfer will cover the costs associated with the award of Contract No. TR 07030 to Machado Construction Company, Inc.

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS:Bureau of Purchases

- | | | | |
|----|---------------------------------|---|--------------|
| 3. | B50000928, Wheel-chair Lift Van | Northeast Auto Outlet
(low bid meeting specifications) | \$ 41,430.90 |
|----|---------------------------------|---|--------------|

MWBOO GRANTED A WAIVER.

- | | | | |
|----|--|-------------------------------------|--------------|
| 4. | B50000955, ¾-Ton 4-Wheel Drive Crew Cab Pickup Truck | Apple Ford Lincoln
Mercury, Inc. | \$ 25,313.00 |
|----|--|-------------------------------------|--------------|

MWBOO GRANTED A WAIVER.

- | | | | |
|----|------------------------------|-------------------------------------|--------------|
| 5. | B50000956, Ford Escape SUV's | Apple Ford Lincoln
Mercury, Inc. | \$ 81,608.00 |
|----|------------------------------|-------------------------------------|--------------|

MWBOO GRANTED A WAIVER.

- | | | | |
|----|-------------------------------------|--|---------------|
| 6. | B50000913, Roll-Off Container Truck | Chesapeake Ford Trucks,
Sales, Inc. | \$ 138,629.00 |
|----|-------------------------------------|--|---------------|

MWBOO GRANTED A WAIVER.

- | | | | |
|----|--|--|--|
| 7. | B50000926, Mobile Lifts for Baltimore City | REJECTION - Vendors were solicited by posting on CitiBuy, and in local newspapers. Four bids received were opened on February 25, 2009. Due to a delay in submission of an addendum to the Board extending the due date, the bids were opened before the bidders could respond to the addendum. It is recommended that all bids received be rejected, as not being in the best interest of the City. The specifications will be revised and the requirement will be re-bid. | |
|----|--|--|--|

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS:

Bureau of Purchases

8.	B50000912, Street Lighting Maintenance, Inc.*	\$1,500,000.00
	Severn Cable, LLC	1,500,000.00
	LAI Construction	1,500,000.00
		<u>\$4,500,000.00</u>

MWBOO SET GOALS OF 17% MBE AND 8% WBE.

Lighting Maintenance, Inc.:

MBE:	R.E. Harrison, LLC	\$255,000.00	17%
WBE:	Herbert Electric Co.	\$120,000.00	8%

MWBOO FOUND VENDOR IN NON-COMPLIANCE.

*The award to Lighting Maintenance, Inc. is recommended contingent on the vendor coming into compliance within 14 days of the award. This vendor was found non-complaint because the percentages of work to be performed by the MBE and WBE were omitted on the Statement of Intent forms. However, the missing information was correctly shown on the MBE and WBE Participation Disclosure forms. The vendor has agreed to correct that omission.

Severn Cable, LLC:

MBE:	AJO Concrete Construction	\$124,500.00	8.3%
	Priority Construction, Inc.	\$130,500.00	8.7%
WBE:	Electric Masters Services, Inc.	\$120,000.00	8.0%

MWBOO FOUND VENDOR IN COMPLIANCE.

LAI Construction:

MBE:	A/C Power, Inc.	\$255,000.00	17%
WBE:	Herbert Electric Co.	\$120,000.00	8%

MWBOO FOUND VENDOR IN COMPLIANCE.

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS:Bureau of Purchases

- | | | | |
|----|--|------------------------------|----------------|
| 9. | B50000620, New
Tires, Retreads,
and Roadside Ser-
vice for Cars and
Trucks | Service Tire
Truck Center | \$2,000,000.00 |
|----|--|------------------------------|----------------|

On September 3, 2008, the Board approved the original award, in the total amount of \$22,000,000.00, to Holabird Tire Company, McCarthy Tire Service, Inc. and Donald B. Rice Tire Co., Inc. Service Tire Truck Center was inadvertently omitted from the original award. This addition will increase the total award to \$24,000,000.00.

MWBOO SET GOALS OF 5% MBE AND 2% WBE FOR RETREADS AND ROADSIDE SERVICE, AND 0% MBE AND 0% WBE FOR NEW TIRES.

MWBOO FOUND ALL VENDORS IN NON-COMPLIANCE BECAUSE OF OMISSIONS OR VAGUENESS IN THEIR M/WBE SUBMISSION PACKAGES. THESE WERE ADMINISTRATIVE ERRORS THAT WERE REMEDIED. AN AWARD IS RECOMMENDED FOR SERVICE TIRE TRUCK CENTER CONTINGENT UPON IT COMING INTO MWBOO COMPLIANCE WITHIN 10 DAYS AFTER BOARD APPROVAL.

MINUTES

EXTRA WORK ORDER

* * * * *

UPON MOTION duly made and seconded,

the Board approved the

Extra Work Order

listed on the following page:

911

The EWO has been reviewed and approved

by the

Department of Audits, CORC,

and MWBOO, unless otherwise indicated.

The Comptroller **ABSTAINED** on Item No. 1.

MINUTES**EXTRA WORK ORDER**

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

Bureau of Water and Wastewater

1. EWO # 003, \$97,816.11 - Project No. 1046 Construction
Management Services - Year Two for W.C. 1193 and W.C. 1196
\$1,457,725.00 \$233,578.02 EA Engineering, - 99
Science and
Technology

MINUTES

Office of the Comptroller - SCOPE Project Residential
Contract of Sale

ACTION REQUESTED OF B/E:

The Board is requested to approve an amendment to the form of the SCOPE Project Residential Contract of Sale and Homeownership Addendum, the use of various new addenda, a policy on earnest money, and a property condition and inspection policy. In addition, the Board is also requested to authorize the Real Estate Officer of the Office of the Comptroller, Department of Real Estate to execute, on the behalf of the City, the addendum to add or remove a purchaser.

AMOUNT OF MONEY AND SOURCE:

The action does not involve use of City funds.

BACKGROUND/EXPLANATION:

On May 28, 2003 the Board of Estimates approved an Agreement with the Baltimore Economy and Efficiency Foundation, Inc. ("BEEF"), and The Greater Baltimore Board of Realtors, Inc. ("GBBR") to allow for the sale of City owned properties under the "Scope Project" which is an acronym for Selling City Owned Properties Efficiently. Under this Project, Real Estate Brokers are responsible for marketing and providing the City with sale contracts. Upon closing they will be paid 8% of the sale proceeds, with a \$2,500 minimum fee. The Board of Estimates also approved in form the sale agreement, Brokers Agreement, and Financial forms necessary to complete this transaction.

In an effort to improve the efficiency and operation of the SCOPE Program approval is requested of the following:

AMEND**Contract of Sale**

- a. to allow purchaser to make offers on multiple properties with one contract of sale,

MINUTESOffice of the Comptroller - cont'd

- b. increase time for terminating contract from 30 days to 45 days, if an inspection of the property reveals any condition that is unsatisfactory to the buyer,
- c. require the purchaser to determine if a property is to be conveyed in fee simple/leasehold,
- d. increase amount of time to settle from 60 days to 90 days due to numerous extension requests of purchasers as the result of financing issues, and

Homeownership Addendum

change homeownership requirement from continuous occupancy from the date of receiving the certificate of occupancy to 18 months post receipt of the certificate of occupancy.

2. New Addenda To SCOPE Contract

- Addendum to Add Purchaser
- Addendum to Remove Purchaser
- Termination of Contract
- Request for Extension of Settlement Date
- Earnest Money Policy
- Property Condition and Inspection Policy
- Cash Purchase Addendum

On a quarterly basis, the Real Estate Officer will provide a report to the Board of Estimates of each removal or addition of a purchaser to a SCOPE Contract. These amendments and new forms are recommended after consultation with BEEF and GBBR and will improve the process.

(FILE NO. 56663)

UPON MOTION duly made and seconded, the Board approved the amendment to the form of the SCOPE Project Residential Contract

MINUTES

Office of the Comptroller - cont'd

of Sale and Homeownership Addendum, the use of various new addenda, a policy on earnest money, and a property condition and inspection policy. In addition, the Board authorized the Real Estate Officer of the Office of the Comptroller, Department of Real Estate to execute, on the behalf of the City, the addendum to add or remove a purchaser.

MINUTES

PERSONNEL MATTERS

* * * * *

UPON MOTION duly made and seconded,

the Board approved

the Personnel matter

listed on the following page:

916

the Personnel matter has been approved

by the EXPENDITURE CONTROL COMMITTEE.

The contract has been approved

by the Law Department

as to form and legal sufficiency.

MINUTES**PERSONNEL**

1. **DWIGHT P. THOMAS** \$25.63 \$48,865.00

Account: 4605-115-667-00-109

Mr. Thomas, retiree, will work as an Investigator. He will be responsible for researching the whereabouts of and locating parties relevant to prosecution cases; providing location information to attorneys, and forwarding information to the Warrant Apprehension Task Force so that arrests can be made. He will communicate with witnesses and victims to provide case status and trial date information, prepare subpoenas, ascertain and verify respondents' legal identity through fingerprint identification documents and investigative findings, and research in the prosecution database and in daily news to gain information about persons being sought in prosecution cases, etc. The period of the agreement is March 26, 2009 through March 25, 2010.

MINUTES**PROPOSALS AND SPECIFICATIONS**

There being no objections, the Board, UPON MOTION duly made and seconded, approved the following Proposals and Specifications to be advertised for receipt and opening of bids on the dates indicated.

THERE WERE NO PROPOSALS AND SPECIFICATIONS.

President: "As there is no more business before the Board, the meeting will recess until the bid opening at twelve o'clock noon."

MINUTES

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

BIDS, PROPOSALS AND CONTRACT AWARDS

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

Bureau of Purchases - B50000965, Outcome Budgeting
Consultant Services
BIDS TO BE RECV'D: 03/25/2009
BIDS TO BE OPENED: 03/25/2009

MINUTES

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

Bureau of General Services - PB 07832R, City Hall Mansonry
Restoration, 100 N. Holliday
Street

C.A. Lindman, Inc.
Contracting Specialists, Inc.
AEGIS Restauero, LLC
Graciano Corporation
The Michael Group, Inc.
Structural Preservation Systems

Bureau of Purchases - B50000984, Top Soils, Common
Borrow, Diamond Mix, and Recycle
Stones

*Recyclef Green Industries, LLC
Potts & Callahan, Inc.
Topsoil, Etc.
*Phipps Construction Contractors, Inc.

Bureau of Purchases - B50000959, Street Sweeper

THC Enterprise, Inc. T/A
Golden Equipment Co., Inc.
Tennant Sales and Service
Bob Bell Pontiac GMC

*UPON FURTHER MOTION, the Board found the bids of Recyclef Green Industries, LLC and Phipps Construction Contractors, Inc. **IRREGULAR** because of the companys' failure to proffer the bid guarantee as mandated by the City Charter.

MINUTES

Bureau of Purchases

- B50000961, Extended Cab 4-Wheel
Drive Pickup

Lindsay Ford, LLC
Apple Ford, Inc.
Fords National Automart, Inc./
Moters Fleet
Northeast Auto Outlet
Bob Bell Pontiac GMC

MINUTES

There being no objections, the Board UPON MOTION duly made and seconded, adjourned until its next regularly scheduled meeting on Wednesday, March 25, 2009.

JOAN M. PRATT
Secretary