

MINUTES

REGULAR MEETING

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

The meeting was called to order by the President.

President: "I will direct the Board members attention to the memorandum from my office dated November 14, 2011, identifying matters to be considered as routine agenda items, together with any corrections and additions that have been noted by the Deputy Comptroller. I will entertain a motion to approve all of the items contained on the routine agenda."

City Solicitor: "Move the approval of all items on the routine agenda."

Comptroller: "Second."

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

The routine agenda has been adopted.

MINUTES**BOARDS AND COMMISSIONS**1. Pregualification 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:

Anchor Construction Corporation	\$	56,673,000.00
D & M Painting Corporation	\$	21,150,000.00
International Business Machines Corporation and Subsidiary Companies	\$	100,995,246,000.00
Miller, Long & Arnold Co., Inc.	\$	173,385,000.00
Nationwide Electrical Services, Inc.	\$	8,000,000.00
Power and Combustion, Inc.	\$	9,504,000.00
Retro Environmental, Inc.	\$	8,000,000.00
SGK Contracting, Inc.	\$	1,500,000.00
S. Thomas Contracting, Inc.	\$	4,815,000.00
Simpson of Maryland, Inc.	\$	6,597,000.00

MINUTES**BOARDS AND COMMISSIONS**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:

Brown and Caldwell	Engineer
Corrpro Companies, Inc.	Engineer
Hope Furrer Associates, Inc.	Engineer

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

MINUTES**CITY COUNCIL BILL:**

11-0790 - An ordinance concerning the Minority and Women's Business Enterprises - Program Extension for the purpose of extending the existence of the City's Minority and Women's Business Enterprises program by 1 year; increasing the amount that a City contract must reach before triggering heightened requirements for MBE/WBE participation; and generally relating to the participation of minority and woman owned business entities in City contracts.

THE BUREAU OF PURCHASES RECOMMENDS THAT THE THRESHOLD AMOUNT BE MODIFIED TO COMPORT WITH THOSE ESTABLISHED BY THE BOARD OF ESTIMATES PER THE CITY CHARTER AS AMENDED BY RESOLUTION 10-024; CH 645, ACTS OF 2010.

ALL REPORTS RECEIVED WERE FAVORABLE.

UPON MOTION duly made and seconded, the Board approved Bill No. 11-0790 and directed that the bill be returned to the City Council with the recommendation that it also be approved and passed by that Honorable Body. The President **ABSTAINED**.

MINUTES

Law Department - Claim Settlement and General Release

The Board is requested to approve and authorize execution of the general release of the below listed claim. The general release has been reviewed and approved by the Settlement Committee of the Law Department.

1. Trotter v. Mayor and City Council of Baltimore \$ 75,000.00

Account: 2036-000000-1752-175200-603070

UPON MOTION duly made and seconded, the Board approved and authorized execution of the general release of the listed claim.

MINUTESPolice Department - Grant Agreements

The Board is requested to approve and authorize execution of the below listed grant agreements with the Governor's Office of Crime Control and Prevention (GOCCP) for the indicated programs, and the grant agreement with the University of Maryland Medical System Corporation.

<u>GOCCP GRANTS</u>	<u>AMOUNT</u>
1. STOP THE VIOLENCE AGAINST WOMEN (SVAW)	\$ 60,613.00

Account: 4000-470612-2252-248100-600000

The Department's Lethality Assessment Project under the SVAW program enables officers who are responding to domestic calls an additional tool to evaluate the potential danger to domestic violence victims. By using the tool, the officers connect victims with needed support and services in order to decrease domestic violence fatalities. The grant funds will provide salary support for a full-time project coordinator, a part-time data entry assistant, equipment, and operating expenses. The period of the agreement is October 1, 2011 through September 30, 2012.

The Department recently received notice of award from the grantor.

2. BALTIMORE CITY SEXUAL ASSAULT RESPONSE TEAM (SART)	\$137,518.00
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Account: 4000-470712-2021-197500-600000

The goal of this program is to encourage reporting of sexual assaults, improve case investigation protocols and techniques, and provide support and services to victims.

MINUTES

Police Department - cont'd

The grant funds will be used to pay for investigator training, case management software, video-recording equipment and installation, an advocate's salary, a part-time SART coordinator's salary, outreach materials, and outsourcing for biological evidence testing. The period of the agreement is January 1, 2012 through December 31, 2012.

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

3. **UNIVERSITY OF MARYLAND MEDICAL SYSTEM - \$100,000.00**
R ADAMS COWLEY SHOCK TRAUMA CENTER

Account: 4000-468311-2252-694201-607001

On October 20, 2010, the Board approved a grant award from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance for the FY 2010 Recovery Act Justice Assistance Grant Program in the amount of \$1,171,168.00, for the period October 1, 2009 through September 30, 2013.

This agreement with the University of Maryland Medical Center - R Adams Cowley Shock Trauma Center continues to serve as an integral component in the Violence Prevention Program by servicing the most at-risk populations in Baltimore City. The University of Maryland Medical Center - R Adams Cowley Shock Trauma Center has been selected to receive the award amount of \$100,000.00. The period of the agreement is January 1, 2012 through December 31, 2012.

AUDITS REVIEWED AND HAD NO OBJECTION.

APPROVED FOR FUNDS BY FINANCE.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the aforementioned listed agreements.

MINUTES

Mayor's Office of - Memorandum of Understanding
Employment Development (MOED)

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a memorandum of understanding (MOU) with the Central Baltimore Partnership, Inc. (CBP). The period of the award is July 1, 2011 through December 31, 2013.

AMOUNT OF MONEY AND SOURCE:

\$140,000.00 - 6000-600612-6311-454600-406001

BACKGROUND/EXPLANATION:

Under the MOU, the MOED will provide workforce development services to Baltimore City residents residing within the geographical boundaries of the Central Baltimore/Baltimore Integration Partnership project footprint. These services will enhance job readiness and employment outcomes.

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

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 memorandum of understanding with the Central Baltimore Partnership, Inc.

MINUTES

Mayor's Office of Grant Awards
Employment Development (MOED)

The Board is requested to approve and authorize acceptance of the notification of grant awards from the State of Maryland, Department of Labor, Licensing and Regulation for the various programs. The period of the award is July 1, 2011 through June 30, 2012.

<u>PROGRAM</u>	<u>AMOUNT</u>
1. YOUTH WORKS	\$1,130,000.00

Account: 5000-506312-6397-483200-405001

The grant award will be utilized for the Youth Works 2011 program year. The costs are associated with providing eligible youth with summer jobs at various approved work sites.

2. BRIDGE TO CAREER SUCCESS	\$ 45,000.00
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Account: 4000-808612-6331-456000-4040001

The purpose of this grant is to provide eligible Foster Care Youth with job readiness placement and retention services.

The grant awards are late because the Department recently received notification of the grant awards from the grantor.

APPROVED FOR FUNDS BY FINANCE

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

MINUTES

MOED - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized acceptance of the notification of grant awards from the State of Maryland, Department of Labor, Licensing and Regulation for the various programs.

MINUTES

Bureau of Water and - Joint Funding Agreement
Wastewater (BW&WW)

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a joint funding agreement with the United States Geological Survey (USGS). The period of the agreement is October 1, 2011 through September 30, 2012.

AMOUNT OF MONEY AND SOURCE:

\$110,500.00 - 2071-000000-5181-399800-603026
43,050.00 - 2070-000000-5181-399700-603026
2,100.00 - 2071-000000-5521-632620-603026
\$155,650.00

BACKGROUND/EXPLANATION:

The agreement will provide for the continued operation and maintenance of 13 flow gauging stations. The stations are located within Prettyboy, Loch Raven and Liberty Reservoir Watersheds and Moores Run and Stony Run in Baltimore City. Because the USGS's fiscal year does not align with the City's fiscal year, payment will need to be made over two fiscal years. The USGS will pay \$33,000.00 under the joint funding agreement.

The USGS has been under contract to operate the City's Reservoir Stream Gauging Network since 1982. The data collected is used to estimate pollutant loadings and flow to the reservoirs and is vital to the City's Reservoir Management Program. The Moores Run Station is required under the National Pollution Discharge Elimination System Permit program and has been in service since 1995. The station on Stony Run will help the City monitor the effect of sanitary sewer discharges on receiving waters and document improvements to sanitary sewer infrastructure repairs as required by the Consent Decree between the City and the U.S. Department of Justice.

MINUTES

BW&WW - cont'd

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved and authorized execution of the joint funding agreement with the United States Geological Survey. The President **ABSTAINED**.

MINUTES

OPTIONS/CONDEMNATIONS/QUICK-TAKES:

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>Law Department - Payment of Settlement</u>			
1. Nako, Inc.	1753 E. Preston St.	L/H	\$7,800.00

On May 26, 2010, the Board approved acquisition of the leasehold interest in 1753 E. Preston Street by condemnation in the amount of \$24,700.00 based upon an independent appraisal. The previous owner requested \$65,500.00. The parties agreed to settle the action for \$32,500.00. Therefore, the Department is requesting the Board to approve payment of the settlement balance in the amount of \$7,800.00.

Funds are available in account no. 9910-906416-9588-900000-704040.

UPON MOTION duly made and seconded, the Board approved and authorized the payment of settlement.

MINUTES

TRANSFERS OF FUNDS

* * * * *

UPON MOTION duly made and seconded,

the Board approved

the Transfers of Funds

listed on the following pages:

3808 - 3810

SUBJECT to receipt of favorable reports

from the Planning Commission,

the Director of Finance having

reported favorably thereon,

as required by the provisions of the

City Charter.

The President **ABSTAINED** on item Nos. 8, and 9.

MINUTES

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
Department of Recreation and Parks		
1. \$ 5,676.31	9938-902742-9475	9938-901742-9474
Rec. & Parks	Reserve	Active
25 th Series	Park & Rec.	Park & Rec.
	Facilities	Facilities
	Improvements FY08	Improvements FY08

This transfer will provide funds to reconcile the account's deficit.

2. \$ 40,267.87	9938-902670-9475	9938-901670-9474
State	Reserve	Active
	Three Sister	Three Sister
	Ponds Renovation	Ponds Renovation

This transfer will provide State funds appropriation to match the State revenue received.

3. \$ 8,541.32	9938-902662-9475	9938-901662-9474
State	Reserve	Active
	Park Rehab.	Park Rehab.
	Program	Program

This transfer will provide funds to reconcile the account's deficit.

4. \$ 55,000.00	9938-906784-9475	9938-908784-9474
Rec. & Parks	Reserve	Active
25 th Series	Cherry Hill	Cherry Hill
	Recreation Ctr.	Recreation Ctr.

This transfer will provide funds to cover the costs associated with design services under On-call Contract No. 1164, Task No. 4 to GWWO, Inc.

MINUTES

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Department of Recreation and Parks</u>		
5. \$185,000.00	9938-901744-9475	9938-904744-9474
Rec. & Parks	Reserve	Active
24 th Series	Clifton Park	Clifton Park
	Recreation Ctr.	Recreation Ctr.

This transfer will provide funds to cover the costs associated with design services under On-call Contract No. 1164, Task No. 3 to GWWO, Inc.

6. \$ 6,000.00	9938-902742-9475	
Rec. & Parks	Reserve	
24 th Series	Rec. & Parks	
	Fac. Imprv. FY08	
15,000.00	9938-902742-9475	
Rec. & Parks	Reserve	
25 th Series	Rec. & Parks	
	Fac. Imprv. FY08	
<u>\$ 21,000.00</u>	-----	9938-902702-9474
		Active - Druid Hill
		Park ADA Improv.

This transfer will provide funds to reconcile the account's deficit.

7. \$ 15,000.00	9938-903792-9475	9938-904792-9474
Rec. & Parks	Reserve Park Rehab.	Active Park Rehab.
25 th Series	Prog. FY 10	Program FY10

This transfer will provide funds to cover the costs associated with design services under On-Call Contract No. 1164, Task No. 2 to GWWO, Inc.

MINUTES

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Bureau of Water and Wastewater</u>		
8. \$131,000.00	9956-904614-9549	
WW Rev. Bonds	Constr. Res Sewer	
	Rehab. - Dundalk	
119,000.00	" "	
Counties		
<u>\$250,000.00</u>	-----	9956-909602-9551-3
		Engineering

This transfer will provide initial funding for project startup costs to cover SC902.

9. \$197,500.00	9956-919616-9549	
WW Rev. Bonds	Constr. Res Sewer	
	Rehab. - Patapsco	
52,500.00	" "	
Counties		
<u>\$250,000.00</u>	-----	9956-909603-9551-3
		Engineering

This transfer will provide initial funding for project startup costs to cover SC903.

MINUTES

Department of General Services - Developers' Agreements

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

	<u>DEVELOPER</u>	<u>NO.</u>	<u>AMOUNT</u>
1.	THE NATIONAL PROPERTIES LIMITED PARTNERSHIP	1245	\$ 15,210.00

The organization would like to install new water service to its proposed apartment buildings in the vicinity of 3607 O'Donnell Street, Baltimore, Maryland 21224.

A Performance Bond in the amount of \$15,210.00 has been issued to The National Properties Limited Partnership, which assumes 100% of the financial responsibility.

2.	EVERYMAN THEATRE, INC.	1187	\$ 10,480.00
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The organization would like to install new water service to its proposed renovated building located at 315 West Fayette Street, Baltimore, Maryland 21201.

A Performance Bond in the amount of \$10,480.00 has been issued to Everyman Theatre, Inc., which assumes 100% of the financial responsibility.

3.	UMB HEALTH SCIENCES RESEARCH PARK CORPORATION	1220	\$383,012.00
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The organization would like to install new roads and street lighting to its proposed construction located in various locations in areas bounded by Block 219, Ward 18, Section 10, Block 220, Ward 18, Section 9 within the City of Baltimore.

A Performance Bond in the amount of \$383,012.00 has been issued to UMB Health Sciences Research Park Corporation which assumes 100% of the financial responsibility.

The agreements will allow the organizations to do their own installation in accordance with Baltimore City Standards.

MINUTES

Department of General Services - cont'd

MBE/WBE PARTICIPATION:

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

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

MINUTES

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

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an interdepartmental memorandum of understanding with the Department of Planning. The period of the agreement is July 1, 2011 through June 30, 2012.

AMOUNT OF MONEY AND SOURCE:

\$1,085,000.00 - 2089-208912-1870-188180-603051

BACKGROUND/EXPLANATION:

Pursuant to guidance from the U.S. Department of Housing and Urban Development, a MOU will be executed for the utilization of Community Development Block Grant funds to support other City agencies. In order for the Department of Planning to be more responsive to needs of the citizens of Baltimore City, CDBG funds are being provided to supplement staff costs.

On June 22, 2011, the Board approved the Resolution authorizing the Commissioner of the Department of Housing and Community Development (DHCD), on behalf of the Mayor and City Council, to file a Federal FY 2011 Annual Action Plan for the following formula programs:

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

Upon approval of the resolution, the DHCD's Contract Section began negotiating and processing the CDBG agreements as outlined in the Plan effective July 1, 2011 and beyond. Consequently, this agreement was delayed due to final negotiations and processing.

MINUTES

DHCD - cont'd

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved and authorized execution of the interdepartmental memorandum of understanding with the Department of Planning.

MINUTES

Department of Housing and - Lien Release
Community Development

ACTION REQUESTED OF B/E:

The Board is requested to approve the release of liens, plus all accrued interest and/or penalties on the vacant property located at 3035 - 3037 W. North Avenue, for the transferee, The Hilton-North Avenue Limited Partnership, an entity wholly owned by the Woda Group, LLC.

AMOUNT OF MONEY AND SOURCE:

\$288,375.42, plus all accrued interest and/or penalties

BACKGROUND/EXPLANATION:

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

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

The transferee will redevelop the vacant property, return it to productive use within a reasonable time, and eliminate blighting conditions. This vacant building is part of the Hilton-North Avenue project, which proposes to build a 64-unit affordable housing complex located on the south side of the 3000 block of West North Avenue. The project will consist of two 4-story elevator buildings. The release of liens on the property will make it financially feasible for redevelopment and prevent tax abandonment.

MINUTES

DHCD - cont'd

Prior to settlement, transferee will pay the flat tax and water bill of the property in the amount of \$1,355.57. This amount exceeds the assessed value of the property, which totals \$1,000.00. The amount paid will be applied to satisfy the water bill, real estate taxes, flat tax first, and other liens that have accrued prior to the date of this lien release.

Any additional property tax assessments, water charges, and liens that accrue from the date of this lien release will be the responsibility of the transferee to pay prior to settlement. Failure to record the deed and pay the flat tax and water bill of \$1,355.57, within 120 days from the date of approval by the Board, will void this release.

UPON MOTION duly made and seconded, the Board approved the release of liens, plus all accrued interest and/or penalties on the vacant property located at 3035 - 3037 W. North Avenue, for the transferee, The Hilton-North Avenue Limited Partnership, an entity wholly owned by the Woda Group, LLC.

MINUTES

Department of Housing and - Lien Release
Community Development

ACTION REQUESTED OF B/E:

The Board is requested to approve the release of liens, plus all accrued interest and/or penalties on the vacant property located at 3039 W. North Avenue, for the transferee, The Hilton-North Avenue Limited Partnership, an entity wholly owned by the Woda Group, LLC.

AMOUNT OF MONEY AND SOURCE:

\$409,174.30, plus all accrued interest and/or penalties

BACKGROUND/EXPLANATION:

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

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

The transferee will redevelop the vacant property, return it to productive use within a reasonable time, and eliminate blighting conditions. This vacant building is part of the Hilton-North Avenue project, which proposes to build a 64-unit affordable housing complex located on the south side of the 3000 block of West North Avenue. The project will consist of two 4-story elevator buildings. The release of liens on the property will make it financially feasible for redevelopment and prevent tax abandonment.

MINUTES

DHCD - cont'd

Prior to settlement, transferee will pay the flat tax and water bill of the property in the amount of \$1,886.96. This amount exceeds the assessed value of the property, which totals \$1,000.00. The amount paid will be applied to satisfy the water bill, real estate taxes, flat tax first, and other liens that have accrued prior to the date of this lien release.

Any additional property tax assessments, water charges, and liens that accrue from the date of this lien release will be the responsibility of the transferee to pay prior to settlement. Failure to record the deed and pay the flat tax and water bill of \$1,886.96, within 120 days from the date of approval by the Board, will void this release.

UPON MOTION duly made and seconded, the Board approved the release of liens, plus all accrued interest and/or penalties on the vacant property located at 3039 W. North Avenue, for the transferee, The Hilton-North Avenue Limited Partnership, an entity wholly owned by the Woda Group, LLC.

MINUTES

Department of Housing and - Services Agreement
Community Development (DHCD)

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a services agreement with the Downtown Partnership of Baltimore, Inc. (DPOB). The period of the agreement is effective upon Board approval through December 31, 2012.

AMOUNT OF MONEY AND SOURCE:

\$25,000.00 - 9910-914009-9607

BACKGROUND/EXPLANATION:

The services agreement will provide the DPOB authority to manage the implementation of designed improvements to Preston Gardens, coordinate effects between the DHCD, Department of Transportation, Department of Recreation and Parks, area stakeholders, and consultants. The DPOB will receive a fee to cover a portion of the DPOB staff time necessary to accomplish tasks.

Preston Gardens is a linear park located between Saint Paul Place and Saint Paul Street between Centre and Lexington Streets. It serves as one of the few open spaces for residents, visitors, and employees in the Mount Vernon and City Center neighborhoods. For the past eight years, the DPOB has programmed events in Preston Gardens to build awareness of the Park's attributes. For the past five years, the DPOB through the Downtown Management Authority has contracted with the Department of Public Works for cleaning, trash pick-up and minor maintenance of Preston Gardens. Over the past year, the DPOB has hired a full-time park steward to perform daily routine maintenance in the park, including landscaping. In addition, the DPOB continue to utilize community volunteers and Youth Works students to participate in a work day maintenance and cleaning of the park.

MINUTES

DHCD - cont'd

In 2005, the DPOB raised \$20,000.00 from area stakeholders that funded a conceptual design for capital improvements to Preston Gardens. All of the private funds were used to compensate the Baltimore based architecture firm of Hord, Coplan, Macht for its conceptual plans. All the DPOB staff time for the conceptual design process was donated.

As use and awareness of the Park have increased, so has the need for more substantial improvements. The planned improvements include cleaning and repairs to the ornamental masonry and staircases, new trees and planting beds, installation of a irrigation system, new park furniture and fixtures, lighting improvements and sidewalk repairs. To date, the City's Department of Transportation, Department of Recreation and Parks, and the DPOB have instituted the following improvements:

1. cleared all dead and obstructive plant material along the walls and upper median,
2. installed up lighting along ornamental walls to increase visibility,
3. planted 31 new trees and sod,
4. purchased, planted, and maintained 14 large plant containers, and
5. utilized private donations to complete both a soil analysis as it relates to the structural stability of the retaining wall, and necessary lawn care and improvements.

In 2010 Downtown Partnership hired Mahan Rykiel Associates to prepare a Downtown Open Space Master Plan. The plan is a broad range of recommendations to improve existing areas, create new open space, and to use green corridors to connect parks and plazas. Parts of these recommendations are being implemented as part of Downtown Partnership's management and leadership role.

MINUTESDHCD - cont'd

This services agreement will allow the DPOB to continue to coordinate the final designs, bidding, and construction of the remaining planned improvements through the various City departments and act as a community liaison with the area stakeholders. At the request of the DPOB, a total of \$500,000.00

in general obligation bond funds have been authorized to the DHCD through the Capital Improvement Program for Preston Gardens. The fee is five percent of the available bond funds or \$25,000.00 to cover a portion of the DPOB staff time required to accomplish these tasks.

ECONOMIC BENEFITS TO THE CITY:

The improvements to Preston Gardens will make the surrounding areas more desirable for area residents, visitors, and employees. An improved park assists in maintaining high office occupancy rates, creating an enhanced experience for visitors to Mercy Hospital (and its expanding patient base) and the Tremont Hotels, and providing an improved amenity for the growing number of residents in Mount Vernon and City Center.

MBE/WBE PARTICIPATION:

N/A

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$25,000.00	9910-911004-9608	9910-914009-9607
20 th EDB	Reserve Account Preston Gardens	Downtown Preston Gardens

MINUTES

DHCD - cont'd

This transfer will provide funds to manage the implementation of designed improvements to Preston Gardens in coordination with the DHCD, Department of Transportation, and the Department of Recreation and Parks.

UPON MOTION duly made and seconded, the Board approved the execution of a services agreement with the Downtown Partnership of Baltimore, Inc. The Mayor **ABSTAINED**. 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

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 Caroline Friess Center, Inc. The period of the agreement is September 1, 2011 through August 31, 2012.

AMOUNT OF MONEY AND SOURCE:

\$78,850.00 - 2089-208912-5930-426934-603051

BACKGROUND/EXPLANATION:

The organization provides a 15-week education and career training and placement program for unemployed and under-employed women that reside in Baltimore City. Upon completion of training, the organization assists women with job placement and support services for one year.

FOR FY 2012, MBE AND WBE PARTICIPATION GOALS FOR THE ORGANIZATION WERE SET ON THE AMOUNT OF \$27,100.00, AS FOLLOWS:

MBE: \$2,710.00

WBE: \$1,355.00

On June 22, 2011 the Board approved the Resolution authorizing the Commissioner of the Department of Housing and Community Development (DHCD), on behalf of the Mayor and City Council, to file a Federal FY 2011 Annual Action Plan for the following formula programs:

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

MINUTES

DHCD - cont'd

The DHCD began negotiating and processing the CDBG agreement effective July 1, 2011 and beyond, as outlined in the Plan, pending approval of the Resolution. Consequently, the agreement was delayed due to final negotiations and processing.

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 Caroline Friess Center, Inc.

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

* * * * *

On the recommendations of the City agency
hereinafter named, the Board,
UPON MOTION duly made and seconded,
awarded the formally advertised contract
listed on the following page:

3826

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

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONSBureau of Purchases

- | | | | |
|----|---|---------------------------------------|--------------|
| 1. | B50002160, Supply and
Deliver Lumber to
Various City Agencies | Louis J. Grasmick
Lumber Co., Inc. | \$827,480.00 |
|----|---|---------------------------------------|--------------|

MWBOO GRANTED A WAIVER.

- | | | | |
|----|---|------------------------------------|--------------|
| 2. | B50002148, Aluminum
Vehicle Traffic &
Pedestrian Signal
Assemblies | General Traffic
Equipment Corp. | \$163,000.00 |
|----|---|------------------------------------|--------------|

MWBOO GRANTED A WAIVER.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

1. <u>AGM CONTAINER CONTROLS, INC.</u>	<u>\$29,095.00</u>	<u>Low Bid</u>
Solicitation No. B50001272 - Portable Wheelchair Lift - Baltimore Convention Center - Req. No. R585870		

2. <u>FASTENAL COMPANY</u>	<u>\$40,000.00</u>	<u>Low Bid</u>
Solicitation No. B50002162 - Railroad Spikes - Department of Public Works - Req. No. R585287		

The period of the award is November 18, 2011 through November 18, 2012, with two 1-year renewal options.

3. <u>CRAIC TECHNOLOGIES</u>	<u>\$29,932.99</u>	<u>Sole Source</u>
Solicitation No. 08000 - Service and Maintenance Contract for Microspectrophotometer - Police Department - Req. Nos. R588598 & P518553		

The vendor is the sole authorized supplier of support and maintenance for their spectrometers which are currently in use by the Police Department Crime Lab. The period of the award is March 15, 2012 through March 14, 2015.

4. <u>PH&S PRODUCTS, LLC</u>	<u>\$31,000.00</u>	<u>Selected Source</u>
Solicitation No. 06000 - Gloves - Police Department - Req. No. R588517		

PH&S Products, LLC is manufacturing gloves previously under the contract with FirstLine, which were the only gloves found to meet or exceed all requirements set by the safety standards for the Crime Labs. The period of the award is November 16, 2011 through November 15, 2012, with two 1-year renewal options.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

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|--------------------------------------|-----|-------------------|
| 5. <u>LEGAL FILES SOFTWARE, INC.</u> | N/A | License Agreement |
|--------------------------------------|-----|-------------------|
- Solicitation No. B50001829 - Software Agreement - Department of Recreation and Parks - Req. No. P517713

The Board is requested to approve and authorize execution of a license agreement with Legal Files Software, Inc. This purchase was approved by the Board on April 6, 2011. This is a related software license agreement. The period of the agreement is November 16, 2011 through November 15, 2012.

(The license agreement has been approved by the Law Department as to form and legal sufficiency.)

- | | | |
|-----------------------------|-------------|----------|
| 6. <u>WEIR FLOWAY, INC.</u> | \$25,092.00 | Only Bid |
|-----------------------------|-------------|----------|
- Solicitation No. B50002173 - Weir Peabody Floway Backwash Pumps and Replacement Parts - Department of Public Works - Req. No. R585223

The price is considered fair and reasonable.

- | | | |
|---|-------------|---------|
| 7. <u>UNDERWRITERS LABORATORIES, INC.</u> | \$25,840.00 | Renewal |
|---|-------------|---------|
- Solicitation No. B0000814 - Cryptosporidium/Giardia Tests - Department of Public Works, Bureau of Water and Wastewater - P.O. No. P506681

On November 5, 2008, the Board approved the initial award in the amount of \$13,860.00. The award contained three 1-year renewal options. Subsequent actions have been approved. This final renewal in the amount of \$25,840.00 is for the period December 1, 2011 through November 30, 2012.

MWBOO GRANTED A WAIVER.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

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| 8. ZENMAR POWER TOOL &
HOIST SYSTEMS | \$ 25,000.00 | Renewal |
| Solicitation No. B50000850 - Repair of Air Operated Tools -
Agencies - Various - P.O. No. P510959 | | |

On December 10, 2008, the Board approved the initial award in the amount of \$20,000.00. The award contained three 1-year renewal options. Subsequent actions have been approved. This final renewal in the amount of \$25,000.00 is for the period December 1, 2011 through November 30, 2012.

MWBOO GRANTED A WAIVER.

- | | | |
|---|--------------|---------|
| 9. ATLANTIC MACHINERY, INC. | \$ 40,000.00 | Renewal |
| Solicitation No. 08000 - CUES Camera Repair - Department of
Public Works, Bureau of Water and Wastewater - P.O. No.
P515578 | | |

On November 24, 2010, the Board approved the initial award in the amount of \$20,000.00. The award contained two 1-year renewal options. Subsequent actions have been approved. This renewal in the amount of \$40,000.00 is for the period November 30, 2011 through November 29, 2012, with one 1-year renewal option remaining.

- | | | |
|--|--------------|-----------|
| 10. ALBAN TRACTOR COMPANY | \$150,000.00 | Extension |
| Solicitation No. B50000562 - Caterpillar Maintenance and
Repair - Department of Public Works, Bureau of Solid Waste -
P.O. No. P510584 | | |

On August 20, 2008, the Board approved the initial award in the amount of \$200,000.00. Subsequent actions have been approved. This requirement was bid as B50002090 with bids due on September 21, 2011. All bids received were rejected by the Board on October 12, 2011. The specifications are being

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

updated and this requirement will be re-bid. In order to maintain continuity of services until a new contract is put in place, an extension of the current contract is required. The period of the extension is November 30, 2011 through February 29, 2012.

MWBOO GRANTED A WAIVER.

11. ASPLUNDH TREE (1 st Call)		
EXPERT COMPANY	\$2,500,000.00	
MERCIER'S INC. (2 nd Call)	0.00	
	<u>\$2,500,000.00</u>	Renewal
Solicitation No. B50000809 - Tree Removal and Maintenance - Agencies - Various - P.O. No. P505662		

On December 10, 2008, the Board approved the initial award in the amount of \$5,000,000.00 to Asplundh Tree Expert Company and Mercier's Inc. This renewal in the amount of \$2,500,000.00 to Asplundh Tree Expert Company is for the period December 9, 2011 through December 8, 2012, with one 1-year renewal option remaining.

This is a requirements contract, therefore, dollar amounts will vary.

MWBOO SET GOALS OF 27% MBE AND 0% WBE.Asplundh Tree Expert Co.

MBE: L. Johnson Tree Services, LLC 22%

Mercier's, Inc.

This vendor received no business during the first term of the contract.

MWBOO FOUND VENDOR IN COMPLIANCE.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

12. KATON PRINTING CORPORATION
 OMNIFORM, INC.
 THE MOUNT ROYAL PRINTING
 CO., INC.
 MOUNT VERNON PRINTING CO.
 PRINTING MATTERS, LLC
 H & N PRINTING & GRAPHICS
 THE STANDARD REGISTER CO.
 RIDGE PRINTING CORP.
 UPTOWN PRESS, INC.

\$1,250,000.00

Renewal

Solicitation No. B50001249 - Qualification for Printing
 Services - Department of Finance - P.O. No. P511429

On December 9, 2009, the Board approved the initial award in the amount of \$2,500,000.00. The award contained three 1-year renewal options. One contractor, Worth Wiggins and Associates, Inc., is omitted as they are no longer in business. This renewal in the amount of \$1,250,000.00 is for the period December 9, 2011 through December 8, 2012, with two 1-year renewal options remaining.

This is a request for qualification, not a procurement transaction; therefore, MBE/WBE participation is not a factor at this time. MWBOO anticipates receiving information on tasks for review and determine if segmentation is feasible.

13. J.F. FISCHER, INC. N/A Renewal
 Solicitation No. B50000695 - Air Conditioning & Refrigeration
 Service - Various Agencies - P.O. No. P505165

On November 05, 2008, the Board approved the initial award in the amount of \$5,498,610.00. The initial contract was awarded to R.F. Warder, Inc. and J.F. Fischer, Inc. However, MWBOO

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

found R. F. Warder, Inc. non-compliant on October 12, 2011; and therefore, renewal is recommended for J.F. Fischer, Inc. only. This is a requirements contract, therefore amounts will vary.

MBE: Horton Mechanical Contractors, Inc. 29.9%

WBE: N.R. Eyler, Inc. 4.2%
Dexter Company

MWBOO FOUND VENDOR IN COMPLIANCE

14. MAC-PAR SERVICES, LLC
COALITION TO END CHILDHOOD
LEAD POISONING, INC.
MD CLEANING & ABATEMENT
SERVICES , CORPORATION N/A Extension
Solicitation No. BP0719803 - Abatement at Low Income
Residences (Part I) Various Agencies - Req. No. P505165

On July 18, 2007, the Board approved the initial award in the amount of \$300,000.00. The first renewal and increase was approved on May 20, 2009 in the amount of \$300,000.00. The second and final renewal was approved by the Board on June 16, 2010. A new solicitation, B50002131, was advertised and the bids are under evaluation. The Board is requested to approve an extension for the period of November 30, 2011 through January 31, 2012 to have a continuity of services available until a new contract is awarded.

MWBOO SET GOALS OF 0% MBE AND 0% WBE

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

15. COALITION TO END CHILDHOOD

LEAD POISONING, INC.	N/A	Extension
Solicitation No. BP 07203 - Lead Abatement at Low Income Residences (Part II) - DHCD - PO. No. P508318		

On July 25, 2007, the Board approved the initial award in the amount of \$475,600.00. The first renewal was approved on May 20, 2009. The second and final renewal in the amount of \$0.00 was approved by the Board on June 16, 2010. A new solicitation, B50002131, was advertised and the bids are under evaluation. The Board is requested to approve an extension for the period of November 30, 2011 through January 31, 2012 to have a continuity of services available until a new contract is awarded.

MWBOO SET GOALS OF 17% MBE AND 9% WBE

MBE: Adapt Home Improvement, LLC 31.9%

WBE: Baltimore Window Factory 3.0%

MWBOO FOUND VENDOR IN COMPLIANCE BASED ON A GOOD FAITH EFFORT

UPON MOTION duly made and seconded, the Board approved the informal awards, renewals, increases to contracts and extensions. The Mayor **ABSTAINED** on item no. 1. The President **ABSTAINED** on item nos. 7, and 9. The Comptroller **ABSTAINED** on item no. 13.

MINUTES

Mayor's Office of Human Service/ - Agreement and a Grant Award
Homeless Services Program (MOHS) Agreement

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

AGREEMENT

1. **CHASE BREXTON HEALTH SERVICES, INC.** **\$152,368.00**

Account: 4000-490811-3573-333640-603051

The organization will operate an outreach program to serve individuals with HIV/AIDS, who are homeless or at risk of homelessness within Baltimore City. The main goal of the program will be to identify homeless and/or at risk HIV/AIDS individuals who would otherwise be unable to access healthcare on their own and link these individuals to comprehensive health care and assist existing clients with similar issues in remaining in their own healthcare. The period of the agreement is July 1, 2011 through June 30, 2012.

The agreement is late because of a delay at the administrative level.

MWBOO GRANTED A WAIVER.

AUDITS REVIEWED AND HAD NO OBJECTION.

MINUTES

MOHS - cont'd

GRANT AWARD AGREEMENT

2. **UNITED WAY OF CENTRAL MARYLAND/THE HARRY AND JEANNETTE WEINBERG FOUNDATION, INC.** **\$200,000.00**

Account: 6000-685212-3571-591400-406001

The grant will support the salary of a new Director of the Journey Home Plan - Making Homelessness Rare and Brief in Baltimore City, which is the City's ten year plan to end homelessness. The purpose of the grant is to support the compensation package of a dedicated staff person to provide direction and oversight to the Journey Home. This staff person will be the Director. The Director will work under

the auspices of the MOHS Program Director, and will be charged with working with the Leadership Advisory Group, MOHS staff, and key stakeholders to determine what elements of the plan can be immediately undertaken in order to have a viable citywide impact, with measurable outcomes. The period of the grant award agreement is effective upon Board approval for two years.

APPROVED FOR FUNDS BY FINANCE

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

UPON MOTION duly made and seconded, the Board approved and authorized execution of the aforementioned agreements.

MINUTES

Mayor's Office of Human Service/ - Amendment No. 2 to Grant
Homeless Services Program (MOHS) Agreement and Loan
 Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an amendment no. 2 to grant agreement and loan agreement with Saint Vincent DePaul of Baltimore (SVDP). The period of the agreement is being extended through December 31, 2013.

AMOUNT OF MONEY AND SOURCE:

\$450,000.00 - 9910-907045-9588-900029-703051

BACKGROUND/EXPLANATION:

On October 24, 2007, the Board of Estimates approved a Grant Agreement between the City and the SVDP. The purpose of the original grant agreement, loan agreement and promissory note was to provide funds to purchase and rehabilitate a property at 1523 Bank Street to operate as a drop-in center for homeless persons in Baltimore City. Per the original grant agreement, the time permitted for the drawdown of funds expired December 31, 2009.

On February 3, 2010, the Board approved an amendment to the grant agreement to extend the time permitted for drawdown to December 31, 2011. Included with that amendment request were letters of support from a community group, the Mayor, the Archbishop of Baltimore, and favorable press articles describing the project.

The performance deadlines in the original agreement were not met due to the following factors:

- (1) To meet a April 20, 2009 request of then, City Council President Stephanie Rawlings-Blake to work with the community toward a Memorandum of Understanding (MOU), five months of community interaction resulted in the zoning application not being approved until September 15, 2009. The interests of the following community groups were addressed: Douglas Place Community Association, Perkins Tenant Council, Fells Prospect Community Association, and Upper Fells Point Improvement Association.

MINUTES

MOHS - cont'd

- (2) After acquisition of zoning, the process of obtaining approval from the Commission for Historical & Architectural Preservation (CHAP) was immediately commenced; however, a lack of CHAP meetings, CHAP agendas being too full, and a decision of CHAP contrary to their standard protocol, delayed presentation of design to CHAP four months to the January 12, 2010 meeting.

In late 2009 and for most of 2010, the SVDP sought approval of CHAP. CHAP had previously refused to review the conceptual design, insisting that the SVDP first obtain its zoning approval. For this reason, CHAP's review could not begin until early 2010. Despite the SVDP's best efforts to be responsive to CHAP's requests, that were made largely at the behest of a small group of vocal opponents of the project, the CHAP approval process took four public hearings and 15 months in order for the project to obtain a notice to proceed.

In addition, concurrently with the CHAP review, community representatives filed an appeal to the Circuit Court of the Baltimore Municipal Zoning and Appeals Board (BMZA) ruling, further delaying the project. The hearing for this appeal was held on April 19, 2010. After two months, the judge ruled that the City erred in not submitting the transcript from a follow-up proceeding in which they deliberated and ruled and, therefore, ordered the scheduling of a new hearing after such documentation was provided.

The second Circuit Court hearing was held on September 27, 2010, and on November 9, 2010, the court ruled in favor of the project, affirming the BMZA decision. Unfortunately, the opposition filed for an appeal to the Maryland Court of Special Appeals, which is still pending and will likely not be heard until the Spring of 2012. The opposition also filed for a stay of construction with the Circuit Court, necessitating additional Circuit Court hearings in January and March of 2011.

MINUTES

MOHS - cont'd

After the SVDP obtained its building permit in early 2011, the opposition also filed a "Negative Appeal" of this permit, alleging that the City's Zoning Administrator erred in issuing the permit without additional BMZA approval due to the changes in the design that was made at the request of CHAP. Two additional BMZA hearings were held as a result of the Negative Appeal, with the BMZA giving approval to the revised plans. However, these actions forced the SVDP to obtain a new building permit, which was finally issued in September of 2011.

Besides the new building permit, all necessary approvals have now been obtained, and, effective October 3, 2011, the project is under construction. Due to the anticipated 15 months needed for construction, the SVDP is requesting a no-cost time extension of 24 months to December 31, 2013.

The SVDP has acted in good faith and has responded to the demands of both taxpayers and City officials. The SDVP has received letters of support from a community group, the Mayor, the Archbishop of Baltimore, as well as favorable press articles describing the project.

Pursuant to the requested amendments, the consequences imposed on the SVDP if they fail to complete rehabilitation of the facility prior to December 31, 2013 will remain those elaborated in the original agreement. These include, but are not limited to "Article V - Termination; Repayment" within which it is agreed that upon certain conditions, the SVDP can be liable for repayment of 100% of any funding received.

Given that \$1,200,000.00 (\$519,000.00 on acquisition; \$681,000.00 on architectural, engineering, legal, developer fees) have already been expended on the project, including \$350,000.00 in City funding for acquisition, and that efforts to end homelessness is a major policy priority of the City, it is fiscally responsible and beneficial that the Board approve this extension, in order to enable this project to be completed.

MINUTES

MOHS - cont'd

Conversely, failure to approve this extension requested would place the City at financial risk due to the funds already expended by the City and SVDP, and would result in the loss of a total of \$5,000,000.00 in funding commitments to this project, which in addition to the City include the following major investors: the State of Maryland, the Weinberg, Abell, France Merrick, Knott, Kresge and Bunting Foundations.

In the original grant agreement, the period of time to draw down funds for the Loan Agreement and Promissory note ended on December 31, 2009, and was extended via the first amendment to December 31, 2011. All other terms and conditions of the original grant and loan agreement will remain in full effect. The organization will comply with Article 5, Subtitle 28 of the Baltimore City Code and MBE and WBE goals established in the original agreement.

APPROVED FOR FUNDS BY FINANCE

AUDITS NOTED THIS TIME EXTENSION.

President: "The first item on the non-routine agenda can be found on Page 37 through 40, Amendment No. 2 to Grant Agreement and Loan Agreement. Will the parties please come forward? Good morning. You may start. Good morning."

Ms. Hiers: "Good morning. The Mayor's Office of Human Services has submitted a --."

Deputy Comptroller: "Will you please state your name for the record."

MINUTES

MOHS - cont'd

Ms. Hiers: "I am sorry. Hi my name is Thomasina Hiers. I am the Deputy Chief of Staff for the Mayor and Director of the Mayor's Office of Human Services. The Mayor's Office of Human Services has submitted a no cost extension on behalf of a grant that the Homeless Services Program has provided to St. Vincent DePaul to support the expansion of the Beans and Bread Program. The uh agreement was initially approved by this body in October of 2007, for a total of \$800,000.00. St. Vincent DePaul used those funds to leverage an additional \$4.2 million dollars to support the expansion of Beans and Bread which is a drop-in facility located in Southeast Baltimore, providing an array of services to individuals experiencing homelessness. There have been a number of instances where the community has protested the expansion of this project, including before BMZA, CHAP and a number of Court proceedings. St. Vincent DePaul has been successful -uh-at each juncture heretofore, and as of the end of September early October construction has started with construction expenses that have been incurred. In order for us

MINUTES

MOHS - cont'd

to provide these critical services and to preserve the investment that the City as well as the State of Maryland, and an array of philanthropic entities have put into this project, we recommend that the project be allowed to move forward."

Mr. Corbin: "My name is Victor Corbin. I am a resident of Baltimore City. I am the President of the Community Association, Fells Prospect and I have been sent here on behalf of residents of Douglass Place, as well and because of a lack of notice, many of the residents as well as our attorney that's representing numerous residents in Douglass Place was not able to attend this hearing. Numerous letters were sent to the Board of Estimates as far back as March asking for formal notification of the Douglass Place -- of St. Vincent DePaul's request to extend for the second time the grant loan from the City. Because of these advance letters we should have been given um -- this should not have ever been scheduled further -- as a routine item and we were never notified. We were -- the first email was sent on March 1st. There was an email sent on April 4th, September 22nd, July 14th, August 29th and as recently as October

MINUTES

MOHS - cont'd

18th. We never received formal notification. So, we were not very well prepared and I am quite nervous actually. Um, two of these Beans and Bread grant expansion case is currently scheduled in front of the Court of Special Appeals in February of 2012. Counsel for St. Vincent DePaul and the City of Baltimore has acknowledged in the Circuit Court of Baltimore City that St. Vincent DePaul is building at their own risk. Only a handful of variances, five to be specific, have ever been up held by the appellate level in the State of Maryland. St. Vincent DePaul and the City of Baltimore will be gambling with taxpayers' money, \$800,000.00, on the hopes that Beans and Bread expansion will be the sixth to be upheld. If overturned, the community has expressed that it will pursue tearing down any building. St. Vincent DePaul cannot claim hardship because they knew that the property was zoned residential prior to purchasing. This is the second request for the extension of this grant, and in the four years prior to today, they had not broken ground. We are asking that the grant be held in abeyance until the conclusion of the appellate legislation - umm-until we go to Court in February."

MINUTES

MOHS - cont'd

Ms. Hiers: "The challenge that we have is with all the funds that have been raised for this project, we stand to lose them. Many of the funding sources date back to 2005. So we simply cannot afford to wait. If we wait, then we run the risk of losing the money, thereby gambling away the taxpayers' dollars as Mr. Corbin identified. So, in order for us to ensure that we stand the greatest chance to continue to serve individuals who are extremely vulnerable and in need of services, we again recommend that the project be able to move forward."

Mr. Corbin: "I would like to ask if we could get a deferral until next week, so we could be better prepared and our attorney can be present."

Ms. Hiers: "Of course I would like this matter to be heard today. Respectfully."

President: "Okay. Well I will entertain a Motion."

City Solicitor: "I would MOVE to approve the item as requested by Homeless Services."

MINUTES

MOHS - cont'd

Comptroller: "Second."

President: "All those in favor say AYE. All opposed NAY.
Motion. Please Note that I **ABSTAIN**. The Motion carries."

Ms. Hiers: "Thank you very much."

Mr. Corbin: "Thank you."

* * * * *

MINUTES

Mayor's Office of Human Services - Expenditure of Funds

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize an expenditure of grant funds to directly pay monthly rental obligations for leased properties on behalf of formerly homeless individuals previously served by Prisoners Aid Association of Maryland, Inc. (PAA) effective for the month of October 2011 through December 31, 2011 for contract #34443 and effective October 2011 through December 31, 2011 for contract #34436.

AMOUNT OF MONEY AND SOURCE:

<u>Landlord/Property Owner</u>	<u>Monthly Rent</u>
1. <u>CONTRACT #34443</u>	
1645 N. Calhoun Holdings, LLC*	\$1,300.00
F&H Houses*	\$3,921.00
Kyle Locke*	\$3,391.00
Beverly Gordon	\$1,800.00
Lafayette Thomas	\$1,321.00
Peter Pekovic	\$1,760.00
Prisoners Aid Assoc. of MD, Inc.	\$8,353.00
REE & MEI Investment	\$1,013.00
Signature Properties/Now A&M Services LLC**	\$1,250.00

** Signature Properties/Now A&M Services LLC will receive a partial month payment in the amount of \$524.19 for October 2011.

\$ 17,224.00 (*Invoices received to date for the months
of October and November 2011)
223,140.19 (Invoices to be billed in the future)
\$240,364.19 - 4000-496311-3573-591225-603051

MINUTES

Mayor's Office of Human Services - cont'd

<u>Landlord/Property Owner</u>	<u>Monthly Rent</u>
2. <u>CONTRACT #34436</u>	
1645 N. Calhoun Holdings, LLC*	\$ 4,273.00
American Equity Property Management*	\$ 1,500.00
Averette and Lee Enterprises, LLC*	\$ 1,400.00
Back Door Enterprises*	\$ 1,564.00
Denise Uhrin*	\$ 817.00
F&H Houses*	\$ 1,362.00
Kyle Locke*	\$ 800.00
Michael Novak*	\$ 6,504.00
Millennium Properties*	\$ 1,800.00
Vladimir Kats/Bella Property Management*	\$ 1,564.00
Chesmal LLC	\$ 950.00
KMG Mgmt	\$ 1,650.00
One West Bank/Tenant Access	\$ 868.00
Peter Pekovic	\$ 1,722.00
Prisoners Aid Association of MD, Inc.	\$23,221.00
REE & MEI Investment	\$ 457.00

\$ 43,168.00 (*Invoices received to date for October
and November 2011)

259,844.00 (Invoices to be billed in the future)

\$303,012.00 - 4000-496311-3573-591225-603051

BACKGROUND/EXPLANATION:

On June 8, 2011, the Board approved a grant agreement (contract #34443) with the PAA in the amount of \$557,232.00, and another grant agreement (contract #34436) also with the PAA in the amount of \$951,649.00. The grant agreements from the United States Department of Housing and Urban Development (HUD), provided Shelter Plus Care funding for the Federal Fiscal Year 2010. The funds were designated to be used to house homeless individuals through programs administered by the PAA.

MINUTES

Mayor's Office of Human Services - cont'd

On October 5, 2011, the Mayor's Office of Human Services notified the PAA that the agreements would be terminated for convenience, as defined in Section X - Termination, Part A of the grant agreements. HUD was been notified and has given approval of the Mayor's Office of Human Services' actions to terminate the grants with the PAA. An amendment to the grant from HUD will be submitted to the Board at a later date.

The original grant award to PAA was for the amount of \$557,232.00 for contract #34443. The remaining amount of those funds to be paid directly to landlords is \$240,364.19. The original grant award to PAA for contract #34436 was for the amount of \$951,649.00. The remaining amount of those funds to be paid directly to landlords is \$303,012.00.

As a result of the termination of the agreements, the Mayor's Office of Human Services must use the Shelter Plus Care funds to directly make rental payments on behalf of 30 formerly homeless individuals who were assisted under contract #34443 and 76 formerly homeless individuals who were assisted under contract #34436. These payments will be made to valid City of Baltimore vendors/landlords.

Please note the PAA is included as a vendor/landlord, because the payments to the PAA are for rental units that the PAA owns directly as opposed to rental units that were administered by PAA through the previous agreements. Rental units are owned by different vendors/landlords, and actual payments to PAA will not be executed until the Mayor's Office of Human Services has determined that PAA has met all the conditions of the termination as outlined in the termination.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION SUBJECT TO REVIEW OF THE INVOICES PRIOR TO PAYMENT.

MINUTES

Mayor's Office of Human Services - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized the expenditure of grant funds to directly pay monthly rental obligations for leased properties on behalf of formerly homeless individuals previously served by Prisoners Aid Association of Maryland, Inc. for the period of October 2011 through December 31, 2011 for contract 34443 and for the period of October 2011 through December 31, 2011 for contract #34436.

MINUTES

Department of Recreation and Parks - Right-of-Entry Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a right-of-entry agreement with St. Bartholomew's Episcopal Church for installation of a sign. The period of the agreement is effective upon Board approval for four months.

The Board is further requested to waive any minor privilege fee that may have been required for this installation.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

St. Bartholomew's Episcopal Church is seeking to install directional signage on Uplands Parkway and Wheeler Drive, within the boundaries of Uplands Park, and has hired a contractor to fabricate and install the sign. The execution of this agreement will grant right-of-entry to the Church and its contractor to install the sign and maintain it throughout its useful life.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the right-of-entry agreement with St. Bartholomew's Episcopal Church for installation of a sign. The Board also approved the request to waive any minor privilege fee that may have been required for this installation.

MINUTESHealth Department - Agreements and Advance of funds

The Board is requested to approve and authorize execution of the various agreements and approve a two-month advance of funds.

AGREEMENTS

1. **ASSOCIATED BLACK CHARITIES, INC. (ABC)** **\$10,528,363.00**

Accounts:	4000-427711-3023-273302-603051	\$ 261,570.00
	4000-427711-3203-273303-603051	\$10,266,793.00

The ABC will serve as the Administrative Fiscal Agent HIV Emergency Relief Project Grant - Part A. The ABC will provide day-to-day fiscal administration, contracting, and monitoring of provider expenditure to ensure reasonableness of reimbursements requested and the compliance to contractual fiscal requirements. The period of the agreement is July 1, 2011 through February 29, 2012.

The agreement is late because of the delay in the grant approval.

MWBOO GRANTED A WAIVER.

2. **BALTIMORE AMERICAN INDIAN CENTER, INC.** **\$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 Services, the Department sponsors the Senior Companion Program. The grant pays for 100% of the cost of 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, 2011 through June 30, 2012.

The agreement is late because it was just finalized.

MINUTES

Health Department - cont'd

TWO-MONTH ADVANCES:

The two-month advance of funds will ensure the provision of continued Ryan White - Part A Program Support Services. The advance is for the period July 1, 2011 through August 31, 2011.

3. **TRAINING RESOURCES NETWORK, INC.** **\$ 49,815.00**

Account: 4000-427711-3023-273315-603051

4. **GAY FAMILY FOUNDATION, LTD** **\$ 32,654.00**

Account: 4000-427711-3023-274407-603051

The providers (item nos. 3 and 4) will continue services for essential HIV/AIDS health care and other support services to individuals who lack or are only partially covered by health insurance. The services include primary medical care, case management, and assistance in obtaining medications, hospice care, substance abuse treatment, mental health services, and limited supported services to persons infected by HIV/AIDS.

The two-month advance will allow the Department to provide funding for continuity of services while scopes of services and budgets are being reviewed and approved for the current program year.

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 aforementioned agreements and approved a two-month advance of funds for Training Resources Networks, Inc and Gay Family Foundation, LTD. The Comptroller **ABSTAINED** on item no. 1.

MINUTES

Health Department - Expenditure of funds

ACTION REQUESTED OF B/E:

The Board is requested to approve the purchase of gift cards for the STD/HIV Prevention Program.

AMOUNT OF MONEY AND SOURCE:

\$10,000.00 - 2,000 Rite Aid gift cards \$5.00 ea.
 5,000.00 - 1,000 Safeway gift cards \$5.00 ea.
5,000.00 - 1,000 Save-A-Lot/Super Valu gift cards
 \$5.00 ea.
\$20,000.00 - 1001-000000-3030-271800-604051
 4000-422311-3030-273100-604051
 (\$10,000.00 for each of the above account numbers)

BACKGROUND/EXPLANATION:

The incentive cards will be distributed to help reduce the number of new HIV infections and improve the health of persons living with HIV/AIDS. Also, the incentive cards will be used to enhance the program staff's ability to attract those encountered for counseling and testing on the STD/HIV testing van. T-shirts are purchased and provided to the outreach team.

The STD/HIV Prevention Program adheres to all policies associated with the usage of incentives and has sufficient procedures in place to address the safeguarding and accountability of incentive cards.

The Health Department has a consolidated policy for the purchase, distribution, and documentation of all incentive cards. The central tenets of this policy account for: 1) a single means of procuring all incentive cards through the Board of Estimates; 2) the documentation of each incentive card and its recipient; 3) a monthly reconciliation for all purchases that account for all distributed and non-distributed cards, and; 4) periodic internal reviews of programs' activity vis-à-vis the internal policy, which are to be shared with the Department of Audits.

MINUTES

Health Department - cont'd

This policy has been reviewed by both the Solicitor's Office and by the Department of Audits. Consistent with the original Board of Estimates approval, all requests for payment for the above incentive cards will be subject to Audits approval.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved the purchase of gift cards for the STD/HIV Prevention Program.

MINUTES

PERSONNEL MATTERS

* * * * *

UPON MOTION duly made and seconded,

the Board approved

all of the Personnel matters

listed on the following page:

3855

All of the Personnel matters have been approved

by the EXPENDITURE CONTROL COMMITTEE.

All of the contracts have been approved

by the Law Department

as to form and legal sufficiency.

MINUTES**PERSONNEL**Department of Housing and Community Development

	<u>Hourly Rate</u>	<u>Amount</u>
1. JAMES M. FRASER	\$100.00	\$55,000.00
Account: 1001-000000-8331-696600-600005		\$30,000.00
1001-000000-2602-261000-603051		\$25,000.00

Mr. Fraser will work as a Project Manager. His duties will include but not be limited to scheduling all phases of the E-Plan Review implementation, as well as ensuring all information required by the vendor is provided in a timely manner. In addition, Mr. Fraser will define and coordinate the resolution of all impacts the E-Plans Review implementation will have on existing personnel, equipment and systems. He will develop and manage a comprehensive training program and schedule for all involved entities. The period of the agreement is effective upon Board approval for twelve months.

MINUTES

Department of Transportation - Memorandum of Understanding

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a memorandum of understanding (MOU) with the Department of Recreation and Parks and the University of Baltimore. The period of the memorandum of understanding is November 10, 2011 or as soon as reasonably practicable thereafter, for 18 months.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

This purpose of this MOU is to establish a framework for the City to construct new streetscape improvements along Mt. Royal Avenue between Guilford Avenue and Central Light Rail Line tracks as well as on the East and West Traffic Islands at the I-83 Maryland Avenue exit. The MOU provides for the University of Baltimore to perform ongoing maintenance of all landscaped areas within the subject right-of-way.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the memorandum of understanding with the Department of Recreation and Parks and the University of Baltimore.

MINUTES

EXTRA WORK ORDERS

* * * * *

UPON MOTION duly made and seconded,

the Board approved the

Extra Work Order

listed on the following page:

3858

All of the EWOs had been reviewed and approved

by the Department of Audits, CORC,

and MWBOO, unless otherwise indicated.

The President **ABSTAINED** on item no 1.

MINUTES

EXTRA WORK ORDER

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

Bureau of Water and Wastewater

- | | | | | |
|---|-----------------|-----------|---|----|
| 1. EWO #030, \$570,000.00 - W.C. 1198, Urgent Need Work | | | | |
| <u>Infrastructure Rehabilitation Various Locations</u> | | | | |
| \$10,473,325.00 | \$11,675,767.82 | Spiniello | 0 | 88 |
| | | Companies | | |

MINUTES

Bureau of Water and Wastewater - Water Facility Design and Construction Cost Sharing Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of water facility design and construction cost sharing agreement with Baltimore County, Maryland and Howard County, Maryland regarding the Guilford Finished Water Reservoir.

AMOUNT OF MONEY AND SOURCE:

Estimated Design Costs	\$ 1,804,000.00	- Acct: 9960-903710-9557
Estimated Const. Costs	<u>37,000,000.00</u>	
Total Estimated Costs	\$38,804,000.00	

Baltimore County	58.38%	\$22,653,775.20
Baltimore City	38.70%	15,017,148.00
(includes 0.31% attributable to Anne Arundel County) City Funding will come from Water Revenue Bonds		
Howard County	2.92%	1,133,076.80
(Rates for water billed to Howard County by the City)		
Total Estimated Costs	<u>100.00%</u>	<u>\$38,804,000.00</u>

BACKGROUND/EXPLANATION:

The existing uncovered Guilford Reservoir, located in Baltimore City, with an overflow elevation of 341 feet requires modifications to be covered in order to conform with the United States Environmental Protection Agency Long Term-2 Enhanced Surface Water Treatment Rule, which was promulgated in January of 2006.

MINUTES

BW&WW - cont'd

Baltimore City will manage the design, engineering and construction for the project. The agreement stipulates cost sharing parameters for the project. On December 15, 2010, the Board approved a transfer of funds to account No. 9960-903710-9557, for the design phase of the project. No additional funds are required at this time. It is anticipated that the construction phase will begin in February 2014, and there will be future requests in the CIP for the construction phase in FY'14.

From a comprehensive engineering analysis, it has been agreed to by all parties that two 240-foot diameter buried reservoirs, each with an overflow elevation of 353 feet is the selected construction alternative for replacing the existing Guilford Reservoir.

MBE/WBE PARTICIPATION:

MBE/WBE participation goals will be established by the Minority and Women's Business Opportunity Office prior to the letting of each contract.

APPROVED FOR FUNDS BY FINANCE FOR THE DESIGN PHASE

UPON MOTION duly made and seconded, the Board approved and authorized execution of the water facility design and construction cost sharing agreement with Baltimore County, Maryland and Howard County, Maryland regarding the Guilford Finished Water Reservoir. The President **ABSTAINED**.

MINUTES

Bureau of Water and Wastewater - Single Bond for Drain
Layers #K08529012

ACTION REQUESTED OF B/E:

The Board is requested to approve acceptance of the Single Bond for Drain Layers #K08529012 for the firm, S. Thomas Contracting, Inc. The period of the bond will continue until either the firm or the surety gives notice of its termination.

AMOUNT OF MONEY AND SOURCE:

\$10,000.00 Bond

BACKGROUND/EXPLANATION:

The firm S. Thomas Contracting, Inc. occasionally obtains permits from the City to excavate in streets, alleys, lanes, footways, thoroughfares, highways, and City of Baltimore rights-of-way for which they are obligated to give bonds. S. Thomas Contracting, Inc. desires to provide one bond to cover all permits that may be issued instead of being obligated to give a separate bond or money in each case.

UPON MOTION duly made and seconded, the Board approved acceptance of the Single Bond for Drain Layers #K08529012 for the firm, S. Thomas Contracting, Inc.

MINUTESDepartment 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 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. 1117 S. Charles Street	Muhly's G.E.M., Bakery, Inc.	One Patio 31' x 5'
Annual Charge: \$3,270.50		
2. 1125 W. 36 th Street	Two Farms, Inc.	Outdoor display of merchandise 3' x 4'
Annual Charge: \$337.50		

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**PROPOSAL AND SPECIFICATIONS**

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

Department of Transportation

- TR 09303, Rehabilitation of West Baltimore Trail and Implementation of Pedestrian Improvements, Edmondson Avenue and Pulaski Street
BIDS TO BE RECV'D: 01/11/2012
BIDS TO BE OPENED: 01/11/2012

MINUTES

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

* * * * *

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

BIDS, PROPOSALS AND CONTRACT AWARDS

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

Bureau of Purchases

- TR 10019, Hopkins Plaza
Renovations - Local
BIDS TO BE RECV'D: 11/30/11
BIDS TO BE OPENED: 11/30/11

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

MINUTES

Department of General Services - PB 10828, Repairs to the
Northwest Transfer Station

The Whiting-Turner Contracting Co.

Bureau of Purchases - B50002150, Aluminum Street
Light Poles And Accessories

Valmont Industries, Inc.
Flagpoles Inc.

Bureau of Purchases - B50002174, 2012 Ford Explorer
XLT

Miller Ford Sales Inc.
Apple Ford, Inc.

* * * * *

There being no objections, the Board UPON MOTION duly made and seconded, adjourned until its next scheduled meeting on Wednesday, November 23, 2011.

JOAN M. PRATT
Secretary