

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
 Ben Meli, Deputy Director of Public Works
 Bernice H. Taylor, Deputy Comptroller and Clerk

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The meeting was called to order by the President.

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President: "I will direct the Board members attention to the memorandum from my office dated December 19, 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."

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MINUTES

BOARDS AND COMMISSIONS1. 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:

Adams-Robinson Enterprises, Inc.	\$ 84,708,000.00
Baltimore Pile Driving & Marine Construction, Inc.	\$ 7,992,000.00
Cossentino Contracting Company, Inc.	\$ 8,000,000.00
Goel Services, Inc.	\$ 40,563,000.00
Hempt Bros, Inc.	\$ 38,466,000.00
Kokosing Construction Company, Inc.	\$510,966,000.00
MWH Constructors, Inc. and Subsidiaries	\$139,608,000.00
Morgan-Keller, Inc.	\$ 61,677,000.00
Reglas Painting Co., Inc.	\$ 1,500,000.00
Televant USA Corporation Transportation-ITS Division	\$ 63,000.00

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:

Savin Engineers, P.C.	Engineer
So-Deep, Inc./So-Deep US, P.C.	Engineer Property Line Survey

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

Fire & Police Employees' - Subscription Agreement and
Retirement System (F&P) Limited Partnership Agreement

ACTION REQUESTED OF B/E:

The Board is requested approve and authorize execution of a subscription agreement and limited partnership agreement with Greenspring Global Partners V, L.P. managed by Greenspring General Partner V, L.P.

AMOUNT OF MONEY AND SOURCE:

No general funds

\$15,000,000.00 - (approximately) of F&P Funds

BACKGROUND/EXPLANATION:

The F&P Board of Trustees conducted a search for a risk parity portfolio investment manager and, as a result of that search, selected Greenspring General Partner V, L.P. The search and selection process was conducted with the assistance and advice of the F&P System's investment advisor, Summit Strategies Group.

MWBOO GRANTED A WAIVER.

UPON MOTION duly made and seconded, the Board approved and authorized execution of a subscription agreement and limited partnership agreement with Greenspring Global Partners V, L.P. managed by Greenspring General Partner V, L.P. The Comptroller

ABSTAINED.

MINUTES

Fire & Police Employees' - Subscription Agreement and
Retirement System (F&P) Limited Partnership Agreement

ACTION REQUESTED OF B/E:

The Board is requested approve and authorize execution of a subscription agreement and limited partnership agreement with AQR Global Risk Premium Fund III, L.P., managed by AQR Capital Management II, LLC.

AMOUNT OF MONEY AND SOURCE:

No general funds

\$75,000,000.00 - (approximately) of F&P Funds

BACKGROUND/EXPLANATION:

The F&P Board of Trustees conducted a search for a risk parity portfolio investment manager and, as a result of that search, selected AQR Capital Management II, LLC. The search and selection process was conducted with the assistance and advice of the F&P System's investment advisor, Summit Strategies Group.

MWBOO GRANTED A WAIVER.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the subscription agreement and limited partnership agreement with AQR Global Risk Premium Fund III, L.P., managed by AQR Capital Management II, LLC. The Comptroller **ABSTAINED**.

MINUTES

OPTIONS/CONDEMNATION/QUICK-TAKES:

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>Dept. of Housing and Community Development (DHCD) - Option</u>			
1. The Gentlemen of Charisma, Inc.	838 N. Chester St.	L/H	\$53,400.00

Funds are available in account 9910-906416-9588-900000-704040,
EBDI Project, Phase II, Middle East Renewal Plan.

In the event that the option agreement fails and settlement cannot be achieved, the Department requests the Board's approval to purchase the interest in the above property by condemnation proceedings for an amount equal to or lesser than the option amounts.

(FILE NO. 56017)

DHCD - Condemnation

2. Bulldog Baltimore 1, Inc.	3335 Woodland Ave.	F/S	\$ 9,500.00
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Funds are available in account 9910-903187-9588-900000-704040,
Park Heights Demo-Woodland/Virginia Avenue Corridor.

(FILE NO. 57083)

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

MINUTES

Department 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. 300 E. Lombard St.	AGL Investments No. 11 Limited Partnership	One double face sign 5' x 3'
Annual Charge: \$70.40		
2. 2342 E. Monument St.	Jung H. Kim	Handicap Ramp 11' x 36"
Annual Charge: \$70.30		
3. 509 S. Exeter St.	Skylar Development, Inc.	One double face wind sign 6' x 1'
Annual Charge: \$70.40		

There being no objections, the Board, UPON MOTION duly made and seconded, approved the minor privilege permits.

MINUTES

Department General Services - Developer's Agreement No.1240

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of developer's agreement no. 1240 with Cavalier Capital Management, LLC, developer.

AMOUNT OF MONEY AND SOURCE:

\$31,680.00

BACKGROUND/EXPLANATION:

The developer would like to install new water service, to its proposed construction located in the vicinity of 3420 Gunther Way (Gunther Way Condominiums). This developer's agreement will allow the organization to do its own installation, in accordance with Baltimore City standards.

A Letter of Credit in the amount of \$31,680.00 has been issued to Cavalier Capital Management, LLC which assumes 100% of the financial responsibility.

MBE/WBE PARTICIPATION:

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

UPON MOTION duly made and seconded, the Board approved and authorized execution of the developer's agreement no. 1240 with Cavalier Capital Management, LLC, developer.

MINUTES

Department of General Services - Temporary and Perpetual
Easement Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a temporary and perpetual easement agreement with the Maryland Transportation Authority (MTA). The period of the temporary easement is two years effective upon the date of the entry of the City contractor.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

The Department is proposing to upgrade traffic signal equipment on a portion of the property owned by the MTA located at 2310 Broening Highway. This temporary and perpetual easement agreement will allow the City's contractor to access the property to perform this work and maintain the improvements in conjunction with the Department's Project No. TR 08046, Rehabilitation of Broening Highway.

(FILE NO. 57076)

UPON MOTION duly made and seconded, the Board approved and authorized execution of the temporary and perpetual easement agreement with the Maryland Transportation Authority.

MINUTES

Department of General Services - Energy Efficiency and
Conservation Block
Grant Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a sub-grant agreement with the Baltimore Delta Alumnae Foundation. The period of the sub-grant agreement is effective upon Board approval through August 31, 2012.

AMOUNT OF MONEY AND SOURCE:

\$42,274.00 - 9916-913900-9197-910013-703032

BACKGROUND/EXPLANATION:

The Department has received an award under the Energy Efficiency and Conservation Block Grant Program from the U.S. Department of Energy.

Under the terms of the sub-grant agreement the community non-profits will install facility upgrades and retrofits that will significantly improve energy efficiency in facilities operated by the non-profit organizations. The Departments' Energy Division and the Department of Planning Office of Sustainability have worked in collaboration to solicit and review "Energy Saver Grant" applications for Baltimore non-profits for use of these funds. The Baltimore Delta Alumnae Foundation's application was approved by the review committee for proposed energy efficiency upgrades. The total project cost is \$67,598.25. The Baltimore Delta Alumnae Foundation is paying 34.5% (\$25,324.25) of the project costs.

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 sub-grant agreement with the Baltimore Delta Alumnae Foundation. The Mayor **ABSTAINED**.

MINUTES

Department of General Services - Contract

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize a contract with EnerNoc, Inc. The period of contract is effective upon Board approval for one year with nine 1-year renewal options.

AMOUNT OF MONEY AND SOURCE:

\$57,204.00 - 2051-000000-1981-194600-603018

BACKGROUND/EXPLANATION:

The contract is under the Baltimore Regional Cooperative Purchasing Committee (BRCPC) for consulting services for the purchase of electricity, natural gas and energy. The contractor will furnish the City, the BRCPC as well as other participating entities with consulting services they may require during the period of time specified.

The contractor will be paid the total sum of \$4,209.00 per month for electric consulting, and \$558.00 per month for natural gas consulting during the initial term. The Baltimore County Purchasing Division is the lead jurisdiction for this procurement for the twenty BRCPC participating jurisdictions, and the above payments represent the City's portion of the payment.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved and authorized the contract with EnerNoc, Inc.

MINUTES

Department of General Services - Amended and Restated
Franchise Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an amended and restated franchise agreement with Veolia Energy Baltimore, f/k/a Trigen-Baltimore Energy Corporation, f/k/a Baltimore Thermal Energy Corporation, f/k/a Thermal Resources of Baltimore, Inc. The agreement is effective upon Board approval with successive one year renewals through August 31, 2034.

AMOUNT OF MONEY AND SOURCE:

\$115,000.00 - 1001-000000-1982-193200-603015
per year, plus escalation

BACKGROUND/EXPLANATION:

On September 1, 1984, the City, through Ordinance No. 171, issued a franchise to Thermal Resources of Baltimore, Inc., more commonly known as Trigen. The Ordinance established a franchise term of 25 years, and provided for renewals of the franchise which do not exceed in the aggregate 25 years. The initial term of the agreement expired on August 31, 2009, but was extended for one year by the Board to allow time for negotiation of a more detailed agreement. Due to the many issues involved in the negotiation and a change of ownership of Trigen, the Board approved two more extensions; one until August 31, 2011 and another until December 31, 2011. The DGS, with the assistance of the Law Department, has completed negotiation of a long-term franchise renewal agreement with Trigen. The negotiation resulted in a more detailed document which addresses past issues with Trigen and provides more protection for the City in the future. The new agreement sets a new franchise fee of \$115,000.00 which began calendar year 2010 and included an annual escalation factor. The agreement provides for annual automatic renewals until expiration on August 31, 2034, unless terminated by either party as provided in the agreement.

APPROVED FOR FUNDS BY FINANCE

(FILE NO. 57101)

MINUTES

DGS - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of the amended and restated franchise agreement with Veolia Energy Baltimore, f/k/a Trigen-Baltimore Energy Corporation, f/k/a Baltimore Thermal Energy Corporation, f/k/a Thermal Resources of Baltimore, Inc.

MINUTES

TRANSFERS OF FUNDS

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UPON MOTION duly made and seconded,

the Board approved

the Transfers of Funds

listed on the following page:

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SUBJECT to receipt of favorable reports

from the Planning Commission,

the Director of Finance having

reported favorably thereon,

as required by the provisions of the

City Charter.

MINUTES

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Department of Recreation and Parks</u>		
1. \$ 15,000.00	9938-908764-9475	9938-907764-9474
Rec. & Parks	Reserve	Active
24 th Series	Park &	Park &
	Playgrounds	Playgrounds
	Renovation FY09	Renovation FY09

This transfer will provide funds to cover the costs associated with design services under on-call Contract No. 1164, Task #1 to Hord Coplan Macht, Inc.

2. \$423,000.00	9938-902732-9475	9938-901732-9474
General Funds	Reserve	Active
	Parkland Expansion	Parkland Expansion

This transfer will provide funds to cover the costs associated with the ground lease payment for athletic fields at 2102 West Rogers Avenue.

MINUTES

Wage Commission - Living Wage Recommendation for FY 2013

The Wage Commission in accordance with Article 5, Subtitle 26, Baltimore City Code (Living Wage), is required to recommend to the Board of Estimates, on or before December 15, of each calendar year a revised Living Wage Rate for the City of Baltimore services contracts for the coming year.

The Wage Commission reviewed the U.S. Bureau of Census Poverty threshold for a family of four. After careful consideration of the Bureau of Census poverty level threshold, currently set at \$22,314.00 for a family of four, and other wage data, the Commission is recommending to the Board of Estimates that the Living Wage be increased from the current hourly rate of \$10.59 to \$10.73 beginning July 1, 2012.

Methodology for calculation:

$\$22,314.00 \text{ divided by } 2,080 \text{ (a 40 hour week } \times 52) = \10.73

UPON MOTION duly made and seconded, the Board approved the Living Wage Rate for the City of Baltimore services contracts from the current hourly rate of \$10.59 to \$10.73 beginning July 1, 2012.

MINUTES

Wage Commission - Prevailing Wage Rate Recommendation 2012**ACTION REQUESTED OF B/E:**

The Board is requested to approve the recommended Prevailing Wage Rates in accordance with Article 5, Subtitle 25, Baltimore City Code, to be paid to laborers, mechanics and apprentices on all projects awarded by the Mayor and City Council of Baltimore. The rates become effective for contracts that are advertised on or after December 31, 2011.

BACKGROUND/EXPLANATION:

The submitted recommended Prevailing Wage rates represent an average increase of 0.5% for classes 1, 2, 3 and 5.

Class 1	Building Construction	0.8%
Class 2	Highways	0.0%
Class 3	Utility	0.0%
Class 5	Purchases, etc.	1.1%

The Wage Commission requested evidence from contracting associations, unions related trade groups and the general public on work both public and private, in order to establish rates to be recommended to the Board of Estimates.

Classification 4 is not included in this calculation since this residential category applies to federally funded HUD projects and has no impact on the City's general funds. For this reason the Wage Commission adopted the US DOL wage rates for this category. This is the first time in over ten years, that the US DOL comprehensively revised the housing pay rates, resulting in an average 32% increase for this category.

UPON MOTION duly made and seconded, the Board approved the recommended Prevailing Wage Rates in accordance with Article 5, Subtitle 25, Baltimore City Code, to be paid to laborers, mechanics and apprentices on all projects awarded by the Mayor and City Council of Baltimore.

MINUTES

Baltimore City Health Department (BCHD) - Notice of Grant Award

ACTION REQUESTED OF B/E:

The Board is requested to approve acceptance of the notice of award (NGA) from the Department of Health and Human Services (HHS), Centers for Disease Control and Prevention (CDC), National Center for Environmental Health. The period of the NGA is September 1, 2011 through August 31, 2012.

AMOUNT OF MONEY AND SOURCE:

\$154,800.00 - 4000-480112-3001-268400-404001

BACKGROUND/EXPLANATION:

The Baltimore City Health Impact Assessments (HIA) Capacity Development grant will increase the ability of the BCHD and other City agencies to create and use HIAs as policy tools. The HIAs examine proposed policies, ordinances, laws, regulations and projects from the perspective of the changes they may cause in individual and public health, if those policies or projects were to be implemented.

The grant award is late because it was just completed.

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 the acceptance of the notice of award from the Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Environmental Health.

MINUTES

Health Department - Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an agreement with Arbor E & T, LLC. d/b/a Care Resources, Inc. The period of the agreement is July 1, 2011 through June 30, 2012.

AMOUNT OF MONEY AND SOURCE:

\$ 200,000.00	-	5000-587410-5750-672214-603051
270,000.00	-	4000-428212-3080-294300-603051
91,260.00	-	4000-427112-3080-294395-603051
<u>\$ 561,260.00</u>		

BACKGROUND/EXPLANATION:

The organization will provide services in the area of speech language pathology, physical therapy, occupational therapy home-based service, special education/instruction speech therapist and a physical therapist to staff the Baltimore Infants & Toddlers Eligibility Center.

The agreement is late because budget revisions delayed processing.

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 Arbor E & T, LLC. d/b/a Care Resources, Inc.

MINUTES

Department of Audits - Refunds of Overpayments
Abandoned Property Report

ACTION REQUESTED OF B/E:

The Board is requested to accept the report and approve the recommendations of the Department of Audits on the Abandoned Property Report.

AMOUNT OF MONEY AND SOURCE:

\$387,647.00 - refunds of overpayments

BACKGROUND/EXPLANATION:

The Department of Finance, Bureau of Revenue Collections sent 3,292 claim forms to potential claimants listed on the City's Abandoned Property Report for fiscal year 2008, dated July 1, 2011. The claim forms contained instructions to complete and return those forms to the Board of Estimates.

Under the procedures established by the Board of Estimates, 691 requests for refunds totaling \$554,982.84, were received by the Board of Estimates and were forwarded to the Department of Audits for review and recommendation. These overpayments were unclaimed after three or more years.

The Department determined that \$387,647.00, included in the submitted schedule, represents valid refunds to 417 claimants resulting from duplicate payments, abatements, and tax credits. The Department recommends that these refunds be approved for payment and that \$387,647.00 be removed from the listing of abandoned property to be submitted to the State by the Department of Finance, Bureau of Revenue Collections.

The Department also determined that potential claims received, totaling \$72,020.28 resulted from various clerical or accounting errors and should not have been included in the Abandoned Property Report. Therefore, the Department recommends that \$72,020.28 associated with those claims be retained by the City and removed from the listing of abandoned property to be submitted to the State. The balance of \$95,315.56 represents the adjusted amount for abandoned property that will be included in the amount to be remitted to the State.

MINUTES

Department of Audits - cont'd

UPON MOTION duly made and seconded, the Board accepted the report and approved the recommendations of the Department of Audits on the Abandoned Property Report.

MINUTES

Department of Audits - Expenditure of Funds

ACTION REQUESTED OF B/E:

The Board is requested to approve an expenditure of funds to pay for a Peer Review of the Department of Audits.

AMOUNT OF MONEY AND SOURCE:

\$5,000.00 (not to exceed) - 1001-000000-1310-157800-603026

BACKGROUND/EXPLANATION:

The Department is required by Government Auditing Standards to have an external Peer Review every three years by an independent audit organization. The Peer Review will be performed by the Association of Local Government Auditors (ALGA).

The objectives of the Peer Review are to determine whether, during the period January 1, 2009 through December 31, 2011, the Department of Audits' internal quality control system was (1) suitably designed and (2) operating effectively to provide reasonable assurance of complying with applicable Government Auditing Standards. The on-site portion of the review is to be conducted during the period January 23, 2012 through January 27, 2012.

The Department will only pay the reasonable expenses incurred by the three-member ALGA review team relating to the Peer Review for air travel, hotel accommodations, car rental, meals, and incidental costs, up to \$5,000.00. The value of each review team member's time will not be paid by the Department. Instead, the Department will commit three audit personnel for one week each, within the next two years, in exchange, to conduct Peer Reviews coordinated by the ALGA for its members.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved the expenditure of funds to pay for a Peer Review of the Department of Audits.

MINUTES

Mayor's Office of Human Services/ - Agreements
Homeless Services Program

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

1. **AT JACOBS WELL, INC (AJW)** **\$ 22,960.00**

Account: 4000-496211-3573-267807-603051

The organization will provide permanent housing and support services to approximately 20 homeless mentally ill individuals. The permanent housing will be provided through rental certificates under the Shelter Plus Care Program. Funds will cover the cost to provide support services for the clients of the permanent housing units. The period of the agreement is September 1, 2011 through August 31, 2012.

2. **WOMEN ACCEPTING RESPONSIBILITY, INC. (WAR)** **\$ 71,329.00**

Account: 4000-496211-3573-591447-603051

The WAR will utilize the funds to hire a Licensed Social Worker to serve as a case manager to provide supportive services to approximately six women and their children who are disabled due to substance abuse and/or HIV/AIDS. The WAR will provide intensive case management as well as intermediate or periodic care. The period of the agreement is August 1, 2011 through July 31, 2012.

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

MWBOO GRANTED A WAIVER.

MINUTES

MOHS - cont'd

3. **JOBS, HOUSING AND RECOVERY, INC.** **\$208,930.00**
(JHR)

Account: 4000-496211-3572-591458-603051

The JHR will hire staff to maintain and operate a 29 unit transitional housing program located at 3500 Clifton Avenue. The JHR will provide stable housing and supportive services to approximately 29 homeless men who are chronic substance abusers and assist them in obtaining and maintaining permanent housing. The period of the agreement is January 1, 2012 through December 31, 2012.

MWBOO GRANTED A WAIVER.

4. **FUSION PARTNERSHIP, INC.** **\$100,000.00**

Accounts: 5000-525612-3572-333754-603051 \$ 19,548.00
 5000-529112-3572-333754-603051 \$ 80,452.00

The organization will operate and oversee Power Inside's Help on the Streets Project. The project offers outreach, education, referrals and case management services to women cycling between pretrial detention and homelessness. The project will serve approximately 250 women at risk or currently homeless. 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.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

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

MINUTES

Baltimore Development - Third Amendment to Land
Corporation (BDC) Disposition Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the third amendment to land disposition agreement (LDA) with Lexington Square Partners, LLC. The third amendment to the land disposition agreement extends the termination date of the LDA through April 30, 2012.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

On January 10, 2007, the Board approved the original LDA with Lexington Square Partners, LLC a Delaware limited liability company (the developer). On November 7, 2007, the Board approved the first amendment to the LDA which deleted and added certain properties in the Project site and adjusted the acquisition cost by the developer in accordance to those changes.

On December 22, 2010, the Board approved the second amendment to the Land Disposition Agreement which extended the termination date from December 31, 2010 to June 30, 2011. An additional six month extension was granted until December 31, 2011 requiring the Commissioner of the DHCD on June 29, 2011 to report to the Board, the progress that substantiated the approval of the additional extension.

This third amendment to the LDA extends the LDA termination date from December 31, 2011 to April 30, 2012. As all the conditions precedent to settlement or closing, indicated in Section 2.15 of the Original LDA, have not yet occurred, the parties have agreed to extend the termination date of the Original LDA.

The Department of Housing and Community Development will extend the termination date for one additional eight month period, in the event that developer has not abandoned the project and continues to pursue actively such approvals and satisfaction of such conditions as may be required to allow settlement to be completed as expeditiously as possible.

MINUTES

BDC - cont'd

If an additional extension is granted at the end of the four month period, the Commissioner of the Department of Housing and Community Development will report to the Board the progress that substantiated the approval of the additional extension.

The developer, Lexington Square Partners, LLC, consists of Lexington Square Developers, LLC comprising ICS Baltimore, LLC (Chera), BLDG Baltimore, LLC (Goldman), Feil-Baltimore, LLC (Feil), Nakash-Lexington, LLC (Nakash), and HAD Baltimore II, LLC (Harold A. Dawson Co., Inc.

Construction of the initial phase of the Project, as determined by the Phasing Plan, is anticipated to begin within 12 months of Settlement, and construction is anticipated for completion within five years of such time, in each instance, assuming the avoidance of delays that are outside of the control of the developer.

It will be a condition to settlement that the developer will have provided the City with satisfactory evidence of the existence of financing for the initial phase of the Project and plan for financing of the balance of the Project.

MBE/WBE PARTICIPATION:

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

A LETTER OF PROTEST WAS RECEIVED FROM THE NATIONAL TRUST FOR HISTORIC PRESERVATION AND BALTIMORE HERITAGE.

(FILE NO. 56420)

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President: "The first item on the non-routine agenda can be found on Pages 21 to 22, Third Amendment to the Land Disposition Agreement. Will the parties please come forward?"

President: "Jay"

MINUTES

BDC - cont'd

Johns Hopkins: "Good morning Mr. President and members of the Board, Thank you, my name is Johns Hopkins and I am the Director of Baltimore Heritage. Thank you for giving us this opportunity to speak. This is the third time that I have been back to protest the extension of the Land Disposition Agreement with Lexington Square Partners over the Super Block. I want to say thank you to the Mayor and the City folks for making one substantial point of progress since the last time; Read's Drug Store, based on its Civil Rights Heritage has been slated for Historic Preservation and I believe maintenance work scheduled to get underway soon and I want to thank you for that. However, the basis for our protest over the last seven years remains the same, there are too many buildings with historic and civil rights value that will be demolished. I am going to keep my testimony brief, I am going to read one quote and make one point. A short quote from the 1953 AFRO, African American by Mrs. B. M. Phillips about the civil rights importance of this 200 block of West Lexington Street. Mrs. Phillips writes "Thanks to the Committee on Racial Equality, the Urban League and the Americans for Democratic Action more stores in the 200

MINUTES

BDC - cont'd

Block of Lexington Street are realizing that there is no color line in the dollars you spend. Lunch Counters' and Restaurants in the Kresges' and the Woolworths' Five and Ten have been serving all customers for several weeks. McCrory's has just reversed its policy and will serve all comers. Schulty United in the 200 block of West Lexington Street is still acting silly." These buildings in the 200 block are at the core of our civil rights heritage in Baltimore, and I think nationally and as you know we believe they are at the core of what can be a revitalization strategy for the West Side. I want to conclude with one remark about demolition by neglect. Over the last seven years that I have been protesting here and that Lexington Square Partners has had control over the Super Block and the City has owned the Buildings, here has not been a single -- uh -- bit of maintenance or stabilization for the historic buildings. You are being asked today to extend the land disposition agreement for a year and asking the Housing Department to come back in four months to check in. I would ask that you not extend the contract but that you still ask the Housing Department to check back-in in four months with a plan for stabilization and maintenance for those historic buildings.

MINUTES

BDC - cont'd

Even if you did agree to the disposition extension, you can still ask the Housing Department, please, to come back in it four month check up with a stabilization and maintenance for those historic buildings. Thank you."

President: "Thank you".

Nell Seal: "Hi. Mr. President and members of the Board, I am testifying today on behalf of the National Trust for Historic Preservation and its members to protest the Third Amendment and extension to the Land Disposition Agreement with Lexington Square Partners to redevelop the super block --

President: "Can you tell us who you are?"

Nell Seal: "my name is Nell Seal, I am a field officer with the National Trust. The National Trust for Historic Preservation has been engaged in the revitalization of the Market Center Historic District since 1999 when we listed Baltimore's West Side as one of America's eleven most endangered Historic places. We opposed the initial award of the Super Block project to Lexington Square Partners because the proposal was incompatible with the West Side's valuable and irreplaceable historic fabric. The current proposal which would demolish in whole or in part 14

MINUTES

BDC - cont'd

of 17 historic buildings in the Super Block has not substantive changes with the exception to the modification to the Read's proposal. Since the original contract was awarded the City owned buildings have suffered from neglect and deterioration. A redevelopment plan for the Super Block which reused rather than demolished these significant historic properties would help Baltimore to retain its market edge as a tourist destination and a desirable place to live. Our position was echoed in the 2010 study by the Urban Land Institute which supported a preservation based incremental approach to economic development on the West Side. We therefore, respectfully urge you to deny the amendment extending the current land disposition agreement with Lexington Square Partners and help shape the new future for Baltimore's West Side. Thank you."

President: "Thank you."

M. J. Brodie: "Mr. President and members of the Board, I am M. J. Brodie, President of the Baltimore Development Corporation. I am joined here by representatives of the Lexington Square Development team, Mr. Bailey Pope of the Dawson Company and Mr. John Smallwood of the Bailey Company from New York, Mr. Graziano

MINUTES

BDC - cont'd

as you know is the Commissioner for Housing and Community Development and my colleague, Ms. Robertson, from the BDC. The amendment speaks for itself that is in front of you, the developer has proceeded diligently through years of lawsuits to move forward with the project. You have heard a couple of things that are simply not true, in terms of the change of the plan from the earliest days, there is now significant historic preservation in the current plan and its that plan that was approved tomorrow a year ago by the Maryland Historical Trust by a letter from Mr. J. Rodney Little, the Director of that entity to me - uh -- expressing the design - approval of the design with five conditions which we agreed upon within a few days. Since then, as Mr. Hopkins eluded we have devoted extensive attention to the former Read's Drug Store at the corner of Howard and Lexington, where the sit-in took place in 1955, to give you under the old cliché of "a picture is worth at least a thousand words" this is the current plan and the design. The view Madame - uh - Mr. President, Madame Mayor, I think we have enough for everybody --

Mayor: "We will do it, we will pass it out."

Mr. Brodie: "-- and I would just like to hold it up for the audience to see. This is the current plan as seen from Howard

MINUTES

BDC - cont'd

and Lexington with the preservation of Read's Drug Store where the sit-in took place --"

Mayor: "Hey Jay, you still need to use the mic."

Mr. Brodie: "I'm sorry"

Mayor: Still use the mic for the recording. You can turn around but just swing that with you.

Mr. Brodie: "Okay - - so, thank you Billy, so this is the picture of the current design from Howard and Lexington with the major walls of the former Read's Drug Store; the scene of the 1955 sit-in preserved, and with the commemoration committee that the Mayor has appointed, working hard on how to honor and respect the event, the sit-in of 1955 in an appropriate way, so that is on-going. This is historic preservation, this is preserving the character of the area, so we may have some disagreements about individual buildings but my representation to the Board today is that the characteristics of the area and the preservation of the Brager Gutman Department Store, of Reads, of Howard Furniture Store, these are significant, that were not in the original proposal, but we have all learned and improved the design since then. So, with no sense of going back to start over again Mr. President and members of the Board we are here to support the recommendation in front of you."

MINUTES

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

City Solicitor: "I Move approval of the item as submitted and denial of the protest."

Director of Public Works: "Second."

President: "All those in favor say AYE, all those opposed NAY"

Rev. Witherspoon(Speaks from the audience): "Mr. Chair, Mr. Chair --"

President: "--the Motion carries."

Rev. Witherspoon: "There are people in the Civil Rights Community who have a different position, they have not been consulted - - it is egregious - -"

President: "You are out of order. The second item on the non-routine agenda can be found on Pages 75-77, Item No. 5. - -"

Rev. Witherspoon: "it is egregious, we deserve more, we deserve to be a part of this process, the NAACP, the SCLC, the National Action League - -"

President: "Rev. Witherspoon you are out of order, you are out of order - -"

Rev. Witherspoon: "We have not been included, the City of Baltimore is out of order to destroy our heritage in such a way without including the civil rights community; it's egregious, it's a shame."

P.21-22

**NATIONAL
TRUST
FOR
HISTORIC
PRESERVATION**

**Southern
FIELD OFFICE**

December 20, 2011

Honorable President and Members of the Board of Estimates
C/o Clerk, Board of Estimates
Room 204, City Hall
100 North Holliday Street
Baltimore, MD 21202

Sent Via Fax: 410-685-4416

Re: Board of Estimates December 21, 2011 Meeting;
Protest of the Third Amendment to the Land Disposition Agreement
with Lexington Square Partners

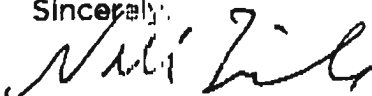
Dear Members of the Board of Estimates:

On behalf of the National Trust for Historic Preservation, I am writing to protest the third amendment and extension of the Land Disposition Agreement with Lexington Square Partners (LSP) to redevelop the area called "The Superblock" in Baltimore's West Side neighborhood. With this letter, we join our partners Baltimore Heritage, Inc. in asking that the item be moved to the Non-Routine Agenda and that we be given an opportunity to address the Board of Estimates on December 21, 2011.

The National Trust for Historic Preservation has been engaged in the revitalization of the Market Center Historic District since 1999, when we listed Baltimore's West Side as one of *America's 11 Most Endangered Historic Places*. Since that time, we have invested in West Side redevelopment projects through our subsidiary, the National Trust Community Investment Corporation, and actively promoted a preservation-based revitalization of the neighborhood. We opposed the initial award of the Superblock project to Lexington Square Partners because the LSP proposal was incompatible with the West Side's valuable and irreplaceable historic fabric. The current proposal, which would demolish (in whole or in part) 14 of 17 historic buildings in the Superblock, has not substantively changed. Since the original contract was awarded, the City-owned buildings have suffered from neglect and deterioration.

A redevelopment plan for the Superblock which reused, rather than demolished, these significant historic properties would help Baltimore retain its market edge as a tourist destination and a desirable place to live. We therefore respectfully urge you to deny the amendment extending the current Land Disposition Agreement with Lexington Square Partners and help shape a new future for Baltimore's West Side.

Sincerely,



Nell Ziehl
Field Officer

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www.PreservationNation.org

BALTIMORE HERITAGE

WORKING TOGETHER TO PRESERVE AND PLAN BALTIMORE'S FUTURE
11 1/2 WEST CHASE STREET, BALTIMORE, MD 21201 • 410.392.9992 • baltimoreheritage.org

December 19, 2011

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Johns W. Hopkins
Executive Director

Honorable President and Members of the Board of Estimates
C/o Clerk, Board of Estimates
Room 204, City Hall
100 North Holliday Street
Baltimore, MD 21202

Sent Via Fax: 410-685-4416

**Re: Board of Estimates December 21, 2011 Meeting;
Protest of the Third Amendment to the Land Disposition
Agreement with Lexington Square Partners**

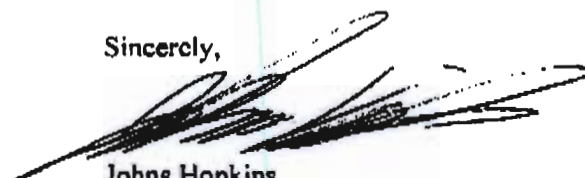
I am writing to protest the third amendment and extension of the land disposition agreement with Lexington Square Partners over the area on the west side of downtown called "The Superblock." I would ask that you move this item to the Non-Routine Agenda and that we be given an opportunity to address the Board of Estimates.

Baltimore Heritage is a city-wide non-profit organization dedicated to preserving historic places in Baltimore, is a member of the West Side Project Area Committee established under the Market Center Urban Renewal Ordinance, and has worked on preservation and development issues on the West Side generally and the Superblock specifically for over ten years.

We have been before you twice before to protest this LDA: once in December 2010 and once in June 2011. The current proposal has not substantively changed except for one building: the proposal now calls for the preservation and reuse of the two front facades of Read's Drugstore on the corner of Howard and Lexington Streets based on the significant Civil Rights history that happened here. The rest of the proposal would demolish historic buildings that are important to Baltimore's architectural, commercial, and Civil Rights heritage. Many of these buildings are suffering from demolition by neglect, and after seven years of delay by Lexington Square Partners and without any basic maintenance, they need attention soon. We believe that granting yet on more extension today will further the deterioration of these historic places and impede progress on this parcel and in the greater west side of downtown.

I urge you to deny the amendment extending the current LDA so that appropriate development can begin as soon as possible.

Sincerely,



Johns Hopkins
Executive Director





MINUTES

Baltimore Development - Note Modification Agreement Corporation (BDC)

ACTION REQUESTED OF B/E:

The Board is requested to approve execution of a note modification agreement for the existing of the Purchase Money Mortgage (PMM) loan to 1414 Key Highway Holdings, LLC, borrower. This note modification agreement extends the term of the PMM for an additional 10 years.

The Board is further requested to authorize the Mayor or the Director of Finance to execute any ancillary documents, letters or certificates that do not change the substance of the terms of the documents, subject to review and approval for form and legal sufficiency by the Law Department.

AMOUNT OF MONEY AND SOURCE:

\$137,351.68 - Loan Extension/Balloon Amount

BACKGROUND/EXPLANATION:

On December 19, 2001, the Board approved a Purchase Sale Agreement, with the developers, Martin Azola and Kenneth Banks to purchase the South Harbor Business Center, located at 1414 Key Highway, for \$800,000.00. Settlement occurred on February 15, 2002. \$175,000.00 of the purchase price was financed by the City under a Purchase Money Deed of Trust, at a 4% interest rate, with a February 15, 2012 maturity date (the City loan). The City loan has been paid as agreed since 2002.

The borrower has requested that the City extend and amortize the remaining balance of \$137,351.68 as of February 15, 2012 for ten additional years.

Although 1414 Key Highway has a solid occupancy rate (87%) the landlord has had to make numerous concessions to tenants in order to keep the building occupied during this economic climate. Attempting to refinance the City loan at this time, would be difficult to impossible.

MINUTES

BDC - cont'd

The interest rate on the City loan will increase from 4% to 5% for the remaining ten years.

MBE/WBE PARTICIPATION:

N/A

(FILE NO. 55847)

UPON MOTION duly made and seconded, the Board approved and authorized execution of the note modification agreement for the existing of the Purchase Money Mortgage loan to 1414 Key Highway Holdings, LLC, borrower. The Comptroller **ABSTAINED**.

MINUTES

Baltimore Development - Second Amendment to Lease Agreement Corporation (BDC)

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a second amendment to lease agreement with Harbor Place Associates Limited Partnership, developer.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

In 1979, the City entered into the original lease agreement with the developer. The lease included certain easement rights granted to the developer by the City with respect to the City owned pedestrian bridge that runs from Harborplace to the Hyatt Parking Garage (referred to as the Upper Light Street Bridge in the lease). Pursuant to Section 2.3 and 3.6 of the 1979 lease, the City is required to maintain and keep the bridge in working order.

In Fall 2010, the Department of Transportation (DOT) shut down the bridge to all pedestrian traffic after an engineering survey determined that the bridge was structurally unsound. Further engineering work has revealed that the bridge cannot simply be repaired but must be replaced. The DOT had insufficient capital funds in its FY 2011 and 2012 budget to rebuild the Bridge. Pursuant to Section 7.3(b) of the lease, the developer is permitted to build the replacement bridge and receive rent abatement for the expenses that it incurs.

This second amendment to the lease agreement will amend the original 1979 lease to permit the replacement of the City-owned Upper Light Street Pedestrian Bridge by the developer under a rent-abatement payment plan.

Under the 1979 lease agreement, the developer pays the City \$0.67 per gross leasable sq. ft. plus percentage rent of 25% of net cash flow.

MINUTES

BDC - cont'd

The developer desires that the bridge to be operational by May 2012 and has commenced on the initial design and engineering work to meet this deadline.

Under this second amendment to the lease agreement, all design, engineering, and construction will be procured and managed by the developer subject to the BDC and the DOT review and approval. The developer will bid the job and the BDC and the DOT will certify all costs of the bridge replacement. The developer will enter into a Public Works Developer's Agreement, which will also be submitted to the Board for approval after construction drawings are completed and submitted to the City agencies for review.

The developer will be reimbursed under a rent abatement formula for all certified costs related to the design, engineering, permits, demolition, construction and inspections of the bridge project plus a 5% interest cost. The projected rent abatement period would commence after a certificate of completion is issued by the BDC, the DOT, and the City's Law Department.

The rent abatement period is estimated to be 10 years. The rent abatement will include only rent paid by the developer at Harborplace, including Base Rent, Percentage Rent and the payment from the outside RMUs located at Harborplace. The developer will pay all City taxes and fees associated with Harborplace and will receive no abatement or credit for these obligations.

The City will retain ownership of the bridge and will handle all future maintenance of the bridge.

(FILE NO. 57275)

UPON MOTION duly made and seconded, the Board approved and authorized execution of a second amendment to lease agreement with Harbor Place Associates Limited Partnership, developer.

MINUTES

Baltimore Development - License Agreement
Corporation (BDC)

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a license agreement with Harbor Place Associates Limited Partnership, licensee. The period of the license agreement is April 1, 2012 through December 31, 2017.

AMOUNT OF MONEY AND SOURCE:

No City funds will be expended.

Under the license agreement the licensee will pay 15% of gross revenue from the Retail Merchandising Units (RMUs) on a quarterly basis.

BACKGROUND/EXPLANATION:

The license agreement will allow the licensee to license outdoor space between the Light Street and Pratt Street Pavilions at Harbor Place for the operation of 14 RMUs.

In 2007, the City entered into a five-year license agreement with the licensee. In year five, the City received 15% of gross revenues generated by the RMUs as payment under the agreement. The City has received between \$17,000.00 and \$25,000.00 per year. The 2007 agreement will terminate on March 31, 2012.

The licensee will replace seven of the 14 kiosks in 2012. The new kiosks will be of comparable size and design. They will also include mechanical and electrical systems for heating/cooling, to be more attractive to food and beverage vendors. The proposed agreement prohibits vending machines, amusement machines or gaming devices of any kind, as well as alcoholic beverages and alcoholic-related products or advertising, tobacco and tobacco-related products or advertising, drug paraphernalia or any items explicitly

MINUTES

BDC - cont'd

suggesting drug use, firearms or firearm-related accessories, body or ear piercing services, and pornography or any sexually explicit or profanely graphic materials.

(FILE NO. 57275)

UPON MOTION duly made and seconded, the Board approved and authorized execution of the license agreement with Harbor Place Associates Limited Partnership, licensee.

MINUTES

Fire Department - Donation of Health Equipment

ACTION REQUESTED OF B/E:

The Board is requested to approve acceptance of a donation from the Johns Hopkins University, Department of Athletics & Recreation (JHU).

AMOUNT OF MONEY AND SOURCE:

Estimated Fair
Market Value

\$ 450.00	- 1 treadmill (LifeFitness 9500HR)
150.00	- 1 recumbent electronic bike (Stairmaster 3800)
100.00	- 1 upright electronic bike (LifeCycle 9100)
100.00	- 1 rowing ergometer (Concept 2)
850.00	- 2 elliptical cross trainers (Precor EFX 546
	- \$425.00 each)

\$1,650.00

BACKGROUND/EXPLANATION:

The JHU will donate the health equipment valued at \$1,650.00 which will be placed in service at one or several fire houses and used by Department members.

UPON MOTION duly made and seconded, the Board approved and authorized the acceptance of the donation from the Johns Hopkins University, Department of Athletics & Recreation. The President

ABSTAINED.

MINUTES

Fire Department - Employee Expense Report

ACTION REQUESTED OF B/E:

The Board is requested to approve the expense report for Mr. Connor D. Scott for the months of May through August of 2011.

AMOUNT OF MONEY AND SOURCE:

\$243.13 - 1001-000000-2131-228200-603001

BACKGROUND/EXPLANATION:

The Administrative Manual, in Section 240-11, states that Employee Expense Reports that are submitted more than 40 work days after the last calendar day of the month in which the expenses were incurred require Board of Estimates approval. The expenses were mileage, parking and tolls.

The request is late because the employee is a relatively new contractual employee who was not aware of the deadline for submitting expenses.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved the expense report for Mr. Connor D. Scott for the months of May through August of 2011.

MINUTES

Bureau of Treasury Management - Amended and Restated
Loan Agreement and Amended
and Restated Promissory Note

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the amended and restated loan agreement with Baltimore Community Lending (BCL) and to approve the amended and restated promissory note with the BCL. The new note will extend the repayment term of the loan to October 15, 2021.

AMOUNT OF MONEY AND SOURCE:

No funds are requested.

BACKGROUND/EXPLANATION:

The BCL (formerly the Baltimore Community Development Financing Corporation) is a tax-exempt non-profit foundation formed by the City in January 1989. The purpose of the BCL is to originate mortgage loans that include construction and permanent financing that are typically set at below market rates of interest. The loans assist in the revitalization of City neighborhoods and include programs such as Baltimore HELP and the City's Vacant House Loan Program.

In 1991 and 1997, the City provided financial assistance to the BCL in the form of three promissory notes totaling \$11,655,000.00 funded with general obligation housing authorizations. Each note had the same terms and conditions as the City's general obligation bonds used to fund each note. The BCL loans made with the proceeds of the promissory notes were expected to provide for the repayment.

In August 2011, the President and CEO of the BCL sent a letter to the Department of Finance requesting that the City reduce the terms of the outstanding three notes in order to increase the BCL's ability to make new loans for important redevelopment activities.

MINUTES

Bureau of Treasury Management - cont'd

The new note will consolidate the outstanding three obligations into one note, reduce the rate of interest on the note to 3% and extend the repayment term to October 15, 2021. These modifications will provide the BCL with the additional lending capacity it needs to continue revitalization efforts.

MBE/WBE PARTICIPATION:

N/A

(FILE NO. 57271)

UPON MOTION duly made and seconded, the Board approved and authorized execution of the amended and restated loan agreement with Baltimore Community Lending (BCL) and approved the amended and restated promissory note with the BCL.

MINUTES

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

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an agreement with Dewberry & Davis, LLC., for Project No. 1155, (WC 1226) Replacement and Rehabilitation of Distribution Mains and Appurtenances in Identified Areas. The agreement is effective upon Board approval for two years, or until the upset limit is reached, whichever occurs first.

AMOUNT OF MONEY AND SOURCE:

\$999,822.00 - 9960-905659-9557-900020-703032

BACKGROUND/EXPLANATION:

The Consultant will provide water design and engineering services related to existing water mains that have been identified by the City for replacement and rehabilitation. The scope of work includes preparation of contract documents including plans, specifications, cost estimates, permit applications, right-of-ways, easements, test holes to locate utilities, etc.

The Consultant was approved by the Office of Boards and Commissions and the Architectural and Engineering Awards Commission.

MBE/WBE PARTICIPATION:

MBE:	EBA Engineering, Inc.	\$150,000.00	15.00%
	Transviron, Inc.	<u>120,000.00</u>	<u>12.00%</u>
		\$270,000.00	27.00%

MINUTES

BW&WW - cont'd

WBE: Phoenix Engineering, Inc.	\$ 60,000.00	6.00%
Sahara Communications, Inc.	<u>30,000.00</u>	<u>3.00%</u>
	\$ 90,000.00	9.00%

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

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$1,100,000.00	9960-909100-9558	
Water Revenue	Constr. Reserve	
Bonds	Water Infrastruc-	
	ture Rehab.	
\$1,000,000.00	-----	9960-905659-9557-3
		Engineering
<u>100,000.00</u>	-----	9960-905659-9557-9
\$1,100,000.00		Administration

The funds are required to cover the cost of Project 1155, (WC 1226), Replacement/Rehabilitation of Distribution Mains and Appurtenances.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the agreement with Dewberry & Davis, LLC., for Project No. 1155, (WC 1226) Replacement and Rehabilitation of Distribution Mains and Appurtenances in Identified Areas. The Transfer of Funds was approved, SUBJECT to the receipt of a favorable report from the Planning Commission, the Director of Finance having reported favorably thereon, in accordance with the provisions of the City Charter. The President **ABSTAINED**. The Comptroller **ABSTAINED**.

MINUTES

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

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an agreement with Johnson, Mirmiran & Thompson, Inc., for Project No. SC 918, Improvements to the Headworks and Wet Weather Flow Equalization at the Back River Wastewater Treatment Plant. The agreement is effective upon Board approval for two years, or until the upset limit is reached, whichever occurs first.

AMOUNT OF MONEY AND SOURCE:

\$422,390.47 - Baltimore City Water Revenue Bonds
422,390.46 - Baltimore County
\$844,780.93 - 9956-907689-9551-900020-703032

BACKGROUND/EXPLANATION:

The Consultant will perform a plant wide hydraulic analysis and evaluate the hydraulic and treatment capacity of the existing influent headworks and its capacity to handle the predicted high wet weather flows to the plant. Following the study and evaluation, the Consultant will prepare different alternatives for the headworks improvements and wet weather flow equalization. Based on the selected alternatives resulting from workshops, the Consultant will prepare a design memorandum and preliminary drawings along with the estimated construction cost estimate.

The Consultant was approved by the Office of Boards and Commissions and the Architectural and Engineering Awards Commission.

MBE/WBE PARTICIPATION:

MBE:	A S Architects, Inc.	\$ 45,001.39	5.32%
	E2CR, Inc.	69,614.53	8.23%
	Sidhu Associates, Inc.	88,373.80	10.45%
	Transviron, Inc.	<u>25,382.76</u>	<u>3.00%</u>
		\$228,372.48	27.00%

MINUTES

BW&WW - cont'd

WBE: Constellation Design	\$ 38,912.07	4.60%
Group, Inc.		
Phoenix Engineering, Inc.	<u>37,252.94</u>	<u>4.40%</u>
	\$ 76,165.01	9.00%

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

(FILE NO. 55986A)

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$475,000.00	9956-906689	
County Appro-	Constr. Res.	
riation	Back River WWTP	
	Primary & In-	
	fluent Facility	
475,000.00	" "	
Wastewater		
<u>Revenue Bond</u>		
\$950,000.00		
\$845,881.51	-----	9956-907689-9551-3
		Engineering
<u>104,118.49</u>	-----	9956-907689-9551-9
\$950,000.00		Administration

The funds are required to cover the costs of SC 918, Improvements to the Headworks and Wet Weather flow Equalization at Back River WWTP.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the agreement with Johnson, Mirmiran & Thompson, Inc., for Project No. SC 918, Improvements to the Headworks and Wet Weather Flow Equalization at the Back River

MINUTES

BW&WW - cont'd

Wastewater Treatment Plant. The Transfer of Funds was approved, SUBJECT to the receipt of a favorable report from the Planning Commission, the Director of Finance having reported favorably thereon, in accordance with the provisions of the City Charter. The President **ABSTAINED**.

MINUTES

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

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an agreement with Raftelis Financial Consultants, Inc., for Project No. 1145, Utility Cost of Service, Rate, and Financial Consulting Services. The agreement is effective upon Board approval for three years, or until the upset limit is reached, whichever occurs first.

AMOUNT OF MONEY AND SOURCE:

\$1,500,000.00 - 2070-000000-5531-399300-603026
1,500,000.00 - 2071-000000-5541-398600-603026
\$3,000,000.00

BACKGROUND/EXPLANATION:

The Consultant will perform utility cost of service, rate, and financial consulting services for the Bureau. Examples of work include reviewing and updating the Water Cost Allocation Model used to determine the cost of providing water to Baltimore County, assisting with inter-jurisdictional cost sharing issues, developing cost of service and rate recommendations, and providing debt assurance support.

MINUTES

BW&WW - cont'd

MBE/WBE PARTICIPATION:

MBE: Peer Consultants, Inc.	\$540,000.00	18.00%
King, King & Assoc., P.A.	<u>270,000.00</u>	<u>9.00%</u>
	\$810,000.00	27.00%
WBE: Nicole M. Harrell, CPA	\$270,000.00	9.00%

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

(FILE NO. 57283)

UPON MOTION duly made and seconded, the Board approved and authorized execution of the agreement with Raftelis Financial Consultants, Inc., for Project No. 1145, Utility Cost of Service, Rate, and Financial Consulting Services. The Transfer of Funds was approved, SUBJECT to the receipt of a favorable report from the Planning Commission, the Director of Finance having reported favorably thereon, in accordance with the provisions of the City Charter. The President **ABSTAINED**. The Comptroller **ABSTAINED**. The Director of the Department of Public Works **ABSTAINED**.

MINUTES

Bureau of Water and Wastewater - Task Assignment

ACTION REQUESTED OF B/E:

The Board is requested to approve task assignment no. 002 to Louis Berger Water Services, Inc., for Project No. 1143, On-Call Project Management Scheduling, Inspection and Engineering Services on S.C. 852-R, Denitrification Filters.

AMOUNT OF MONEY AND SOURCE:

\$314,634.86 - 9956-910533-9551-900030-706063

BACKGROUND/EXPLANATION:

The Consultant will assist the Bureau's Construction Management Division. The work includes but is not limited to code compliance, field inspection, and record keeping under task assignment.

APPROVED FOR FUNDS BY FINANCE

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

UPON MOTION duly made and seconded, the Board approved task assignment no. 002 to Louis Berger Water Services, Inc., for Project No. 1143, On-Call Project Management Scheduling, Inspection and Engineering Services on S.C. 852-R, Denitrification Filters. The President **ABSTAINED**.

MINUTES

Department of Recreation and Parks - Management Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a management agreement with Hale Properties, LLC. for the management and operation of the Clarence "Du" Burns Indoor Soccer Arena. The period of the agreement is January 22, 2012 through January 21, 2013.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

On December 22, 2010, the Board approved the original agreement with Hale Properties, LLC. Following an unsuccessful solicitation, the Department decided to execute a new agreement for one year, during which time, a new request for proposal will be issued.

Hale Properties, LLC will be solely responsible for the operation and management of the facility and for payment of all operational costs and associated expenses.

APPROVED FOR FUNDS BY FINANCE

(FILE NO. 54799)

UPON MOTION duly made and seconded, the Board approved and authorized execution of the management agreement with Hale Properties, LLC. for the management and operation of the Clarence "Du" Burns Indoor Soccer Arena.

MINUTES

Mayor's Office of Amendment No. 1 to
Employment Development (MOED) - Memorandum of Understanding

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an amendment no. 1 to memorandum of understanding (MOU) with the State Department of Labor Licensing and Regulation (DLLR). The amendment no. 1 to the MOU will extend the period of the MOU through March 31, 2012.

AMOUNT OF MONEY AND SOURCE:

\$3,535.00 -4000-806711-6312-458505-603013

BACKGROUND/EXPLANATION:

On July 13, 2011, the Board approved a MOU for professional services. The term of the MOU was March 1, 2011 through December 30, 2011.

This amendment no. 1 to the MOU extends the period of the MOU through March 31, 2012 and provides additional funding in the amount of \$3,535.00 making the total funding amount \$15,318.00.

The amendment no. 1 to the 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 amendment no. 1 to memorandum of understanding with the State Department of Labor Licensing and Regulation.

MINUTES

Police Department - Grant Award

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize acceptance of a grant award from the Governor's Office of Crime Control and Prevention (GOCCP). The period of the grant award is November 1, 2011 through December 23, 2011.

AMOUNT OF MONEY AND SOURCE:

\$20,000.00 - 4000-470812-2021-213300-601065

BACKGROUND/EXPLANATION:

The Department has received a grant, from the GOCCP for the Baltimore Metropolitan Region Warrant Initiative. This initiative helps reduce existing gaps in services and fosters collaboration and cooperation among partner agencies and stakeholders throughout Maryland. The program provides support to the Baltimore Police Department to aid the Baltimore County Police Department in the service of warrants for violent crime offenders who committed their offenses in Baltimore County, but reside in Baltimore City. Grant funds provide overtime for members of the Baltimore Police Department.

The request is late because the Letter of Intent was just 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 and authorized acceptance of the grant award from the Governor's Office of Crime Control and Prevention.

MINUTES

Department of Transportation - Grant Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a grant agreement with the Maryland Heritage Areas Authority. The period of the agreement is effective upon Board approval until the October 31, 2012.

AMOUNT OF MONEY AND SOURCE:

\$70,000.00 - 9950-905760-9508-000000-490358

BACKGROUND/EXPLANATION:

The purpose of this agreement is to provide the Department with funds which will enable the Department to carry out programs and projects to implement its approved management plan, "Baltimore City Tour Bus Facility." The approved scope of work includes building a centralized facility for the parking/servicing of at least 50 tour buses (including 1,200 square foot amenities building for bus staff with open lounge, TV, restrooms, and vending machines) on an existing City-owned parking lot located immediately south of the B&O Railroad Museum, near the intersection of S. Arlington Street and James Street in West Baltimore as submitted in Exhibit A.

APPROVED FOR FUNDS BY FINANCE

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

UPON MOTION duly made and seconded, the Board approved and authorized execution of the grant agreement with the Maryland Heritage Areas Authority.

MINUTES

Department of Transportation - Partial Release of Retainage Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a partial release of retainage agreement to Monumental Paving and Excavating for Contract No. TR 10010, Lowering of Monument Street under Amtrak Bridge No. MP92.61.

AMOUNT OF MONEY AND SOURCE:

\$32,092.94 - 9960-904678-9557-000000-200001

BACKGROUND/EXPLANATION:

All work on Contract No. TR 10010 is substantially completed, all punch list items are completed and the contractor has requested a partial release of retainage in the amount of \$32,092.94. The City holds \$34,092.94 in retainage. The remaining \$2,000.00 is sufficient to protect the interests of the City.

MWBOO HAS APPROVED THE RELEASE.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the partial release of retainage agreement to Monumental Paving and Excavating for Contract No. TR 10010, Lowering of Monument Street under Amtrak Bridge No. MP92.61.

MINUTES

EXTRA WORK ORDER

* * * * *

UPON MOTION duly made and seconded,

the Board approved the

Extra Work Order

listed on the following page:

4267

The EWO has been reviewed and approved

by the

Department of Audits, CORC,

and MWBOO, unless otherwise indicated.

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>

Department of Transportation

1. EWO #004, \$18,168.10 - Project 954, Key Highway
Beautification

\$ 102,576.57	\$ 111,820.44	KCW Engineering Technologies, Inc.	-	-
---------------	---------------	---------------------------------------	---	---

The transfer of funds is needed to cover the deficit in the account and fund the cost related to change order no. 4, under Project 954, Key Highway Beautification was approved by the Board on December 07, 2011.

MINUTES

Department of Transportation - Task Assignment

ACTION REQUESTED OF B/E:

The Board is requested to approve task assignment no. 005, to KCI/STV Joint Venture, under Project No. 1136, On-Call Conduit Occupancy Surveys Citywide.

AMOUNT OF MONEY AND SOURCE:

\$922,852.15 - 2024-000000-5480-395700-603026

BACKGROUND/EXPLANATION:

This authorization provides for engineering services that include but are not limited to completing various on-going tasks required to complete the Automation and Data Entry Services for the remainder of the 14,100 manholes in the existing GIS database and the additional 200 manholes identified by the City.

MBE/WBE PARTICATION:

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

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

(FILE NO. 56533)

UPON MOTION duly made and seconded, the Board approved task assignment no. 005, to KCI/STV Joint Venture, under Project No. 1136, On-Call Conduit Occupancy Surveys Citywide.

MINUTES

Department of Transportation - Task Assignment

ACTION REQUESTED OF B/E:

The Board is requested to approve task assignment no. 006, to KCI/STV Joint Venture, under Project No. 1136, On-Call Conduit Occupancy Surveys Citywide.

AMOUNT OF MONEY AND SOURCE:

\$661,782.40 - 2024-000000-5480-395700-603026

BACKGROUND/EXPLANATION:

This authorization provides for engineering services that include but are not limited to manhole inspections, attend progress meetings at the Conduit Division Office, supervise inspection crews and allocate appropriate resources to complete the inspections, collate file folders with photographs and scans
````````for download to the City's on Base System.

**MBE/WBE PARTICATION:**

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

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

**(FILE NO. 56533)**

UPON MOTION duly made and seconded, the Board approved and authorized the task assignment no. 006, to KCI/STV Joint Venture, under Project No. 1136, On-Call Conduit Occupancy Surveys Citywide.

## MINUTES

Department of Housing and - Land Disposition Agreement  
Community Development

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the land disposition agreement with Ms. Donna M. Simon and Mr. Reagan Simon, developer, for the sale of the property located at 1021 N. Mount Street (Block 0061 Lot 049).

**AMOUNT OF MONEY AND SOURCE:**

\$6,000.00 - Purchase Price

**BACKGROUND/EXPLANATION:**

A good faith deposit of \$600.00 has been paid by the developer.

The property was obtained through Tax Sale on October 13, 1999 and the value of \$12,300.00 was determined by using the waiver valuation process.

The project will consist of the rehabilitation of the property to include a new roof, new windows, and a new HVAC system. The property will be owner-occupied.

**STATEMENT OF PURPOSE AND RATIONALE FOR SALE OF PROPERTY BELOW THE PRICE ESTABLISHED THROUGH THE WAIVER VALUATION PROCESS:**

The property was priced pursuant to the appraisal policy of Baltimore City by the using the Waiver Valuation process to determine the price for this property. The following factors are present; (1) stabilizing the immediate community; (2) elimination of blight; (3) economic development, creation of jobs, real estate and other taxes; (4) and the opportunity to have quick rehabilitation of the property. The comparables used to substantiate the waiver valuation price of 1021 N. Mount Street were 926 N. Fulton Avenue, 916 N. Mount Street, and 1019 N. Fulton Avenue.



## MINUTES

DHCD - cont'd

**MBE/WBE PARTICIPATION:**

The property is being conveyed to a private citizen for rehabilitation and resale at the market rate and will be owner-occupied. The citizen received no City funds or incentives for the purchase or rehabilitation, therefore MBE/WBE is not applicable.

**(FILE NO. 57211)**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the land disposition agreement with Ms. Donna M. Simon and Mr. Reagan Simon, developer, for the sale of the property located at 1021 N. Mount Street (Block 0061 Lot 049).

**MINUTES**

Department of Housing and - Land Disposition Agreement  
Community Development

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the land disposition agreement with Timothy 618, LLC, developer, for the sale of the property located at 332 and 338 E. Federal Street.

**AMOUNT OF MONEY AND SOURCE:**

\$ 6,000.00 - 332 E. Federal Street  
6,000.00 - 338 E. Federal Street  
**\$12,000.00 - Purchase Price**

**BACKGROUND/EXPLANATION:**

A good faith deposit of \$1,200.00 has been paid.

The project will consist of the rehabilitation of the vacant properties into single family homes. The properties are located within and will be developed in accordance with the Greenmount West Urban Renewal Plan. The purchase price and improvements to the site will be financed through private sources.

The provisions of Article II, Section 15 of the Baltimore City Charter, Article 13 of the Baltimore City Charter and Ordinance No. 699, the Greenmount West Urban Renewal Plan, originally approved by the City on April 17, 1978 authorizes the City to sell the properties.

**STATEMENT OF PURPOSE AND RATIONALE FOR SALE OF PROPERTY BELOW THE PRICE DETERMINED BY WAIVER VALUATION PROCESS**

In accordance with the City's appraisal policy, the waiver valuation process was used in lieu of an appraisal. The Department has determined the fair market values of the properties using available real estate data. The vacant buildings are valued at \$6,900.00. Sale of these vacant properties at a price below the value determined by the waiver valuation process will eliminate blight, create jobs during reconstruction and the properties will be reoccupied and returned to the tax rolls.

## MINUTES

DHCD - cont'd

**MBE/WBE PARTICIPATION:**

The properties are not subject to Article 5, Subtitle 28 of the Baltimore City Code because the purchase price is less than \$20,000.00 and the developer will receive no city funds or incentives for the purchase or rehabilitation, therefore MBE/WBE goals are not applicable.

**(FILE NO. 57211)**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the land disposition agreement with Timothy 618, LLC, developer, for the sale of the property located at 332 and 338 E. Federal Street.

## MINUTES

Department of Housing and - Land Disposition Agreement  
Community Development

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the land disposition agreement with 421 E. Federal 2, LLC, purchaser, for the purchase of 423 E. Federal Street.

**AMOUNT OF MONEY AND SOURCE:**

\$1,000.00 - 423 E. Federal Street 1120 008

**BACKGROUND/EXPLANATION:**

A good faith deposit was not paid by the purchaser, the entire balance will be paid prior to settlement by Cashiers or Certified Check.

The purchaser will be using private funds to pay for the acquisition and maintenance of the property.

The City strategically acquires and manages vacant or abandoned properties, ultimately enabling these properties to be returned to productive use and improving Baltimore's neighborhoods.

In accordance with the City's Side Yard Policy, the City has agreed to convey the property known as 423 E. Federal Street, to the adjacent non-owner occupied property. As a condition of conveyance the purchaser has agreed to the terms of the LDA, which prohibits development of the parcel for a minimum of ten years.

## MINUTES

DHCD - cont'd

**MBE/WBE PARTICIPATION:**

The properties are not subject to Article 5, Subtitle 28 of the Baltimore City Code because they will be sold at market value.

**(FILE NO. 57035)**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the land disposition agreement with 421 E. Federal 2, LLC, purchaser, for the purchase of 423 E. Federal Street.

**MINUTES**

Department of Housing and Community Development - Report on Extension of LDA with C-W Superblock, LLC

**ACTION REQUESTED OF B/E:**

The Board is requested to **NOTE** the report of "Good and Substantial" cause shown by C-W Superblock, LLC, developer upon which the decision to grant a six-month extension of the termination date of the LDA to December 31, 2011.

**AMOUNT OF MONEY AND SOURCE:**

N/A

**BACKGROUND/EXPLANATION:**

On December 22, 2010, the amended LDA with C-W Superblock, LLC was approved. The amendment provided a six-month extension of the December 31, 2010 termination date of the LDA with the developer to June 30, 2011, as all of the conditions precedent to settlement, as indicated in Section 2.15 of the Original LDA, had not yet occurred.

The Amended LDA modified Section 2.15.3 of the Original LDA to provide that the Department may extend the termination date for one additional six month period from July 1, 2011 to December 31, 2011, in the event that the developer has shown good and sufficient cause for such an extension.

The December 22, 2010, Board approval noted a requirement that the Commissioner of the DHCD report to the Board; if an extension of the date of termination was granted as well as the good and sufficient cause shown by the developer to substantiate such an extension.

The conditions precedent to settlement as set forth in the Original LDA were:

## MINUTES

DHCD - cont'd

- (i) for the City to provide the developer notice of the completion of environmental remediation and demolition of the Developer and Non-Developer properties at the site bounded by West Lexington Street, Park Avenue, Clay Street, and the Stewart's Building and to provide The Harry and Jeanette Weinberg Foundation (Foundation) and the Developer the City's third party costs for such work, and
- (ii) for the Foundation to reimburse the City for 25% of such costs as provided in the Original LDA. Settlement was to occur within 45 days of Developer's receipt of such notice.

The Baltimore Development Corporation (BDC) was unable to provide the required notice to the developer and the Foundation until recently as the final cost certifications for the third party work was not finalized and sufficiently reviewed by the BDC until recently. Accordingly, the reason for settlement not occurring was not due to the inaction of the developer but to circumstances totally outside of its control and are accordingly good and sufficient cause to extend the date of settlement as set forth above.

**MBE/WBE PARTICIPATION:**

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

**(FILE NO. 57197)**

UPON MOTION duly made and seconded, the Board **NOTED** the report of "Good and Substantial" cause shown by C-W Superblock, LLC, developer.

## MINUTES

Department of Housing and - Local Government Resolutions  
Community Development

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

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

| <u>Organization</u>            | <u>Amount</u>                         |
|--------------------------------|---------------------------------------|
| 1. <b>THE RED DEVILS, INC.</b> | <b>\$ 25,000.00</b><br><b>(CITCP)</b> |

The Red Devils, Inc., located at 5820 York Road, Baltimore, Maryland 21212 proposes the Treatment Support for Maryland Breast Cancer Families Project. The project is a partnership with select Baltimore hospitals to fund services, which minimize the logistical and financial barriers to treatment for women with breast cancer. Research confirms that lack of transportation, financial hardship, lack of insurance or under-insured and conflicting priorities (work, children, and family) are among the barriers to women entering treatment or finding themselves noncompliant with treatment. The Red Devils raises funds from individuals, corporations, and foundations to fund transportation to treatment, family support needs, meals, groceries, house cleaning, living expenses, childcare and medical services, and treatment-related therapies. Case managers and patient navigators at partner hospitals identify patients who would best benefit from these services and refer those patients to be approved list of services providers.

The Red Devils, Inc. was founded in 2002 and has partnerships with 39 hospitals or other facilities throughout Maryland.



## MINUTES

DHCD - cont'd

2. **MARYLAND SOCIETY FOR SIGHT, INC.** **\$ 10,000.00**  
**(CITCP)**

The Maryland Society for Sight, Inc., located at 1313 W. Cold Spring Lane, Baltimore, Maryland 21209 proposes the Mobile Eye Care for the Homeless Project. The project addresses the need for vital vision care in the homeless population by providing both eye examinations and eyeglasses to those in need. The beneficiaries are individuals who are unable to secure optometric and ophthalmologic services in the traditional venue because of a variety of barriers to access care. The organization addresses the health disparities faced by the homeless population in Baltimore by bringing vision care directly to them at homeless shelters and other social service organizations where they are accessing other necessary services, exams, and refractions for prescription eye wear.

The Maryland Society for Sight, Inc. was founded in 1909 as the Maryland Society for Prevention of Blindness. For more than 102 years, the mission of the Maryland Society for Sight has been to prevent blindness and preserve sight for Marylanders. Good vision is essential to read, work, drive, and perform other activities of daily living. The goal is to take the initiative to screen vulnerable populations, rather than wait for them to seek treatment after they develop symptoms.

3. **THE EVERYMAN THEATRE, INC.** **\$ 50,000.00**  
**(CITCP)**

The Everyman Theatre, Inc. located at 1727 Charles Street, Baltimore, Maryland 21201, proposes the expansion of Everyman Theatre High School Matinee Program with the Baltimore City Public Schools Project. The project will expand its High School Matinee Program to serve 2,000 students per year in its new location at 315 W. Fayette Street by the 2013-2014 season. This represents a 40% increase from its current location. For the past 10 years, The Everyman Theatre's Matinee Program has provided four

## MINUTES

DHCD - cont'd

Baltimore City High Schools with a curriculum of four plays at no cost to the students or the school system. The program provides comprehensive, repeat exposure to theatre performances supplemented by pre- and post-show workshops in the classroom designed to explore the themes and ideas in the plays.

Founded in 1990, The Everyman Theatre produces classic and contemporary plays to over 30,000 patrons annually. It has grown from one play a year in borrowed spaces with no subscribers to five play series with over 4,000 subscribers, and a budget of \$1.6 million. The theatre's founding principles include a commitment to working with professional actors, other artists, designers, directors, and musicians. The mission of The Everyman Theatre is a professional theatre company with a resident ensemble of artists from the Baltimore Washington DC area.

4. **COMMUNITY LAW CENTER, INC.** **\$ 50,000.00**  
(CITCP)

The Community Law Center, Inc. located at 3355 Keswick Road, Suite 200, Baltimore, Maryland 21211, proposes the Pro Bono Project. The project will use lawyers to represent community associations, neighborhood groups, grassroots organizations, churches, and small businesses in Baltimore City, as they struggle to improve their neighborhoods through zoning, liquor board, tax sale hearings, drug nuisance abatement, and real estate cases. The Pro Bono Project is the backbone of all the Community Law Center's programs, providing volunteers to handle the complex legal matters faced by communities as they strive to improve the stability, health, safety and attractiveness of their neighborhoods.

The Community Law Center was founded in Baltimore, 25 years ago to provide legal services to community and nonprofit organizations to promote stronger and more vibrant neighborhoods. The law is used to help people protect their neighborhoods from nuisance properties, environmental

## MINUTES

DHCD - cont'd

degradations, property neglect, and abandonment. One of the most important goals is to empower communities with the tools they need to create positive changes in their neighborhoods.

5. **BANNER NEIGHBORHOODS COMMUNITY CORPORATION** **\$ 25,000.00**  
**(CITCP)**

The Banner Neighborhoods Community Corporation, located at 2900 E. Fayette Street, Baltimore, Maryland 21224, proposes the Community Empowerment Initiatives Project. The project will continue to provide a variety of community empowerment activities directed at helping low income senior citizens maintain their housing, engaging at-risk youth in positive enterprises, and strengthening neighborhood associations. The activities are as follows:

- a. Home Maintenance Program provides small home repairs, energy conservation improvements, and routine maintenance services for low-income senior homeowners in Southeast Baltimore who want to remain in the community and yet need extra assistance to live in comfortable, safe conditions.
- b. The Neighborhood Youth Program includes a Reading Club, Art Club, Football league, Basketball league, and Neighborhood Youth Employment Project which has approximately 300 neighborhood youth and youth participating and ranging in age from six to 19 year olds.

Community Empowerment Initiatives is a non-traditional programmatic approach to community organizing that trains residents to solve problems on their own and empowers them to conceive and implement new neighborhood improvement projects.

Banner Neighborhoods Community Corporation is a community based non-profit in southeast Baltimore City. The organization's mission is to promote resident-based leadership, support neighborhood pride, and stability and provide direct services that contribute in the overall viability throughout 10 communities in southeast Baltimore.

## MINUTES

DHCD - cont'd

6. **ADVOCATES FOR SURVIVORS OF TORTURE AND TRAUMA** **\$ 20,000.00**  
**(CITCP)**

Advocates for Survivors of Torture and Trauma, located at 431 E. Belvedere Avenue, Baltimore, Maryland 21212 proposes the Mental Health Services for Torture Survivors Project. The project will provide mental health counseling and case management to torture survivors. Clients come from 33 different countries, with the majority of them coming from African countries. After years of careful study, planning, and experience, the organization has demonstrated success in the treatment of survivors through a comprehensive program based on the Strengths Based Theory. The theory provides a culturally anchored method of emphasizing strengths over pathology through client-centered services that are flexible and encourage the individual to continually strive to attain goals which they themselves have established. In addition, there is access to social services and resources, which includes medical and legal aid, housing, language training and employment opportunities and conducts a life skills group that meets weekly.

Advocates for Survivors of Torture and Trauma have served torture and trauma victims in the Washington, DC and Baltimore area since 1994. Its mission is to alleviate the suffering of those who have experienced torture and trauma, to educate the local and world community about the needs of tortured victims.

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

## MINUTES

Department of Housing and - Agreements  
Community Development

The Board is requested to approve and authorize execution of the various Community Development Block Grant (CDBG) agreements with the providers. The agreements are for the period July 1, 2011 through June 30, 2012, unless otherwise indicated.

1. DRUID HEIGHTS COMMUNITY DEVELOPMENT CORPORATION, INC. **\$352,188.00**

|          |                                |              |
|----------|--------------------------------|--------------|
| Account: | 2089-208911-5930-430691-603051 | \$ 8,978.00  |
|          | 2089-208912-5930-430626-603051 | \$ 5,000.00  |
|          | 2089-208912-5930-430630-603051 | \$ 25,000.00 |
|          | 2089-208912-5930-430634-603051 | \$ 20,000.00 |
|          | 2089-208912-5930-430653-603051 | \$ 55,250.00 |
|          | 2089-208912-5930-430662-603051 | \$ 61,750.00 |
|          | 2089-208912-5930-430676-603051 | \$ 8,814.00  |
|          | 2089-208912-5930-430680-603051 | \$ 15,984.00 |
|          | 2089-208912-5930-430681-603051 | \$ 28,321.00 |
|          | 2089-208912-5930-430683-603051 | \$ 50,381.00 |
|          | 2089-208912-5930-430691-603051 | \$ 72,710.00 |

The organization will provide a variety of public and youth services and carry out planning and capacity building activities. The organization will also rehab and construct housing for the improvement and betterment of available affordable housing. The funds will be used to subsidize the organization's operating costs. The agreement is for the period September 1, 2011 through August 31, 2012.

**FOR FY 2011, MBE AND WBE PARTICIPATION GOALS FOR THE ORGANIZATION WERE SET ON THE AMOUNT OF \$31,500.00, AS FOLLOWS:**

**MBE:** \$4,725.00

**WBE:** \$1,575.00

## MINUTES

DHCD - cont'd

2. DRUID HEIGHTS COMMUNITY DEVELOPMENT CORPORATION, INC./ON BEHALF OF THE UPTON PLANNING COMMITTEE (UPC) \$ 42,750.00

|          |                                |              |
|----------|--------------------------------|--------------|
| Account: | 2089-208912-5930-665680-603051 | \$ 12,950.00 |
|          | 2089-208912-5930-665681-603051 | \$ 17,800.00 |
|          | 2089-208912-5930-665683-603051 | \$ 12,060.00 |

The UPC will carry out eligible public information and organizational capacity building activities for neighborhood revitalization and other eligible-CDBG activities in the Upton community. The funds will be used to subsidize the UPS's operating costs.

**MWBOO GRANTED A WAIVER.**

3. HISTORIC EAST BALTIMORE COMMUNITY ACTION COALITION, INC. (HEBCAC) \$ 40,850.00

|          |                                |              |
|----------|--------------------------------|--------------|
| Account: | 2089-208912-5930-435081-603051 | \$ 9,000.00  |
|          | 2089-208912-5930-435026-603051 | \$ 22,400.00 |
|          | 2089-208912-5930-435083-603051 | \$ 9,450.00  |

HEBCAC will provide general oversight, management and coordination of CDBG-eligible funded activities. HEBCAC will provide public information regarding activities being carried out within the Historic East Baltimore area of the City. HEBCAC will also provide public services to low and moderate-income persons seeking recovery from drug addiction. The funds will be used to subsidize the organization's operating costs.

**FOR FY 2011, MBE AND WBE PARTICIPATION GOALS FOR THE ORGANIZATION WERE SET ON THE AMOUNT OF \$26,000.00, AS FOLLOWS:**

**MBE:** \$3,900.00

**WBE:** \$1,300.00

## MINUTES

DHCD - cont'd

4. **COPPIN HEIGHTS COMMUNITY DEVELOPMENT CORPORATION, INC** **\$ 39,977.00**

Account: 2089-208912-5930-426526-603051

The organization is dedicated to being a catalyst to stimulate economic development within the Greater Coppin Heights/Rosemont community by offering The Tool Box for Financial Fitness (TBFF) financial literacy program. The TBFF program aims to combat financial illiteracy, evictions, and foreclosures in Baltimore City by providing low to moderate-income residents with the skills to manage their money, make sound financial decisions, and decrease their debt.

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)

The DHCD began negotiating and processing the CDBG agreements effective July 1, 2011 and beyond, as outlined in the Plan, pending approval of the Resolution. Consequently, the agreements were 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 the execution of the foregoing Community Development Block Grant agreements. The Comptroller **ABSTAINED** on item no.

4.

## MINUTES

Department of Housing and - Land Disposition Agreement  
Community Development

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the land disposition agreement with the Central Baptist Church developer, for the sale of the properties located at 2011, 2013, 2015, 2017, 2027, 2029, 2031, 2033 Booth Street, and 11 S. Pulaski Street (Booth Boyd Neighborhood).

**AMOUNT OF MONEY AND SOURCE:**

|                   |                         |          |
|-------------------|-------------------------|----------|
| \$1,000.00        | - 2011 Booth Street     | 0206 054 |
| 1,000.00          | - 2013 Booth Street     | 0206 055 |
| 1,000.00          | - 2015 Booth Street     | 0206 056 |
| 1,000.00          | - 2017 Booth Street     | 0206 057 |
| 1,000.00          | - 2027 Booth Street     | 0206 062 |
| 1,000.00          | - 2029 Booth Street     | 0206 063 |
| 1,000.00          | - 2031 Booth Street     | 0206 064 |
| 1,000.00          | - 2033 Booth Street     | 0206 065 |
| <u>1,000.00</u>   | - 11 S. Pulaski Street  | 0206 029 |
| <b>\$9,000.00</b> | <b>- Purchase Price</b> |          |

**BACKGROUND/EXPLANATION:**

A good faith deposit of \$900.00 has been paid.

The interim use consists of the preservation of the nine lots as a green space. This will allow the developer time to pursue the acquisition of the other intervening privately owned lots. The developer intends to purchase the remaining privately owned lots and consolidate them with the acquired lots from the City, into one lot. The consolidated lot will be developed into a parking facility for the use of the church's congregation. The developer is a nonprofit organization/church that provides community services and needs the parking lot for the use of its constituents.



## MINUTES

DHCD - cont'd

**MBE/WBE PARTICIPATION:**

The properties are not subject to Article 5, Subtitle 28 of the Baltimore City Code because the lots are vacant and no physical structures will be put on them.

**(FILE NO. 57211)**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the land disposition agreement with the Central Baptist Church developer, for the sale of the properties located at 2011, 2013, 2015, 2017, 2027, 2029, 2031, 2033 Booth Street, and 11 S. Pulaski Street.

## MINUTES

Parking Authority for - Expenditures of Funds  
Baltimore City (PABC)

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the expenditure of funds to pay the vendors for management of the below listed parking facilities.

The invoiced expenses are for the month of July for following vendors:

| <u>VENDOR</u>                                     | <u>FACILITY</u>                                     |
|---------------------------------------------------|-----------------------------------------------------|
| 1. <b>REPUBLIC PARKING SYSTEMS, USA, INC.</b>     | <b>ARENA PARKING GARAGE<br/>99 S. HOWARD STREET</b> |
| \$36,784.68 - 2075-000000-2321-407200-603026      | Maint. & Repair                                     |
| 3,000.00 - 2075-000000-2321-407200-603016         | Mgmt. & Fees                                        |
| <u>10,847.38</u> - 2075-000000-2321-407200-603038 | Security                                            |
| <b><u>\$50,632.06</u></b>                         |                                                     |
| 2. <b>REPUBLIC PARKING SYSTEMS, USA, INC.</b>     | <b>REDWOOD STREET GARAGE<br/>11 S. EUTAW STREET</b> |
| \$41,512.05 - 2076-000000-2321-253900-603026      | Maint. & Repair                                     |
| 3,638.49 - 2076-000000-2321-253900-603016         | Mgmt. Fees                                          |
| <u>5,660.00</u> - 2076-000000-2321-253900-603038  | Security                                            |
| <b><u>\$50,810.54</u></b>                         |                                                     |

The Parking Authority originally intended that the facilities change management on July 1, 2011, but the changeover was delayed for one month. The Management of the Arena Garage and the Redwood Garage changed on August 1, 2011 from Republic Parking Systems, USAS, Inc. to the partnership of LAZ Parking Mid-Atlantic LLC and PMS Parking, Inc.

## MINUTES

PABC - cont'd

3. LAZ PARKING MID-ATLANTIC,  
LLC AND PMS PARKING INC.  
(LAZ/PMS)

MARRIOTT GARAGE  
405 W. LOMBARD STREET

|                    |   |                                |                 |
|--------------------|---|--------------------------------|-----------------|
| \$30,385.86        | - | 2075-000000-2321-407000-603026 | Maint. & Repair |
| 2,223.87           | - | 2075-000000-2321-407000-603016 | Mgmt. Fees      |
| 5,747.00           | - | 2075-000000-2321-407000-603038 | Security        |
| <u>\$38,356.73</u> |   |                                |                 |

LAZ/PMS operated the Marriott Garage for the PABC pursuant to a Parking Facility Operations and Management Agreement approved by the Board on February 23, 2011. The agreement expired on June 30, 2011. A new contract with the vendor for operation of this facility was approved by the Board on July 20, 2011, effective August 1, 2011.

**APPROVED FOR FUNDS BY FINANCE**

UPON MOTION duly made and seconded, the Board approved and authorized the expenditure of funds to pay the vendors for management of the foregoing parking facilities.

## MINUTES

Mayor's Office - Grant Agreement and Assignment Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a grant agreement and an assignment agreement with the Baltimore Heritage Area Association, Inc. (BHAA) The period of the grant agreement is January 1, 2012 through June 30, 2012, with nine 1-year renewal options, at the sole option of the City.

**AMOUNT OF MONEY AND SOURCE:**

\$70,000.00

**BACKGROUND/EXPLANATION:**

The Baltimore National Heritage Area Association, Inc. is a newly formed nonprofit that transitions the heritage area out of the Office of the Mayor to a stand-alone nonprofit organization. The grant agreement outlines the relationship and responsibilities between the new nonprofit and the City. The assignment agreement transfers ownership of a number of trademarks from the City to the new organization with the City maintaining a license to use the trademarks.

The grant agreement provides \$70,000.00 from the City to the organization which equates to half of the City's FY12 allocation to the heritage area program. These funds are matched by Federal and State dollars, adding up to a total annual budget of \$400,113.00. This agreement also transfers the remaining funding, an estimated at \$21,000.00 in certain City accounts to the organization and authorizes the organization to programmatically administer certain grant-funded projects on behalf of the City.

On March 30, 2009, Congress and President Obama designated the Baltimore National Heritage Area as the 49th National Heritage Area in the country. In the enabling legislation, the Baltimore Heritage Area Association, Inc. was named as the management entity. In order for the City of Baltimore to receive the federal funds allocated to the Baltimore National Heritage Area and its programs the City is required to form a nonprofit

## MINUTES

Mayor's Office - cont'd

organization. On May 25, 2011, the organization was incorporated in the State of Maryland and received its IRS tax exempt notification letter as of August 2011. The heritage area staff and the non-profit board look forward to managing this program for the citizens of Baltimore.

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

**(FILE NO. 57285)**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the grant agreement and an assignment agreement with the Baltimore Heritage Area Association, Inc.

The Mayor **ABSTAINED**.

## MINUTES

Space Utilization Committee - Lease Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the lease agreement with Friends of President Street Station, Inc. (tenant) for the rental of 801 Fleet Street, also known as the President Street Station, Inc. The period of the lease agreement is June 01, 2011 through November 31, 2012.

**AMOUNT OF MONEY AND SOURCE:**

\$1.00 annually, if demanded

**BACKGROUND/EXPLANATION:**

Through the Department of General Services, the Friends of President Street Station, Inc. requests an 18 month lease for the rental of the President Street Station. The Friends of President Street Station will volunteer their services for the historical preservation of the Civil War Museum. The City will be responsible for maintaining the property, and the Friends of President Street Station, Inc. will be responsible for the security costs of the property. This lease agreement is being submitted late for Board approval because of administrative issues.

The Space Utilization Committee approved the lease agreement on December 13, 2011.

**(FILE NO. 57279)**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the lease agreement with Friends of President Street Station, Inc. (tenant) for the rental of 801 Fleet Street, also known as the President Street Station, Inc.

## MINUTES

Space Utilization Committee - Amendment To Lease Agreement**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of an amendment to lease agreement with Edmonson Village, LLC, landlord, for the rental of a part of the property known as 4400 Edmonson Avenue, consisting of approximately 2,537 square feet, and known as Suite 4538. The rent reduction will be effective on January 1, 2012 through October 31, 2013.

**AMOUNT OF MONEY AND SOURCE:**

|        | <u>Proposed<br/>Renewal<br/>Amount</u> | <u>Negotiated<br/>Renewal<br/>Amount</u> | <u>Savings</u> |
|--------|----------------------------------------|------------------------------------------|----------------|
| Year 1 | \$34,630.00 (10 Months)                | \$31,712.50                              | \$2,917.50     |
| Year 2 | \$42,799.19 (12 Months)                | \$38,055.00                              | \$4,744.19     |

**BACKGROUND/EXPLANATION:**

The leased premises are used for offices for the Baltimore City Health Department's Women, Infants and Children's Program (WIC). On April 22, 2009 the Board approved the original agreement for a three year period with the option to renew for one additional 2-year period. On October 26, 2011 the Board approved the renewal option for the additional two years. Prior to exercising the renewal option, the Department had been trying to negotiate a rent reduction with the landlord. The Department was able to finalize negotiations on a rent reduction with the landlord. The amendment to lease agreement is needed as a result of the negotiations.

All other conditions, provisions and terms of the original lease will remain in full force and effect. The Space Utilization Committee approved the amendment to lease agreement on December 13, 2011.

**(FILE NO. 57023)**

MINUTES

Space Utilization Committee - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of the amendment to lease agreement with Edmonson Village, LLC, landlord, for the rental of a part of the property known as 4400 Edmonson Avenue, consisting of approximately 2,537 square feet, and known as Suite 4538.



## MINUTES

PROPOSAL AND SPECIFICATION

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

Department of Transportation - TR 05045, Key Highway Shared Use Trail and Landscaping Project From Interstate 1-95 to West of Lawrence Street  
**BIDS TO BE RECV'D: 2/15/2012**  
**BIDS TO BE OPENED: 2/15/2012**

## MINUTES

Department of Real Estate - Acquisition by Gift

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the acceptance of the donation of the fee simple interest in the property known as ES Beechfield Avenue SEC Parkton Street (Block 2530C, Lot 1) as a gift from Ms. Marguerite M. VillaSanta.

**AMOUNT OF MONEY AND SOURCE:**

No funds will be expended.

**BACKGROUND/EXPLANATION:**

Ms. VillaSanta is donating the property known as ES Beechfield Avenue SEC Parkton Street (Block 2530C, Lot 1), an undeveloped 23,427 sq. ft. lot to the City on behalf of the Department of Recreation and Parks. The property will be preserved as parkland.

This property will be accepted free and clear of all liens and encumbrances.

UPON MOTION duly made and seconded, the Board approved the acceptance of the donation of the fee simple interest in the property known as ES Beechfield Avenue SEC Parkton Street (Block 2530C, Lot 1) as a gift from Ms. Marguerite M. VillaSanta.

## MINUTES

Department of Real Estate - Acquisition by Gift

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the acceptance of the donation of the fee simple interest in the property known as SS Parkton Street SWC Thornfield Road (Block 2530C, Lot 17A) as a gift from the Parkton Village, LLC.

**AMOUNT OF MONEY AND SOURCE:**

No funds will be expended.

**BACKGROUND/EXPLANATION:**

Parkton Village, LLC is donating the property known as SS Parkton Street SWC Thornfield Road (Block 2530C, Lot 17A), an undeveloped 2.27 acre lot to the City on behalf of the Department of Recreation and Parks. The property will be preserved as parkland.

This property will be accepted free and clear of all liens and encumbrances.

UPON MOTION duly made and seconded, the Board approved and authorized the acceptance of the donation of the fee simple interest in the property known as SS Parkton Street SWC Thornfield Road (Block 2530C, Lot 17A) as a gift from the Parkton Village, LLC.

## 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:

4299 - 4317

to the low bidders meeting the specifications,  
or rejected bids on those as indicated

for the reasons stated.

The Transfer of Funds was approved

SUBJECT to receipt of a favorable report

from the Planning Commission,

the Director of Finance having reported favorably

thereon, as required by the provisions

of the City Charter.

The President voted **NO** on item no. 5.

The Comptroller **ABSTAINED** on item nos. 1, 2, and 4.

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

Department of Transportation

|    |                                                                                    |                                   |                                 |
|----|------------------------------------------------------------------------------------|-----------------------------------|---------------------------------|
| 1. | TR 10319, York Road Rehabilitation from 43 <sup>rd</sup> Street to Glenwood Avenue | P. Flanigan & Sons, Inc.          | \$2,783,413.10                  |
|    | <b>DBE:</b>                                                                        | AJO Concrete Construction, Inc.   | \$ 51,761.00      1.86%         |
|    |                                                                                    | Priority Construction Corporation | 446,019.50      16.02%          |
|    |                                                                                    | L&J Construction Service, Inc.    | 159,315.00      5.72%           |
|    |                                                                                    | Bay City Construction, Inc.       | 145,765.00      5.24%           |
|    |                                                                                    | Sunrise Safety Services, Inc.     | <u>35,400.00</u> <u>1.27%</u>   |
|    |                                                                                    |                                   | <b>\$838,260.50      30.11%</b> |

2. TRANSFER OF FUNDS

| <u>AMOUNT</u>                       | <u>FROM ACCOUNT/S</u>                                            | <u>TO ACCOUNTS:</u>                                                 |
|-------------------------------------|------------------------------------------------------------------|---------------------------------------------------------------------|
| \$2,560,740.05<br>FED               | 9950-944002-9507<br>Constr. Res.<br>Highway Closeouts            |                                                                     |
| 640,185.01<br>State Constr.<br>Loan | 9950-904460-9509<br>Constr. Res.<br>York Road Glenwood<br>Avenue |                                                                     |
| <u>\$3,200,925.06</u>               |                                                                  |                                                                     |
| \$2,783,413.10                      | -----                                                            | 9950-903460-9508-6<br>Struc. & Improv.                              |
| 278,341.30                          | -----                                                            | 9950-903460-9508-5<br>Inspections                                   |
| <u>139,170.66</u>                   | -----                                                            | 9950-903460-9508-2<br>Contingencies<br>York Road Glenwood<br>Avenue |
| <b>\$3,200,925.06</b>               |                                                                  |                                                                     |

This transfer will provide funds to cover the costs associated with the award of Contract No. TR 10319, York Road Rehabilitation from 43<sup>rd</sup> Street to Glenwood Avenue, to P. Flanigan & Sons, Inc.

## MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONSDepartment of Transportation - Award Amount Correction

- |    |                                      |                          |             |
|----|--------------------------------------|--------------------------|-------------|
| 3. | TR 06306, Jones Falls Trail Phase IV | Allied Contractors, Inc. | \$ 2,000.00 |
|----|--------------------------------------|--------------------------|-------------|

On Wednesday, November 23, 2011, the Board approved the award for Contract No. TR 06306, Jones Falls Trail Phase IV, to Allied Contractors, Inc., in the amount of \$2,970,898.00.

The Department is requesting to correct the previous award amount to \$2,972,898.00, representing a \$2,000.00 increase in the award amount.

Department of General Services

- |    |                                                     |                                      |                |
|----|-----------------------------------------------------|--------------------------------------|----------------|
| 4. | PB 10828, Repairs to the Northwest Transfer Station | Whiting-Turner Contracting Co., Inc. | \$1,209,900.00 |
|    | <b>MBE:</b> A.M. & Son Electric, LLC                | \$ 14,500.00                         | 1.20%          |
|    | Horton Mechanical Contractors, Inc.                 | <u>300,500.00</u>                    | <u>24.84%</u>  |
|    | <b>Total</b>                                        | <b>\$315,000.00</b>                  | <b>26.04%</b>  |
|    | <b>WBE:</b> M. Luis Construction Company, Inc.      | \$ 79,165.00                         | 6.54%          |

**MWBOO FOUND VENDOR IN COMPLIANCE.**

Bureau of Purchases

- |    |                                                           |
|----|-----------------------------------------------------------|
| 5. | B50002071, Management and Operation of Recreation Centers |
|----|-----------------------------------------------------------|



## MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

Bureau of Purchases - cont'd

RECLAIMING OUR CHILDREN AND COMMUNITY PROJECT, INC.<sup>1</sup>

**MBE:** Keene Cut Lawn Service, Inc. 7.00%<sup>2</sup>

**WBE:**

<sup>1</sup> Reclaiming Our Children and Community Project, Inc. is not in good standing with the Maryland Department of Assessments and Taxation.

<sup>2</sup> Keene Cut Lawn Service, Inc. is not in good standing with the Maryland Department of Assessments and Taxation. The bidder will be allowed to substitute an approved MBE if Keene Cut Lawn Service, Inc. is not in good standing at the time of the award.

**MWBOO FOUND VENDOR IN NON-COMPLIANCE.**

Award is recommended subject to vendor coming into compliance with m/wbe requirements.

President: "The second item on the non-routine agenda can be found on Pages 75-77, Item No. 5. Will the parties please come forward?"

Mr. Joe Mazza, City Purchasing Agent: "Good morning, Mr. President and members of the Board of Estimates, my name is Joe Mazza, I am the City Purchasing Agent. The Bureau of Purchases is recommending award for Solicitation No. B50002071, for the Management and Operation of Recreation Centers to the



## MINUTES

B50002071 - cont'd

following vendors: the Boys and Girls Clubs of Metropolitan Baltimore for the Brooklyn O'Malley Center with seed money in the amount of \$50,000.00; the Omega Baltimore Foundation, Inc. for the Easterwood Center with seed money in the amount of \$50,000.00; and Reclaiming Our Children and Community Project, Inc. for the Collington Square & the Lillian Jones Centers with \$50,000.00 seed money for the Lillian Jones Center. The contract is for a period of one year with two 1-year renewal options."

Mr. Bill Tyler, Chief of Recreation : "Good morning Madam Mayor, Mr. President, Madam Comptroller and members of the Board of Estimates. I am real happy to be here. The Department of Recreation and Parks has conducted an assessment of current recreation centers and determined the need for improved recreation centers, both physically and programmatically. Most centers are too small for the needs of the community. Most centers are dilapidated. Most centers are inadequately staffed, not opened when needed, lack the updated programming and services necessary to attract a wide array of youth, young

## MINUTES

B50002071 - cont'd

adults, and active adults in that community. The status quo is unacceptable. As a result of that assessment, the Mayor formed a task force to create a new vision for community centers and better opportunities for our youth. What emerged was a clear directive to focus on quality over quantity. And to that end, creating a network of facilities based on a new model of 15 - 20,000 square feet facilities with multi-functional capacity and enhanced diversified programming that appeals to a diverse community was created. The vision is to create a network of high-quality facilities that offer diverse and accessible programs and services for personal growth, health, learning, and fun that enhances the quality of life in our communities. Understanding that this could not be accomplished without collaborations and partnerships, the Department sought to involve community interests via informal discussions, initial applications of interests, and the RFP process to help address this challenge and keep centers operating, if at all possible. This is not simply a plan to address limited funding, is a plan to address an outdated, minimally effective system of recreation centers

## MINUTES

B50002071 - cont'd

that have been neglected for some time. With the successful implementation of the plan, there will be an overall increase in square footage of recreation facilities, longer operating hours, and more recreation opportunities for City residents. Under this plan, the City will construct four new community centers at a cost of over \$14,000,000.00, and several closed PAL Centers will be reopened. This plan looked beyond the status quo to the future and creates new opportunities and possibilities for our Center--City. This plan is to invest in our recreation system for a long term with the understanding that our communities and our children deserve better. Our process to date; the RFP was posted on August 31 and was closed on October 5, six bidders for 15 centers. The process was evaluated by the diverse teams from individuals from the communities and staff from Recreation and Parks. Seed money was awarded to three bidders, totaling \$150,000.00. It was reviewed by MWBOO. The delay in the previous agenda item was simply because the Mayor wanted to make sure that all community members had an opportunity to meet potential providers in that community. We have met with community members and we have no reason to think based on those meetings that they

## MINUTES

B50002071 - cont'd

are not supportive of this process. The Department is recommending that three bidders be approved to manage and operate four centers. Easterwood, a former PAL Center, has been closed since 2008 and will be operated by Omega Baltimore. We do have representatives from Omega Baltimore here. Lillian Jones will be operated by Reclaiming Our Children Community Project. We do have representatives from that community here. We also have Mr. Donte Wilson and we have Mr. Zane Ciprus from Omega Baltimore. Collington Square will be operated by Reclaiming Our Children Community Project, Mr. Donte Wilson. Brooklyn O'Malley operated by the Boys and Girls Clubs, Mr. Ken Darden was unable to be here. A pre-release signing forum will held with BCRP to go over more details that the community may have an issue or concerns that they may have to make sure that they are addressed. The Department will assign a Contract Specialist to specifically and continuously monitor and support those organizations to ensure optimum success. I'd also like to note that we currently have members of the community that are representing organizations that are managing our recreation centers; Living Classrooms, Boys and Girls Club, and they are

## MINUTES

B50002071 - cont'd

also working with us at CC Jackson location as a partner. So, we have set a precedente where this partnership and collaboration can work very well. That concludes our presentation."

President: "Anyone else? Madam Mayor, do you have anything to say?"

Mayor: "Yes."

President: "Before we take the vote?"

Mayor: "Thank you. First I want to thank these new and committed community partners for stepping up and for joining the fight to grow our City and create new opportunities for Baltimore's children. This has not been an easy process for anything--anyone and its certainly something that has never been done before in Baltimore. This is a new and bold step forward for the City. We need to make sure that the process is inclusive, deliberative, and that we get it right, rather than act hastily. But, there is a real truth that needs to be said and I will not sugarcoat it. Keeping the status quo, dilapidated buildings, dilapidated staffing or depleted staffing, excuse me, and programming is not an option. The kids can't afford it and neither can we. We need to make Baltimore more attractive for families to stay here and

## MINUTES

B50002071 - cont'd

move here. We know that the status quo will not help us grow our City and it is not going to help us keep our families from moving away. That's why our plan investing buildings, four new larger community centers, our plan expands ten existing centers, and adds new staffing and programming and hours to 16 centers. These actions will make our centers more attractive to families and increase attendance and create real assets in the community. If we are real honest with ourselves, we know that keeping the status quo will not create assets in the community. In order to make this a reality, we need community partners like the ones who have stepped up today. Thank you very much for coming out to support the other centers. We will do everything that we can to support those new partners. In these times the need for innovative partnerships are critical. I appreciate that the City Council voted to support the new partnership by approving the budget last July. As the City Council President said during his swearing in, 'These partnerships are as vibrant as the neighborhoods that give life to our great City to provide services and opportunities for the bright minds of tomorrow. We can together, with reverence, private sector, and partners from

## MINUTES

B50002071 - cont'd

local jurisdictions, we have helped set Baltimore on a path to recovery. But, let's be honest, we've only just begun. Ahead of us lies extremely difficult work that still needs to be done and this recreation center plan is bold, innovative, but not without tough choices. But, in the end it's the right thing to do for the children of Baltimore. The recreation center problem has been ignored by politicians for far too long. It's time to act as Statesman to Stateswoman, looking at the bigger picture and doing what's right for the long-term of our City. We won't put our heads in the sand and pretend that the status quo is acceptable. That's why we created the task force of community leaders and we plan to address the issue, to improve facilities, to improve staffing, and to improve programs. With the community, we did an unprecedented comprehensive audit of all of our centers, all of our programs, and now we have a new view moving forward. We know that we have to fix what's wrong and broken and whatever needs fixing in our recreation centers. We know what works and this must be to have strength in community centers throughout our City. We will do what's reasonable to keep the centers open. But, we are not going to pretend, for example,

## MINUTES

B50002071 - cont'd

that three rec centers in poor condition with too few staff and programming is better than two good, too well-run good centers. That's wrong and that's not what's in the best interest for the City over the long run or for our communities. So, again I want to thank the new community partners for standing up. I want to ask all of our community partners who are here with us today to please stand.

(Applause)

I truly thank you, in particular -- you can have a seat - in particular the distinguished men of the Omega Foundation, the Easterwood Center, as stated Mr. Tyler in his presentation, has been closed. This is a center that has not been as asset in the community, closed since 2008 in a community that needs resources. So, I am very proud. I thought I would have to ABSTAIN from the vote but I checked and I don't have to. I thought in an abundance of caution that I would have to, but in an abundance of courage for the children of our City, I stand with you to say thank you for stepping up being the men in the community we need to make sure that Baltimore moves forward. I've ordered the Department of Recreation to continue building



## MINUTES

B50002071 - cont'd

community partnerships for recreation centers. In that vain, a second round of Requests for Proposals for Management and Operation of Baltimore City Recreation Centers has been posted and is now available for interested not-for-profit and community-based groups at [www.Baltimorecitybuy.org](http://www.Baltimorecitybuy.org). I've assigned Recreation and Parks to work with any potential bidders to help them fully understand the bid process and the requirements. I know that we have more partners like you that are in Baltimore that want to step up, that want to work with us to create new means to provide opportunities for young people in our City. We stand ready to be partners to make sure we can make that happen. We want to help prospective operators with pre-proposal workshops. We are going to do that under -- sorry -- we had the two pre-proposals workshops were held on December 13<sup>th</sup> and 15<sup>th</sup> at Recreation and Parks headquarters and we had over 30 potential vendors there. So, thank you for being that beacon of light, all of our new partners. The deadline for submitting the second round RFP is January 25, 2012 at 11 a.m. I hope to work with more partners like you who know what it means to give back

## MINUTES

B50002071 - cont'd

and to give a hand up to that next generation. Thank you very much."

President: "Thank you. Thank you for the quote of my speech Madam Mayor. Deputy Comptroller."

Mayor: "I was inspired."

President: "Thank you. I was too. Continue."

Comptroller: "Is there anyone here to speak on behalf of the community for the Omegas?"

President: "Go ahead."

Mr. John Carrington: "Good morning, my name is John Carrington. I am the President of the Bridgeview/Greenlawn Association, Vice President of ARCO, umbrella organization of Rosemont. We met a week ago with the Omegas, all the community leaders and we had a very extensive meeting in which we gave support to this particular project having at least eight of us in the room. I'm surrounded by the southside, also which is Ms. Shelton, another neighborhood and Mr. Hunt, who is the president of ARCO. We all had given them our support, in terms of this project because they answered every question that we had. There is one question

## MINUTES

B50002071 - cont'd

that we wanted to make sure that it wasn't going to prevent from the community recreation opening and that was, Whether or not because it may be put on hold as a historical designation, would it still continue to go through as the project that they have plans for"

President: "Is that it? Ok. Thank you. I was inspired that the Mayor liked my speech that I had at my inauguration. Now, I am not against partners in recreation centers. What I am against is giving over control to non-profits and other organizations. The City Charter says that, 'the Department of Recreation and Parks has the duty to establish, maintain, operate, and control recreational facilities and activities for the people of Baltimore City and to have charge and control of all such properties and activities.' Giving up control of these centers take away our powers to protect and provide for Baltimore youth. I am a product of the Baltimore City Public Recreation Department and I know what recreation is all about. Now, we talk about the Omegas and I have nothing against the Omegas coming into rec centers. We talk about them and we say that these rec centers are not in condition for our kids, but yet, the Omegas

## MINUTES

B50002071 - cont'd

are going to come in, the various non-profits are going to come in. They are going to have the same recreational facilities; not fixed up, in poor condition --"

Mayor: "That's not true."

President: "It's the City's responsibility to maintain its buildings. The City has done a poor job of doing that and to just give our rec centers away with no control is absurd. I believe that we need to partner with the Omegas, partner with anybody else that wants to come into our rec centers; but to give direct control is unacceptable to me. Now what happens when the non-profits run out of cash and can no longer run the facilities? I've never known the city to come in and reopen something that was closed. Mr. Tyler stated that we opened up PAL Centers, more PAL Centers. The PAL Centers is in the same condition as the other rec centers. I for one, believe that we need to have recreation for all of our children, I am a product of that. But, to sit here and say that we are going to just turn over our rec centers to these other organizations, to me, is a failure on the City of Baltimore to do these Charter responsibilities and I will be voting **NO.**"

## MINUTES

B50002071 - cont'd

Mayor: "Mr. Tyler, if you could make sure that we are on the record correctly about the conditions of the re-opened centers and all of the partnership centers that we have."

Mr. Tyler: "I would like to say that we do have a plan to work with the partners to make sure that these facilities are brought up to a different standard than they are now. We also in the proposals from each one of the vendors had a place that suggested that they wanted to improve the centers, but it would only be approved if the City allowed them to do that. We are not giving over control, we will be managing and monitoring those operations and at the very least, BCRP will be checking on them on a regular basis, which is stated in the RFP. So, the control will still be with BCRP and the City. We are not going to sell these so we are responsible for what happens in those communities."

President: "Ok, if that's the case, then why are we asking non-profits to pay a \$5,000,000.00 insurance policy?"

Mr. Tyler: "Well, we have an insurance policy for the reasons that we all see at Penn State. That's because when you have volunteers and people that are working around youth and seniors,

## MINUTES

B50002071 - cont'd

we need to have those coverages to protect the organization. And as we know, when you have a policy for your home or your car, the premium you pay is not the face value of the dollar amount."

President: "I understand that. But, why are asking the non-profits to pay that when the City is self-insured and we'll have to pay anyway, because if a kid goes and fall in a rec center, they are not going to sue the Omegas or anyone else. They are going to sue the City of Baltimore. So, we should assume responsibility if we are going to farm out our responsibilities to non-profits and other groups."

Mayor: "Mr. Mazza."

President: "It didn't have to be this way."

City Purchasing Agent: "Yes, Ma'am. We rely on the expertise of the Office of Risk Management, which has looked very closely into the requirements and they are very much aware of the City's self-insurance programs and what they would cover and what is needed for a private insurance, and we are acting on their recommendation."

President: "Thank you."

Mayor: "Any other questions? Mr. Tyler, before he sits down."

MINUTES

B50002071 - cont'd

President: "Joan?"

Comptroller: "Like the President, I am a product of Chick Webb and had the opportunity to learn how to swim, had an appreciation for dance, so much so that I decided to take ballet lessons at Peabody. I also want to acknowledge the e-mails that I've received from the community. At this time, I am willing to try this new approach and hope that it would be -- that better services would be offered because I do believe that the children in these communities need an opportunity to be in a safe haven. I know what it did for me and so I am willing to try this new approach."

President: "Thank you, Madam Comptroller. I'll entertain a Motion."

Solicitor: "I move approval of Item No. five on Pages 75-77 of the agenda."

President: "All those in favor say AYE. Those opposed NAY. Please Note that I vote **NO**. The Motion carries."

\*\*\*\*\*

December 20, 2011

To the members of the Board of Estimates,

This letter of protest represents the views of a group of concerned citizens, community leaders, and members of Occupy Baltimore, who are protesting the current bids for privatization of the Recreation Centers. Our concerns are twofold: the process and the outcome. We are opposed to the lack of communication by the City with members of the communities that would be affected, as well as the likely outcome that there is no guarantee that private entities will continue to provide valuable, affordable programming for the Recreation centers.

As people representing various communities, the harm done to us is based on the individual. For Recreation Center users, the harm is the worsening or possible loss of access. For the broader community, the harm is to once again being shown that we are on the outside of the decisions that affect our city. Perhaps more meaningfully, we will all be affected by the quality of life issues implicit in the proposal.

Recreation, and thus Recreation Centers, are central to the quality of life of any individual or community. The centers provide vital services to the children and adults of this city. Many are in serious need of repair and improvement, as the Mayor's task force has reported. We insist that communities should be better engaged in the process of best determining how public funds are utilized to overhaul them on a case-by-case basis.

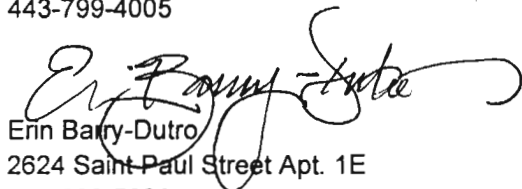
We disagree with the lack of transparency by the City throughout this process. We believe that signing these contracts without considering other options, including both keeping Recreation Centers in the City's control or extending the time limit to allow for more possible private bids, is not in the community's best interest, and could lead to centers being given over to financially insolvent entities that do not have the public's best interest in mind. The unfortunate results of this are that Recreation Centers would likely offer fewer programs, would charge increased fees for their services, and would be in danger of closing altogether.

In short, we insist in this case, as in all cases, that we put the participation and needs of the residents of Baltimore first. We propose the suspension of this process until the affected communities have had meaningful participation in defining what is to happen with the Recreation Centers. This issue affects all of us, as we are talking about the priorities and future of our city. If you need help organizing and facilitating community meetings, we offer ourselves and our skills.

Best regards,



Mike McGuire  
2963 Keswick Avenue  
443-799-4005



Erin Barry-Dutro  
2624 Saint Paul Street Apt. 1E  
860-690-5038

COMPT/BOE DEC 20 11 PM 12:15



## MINUTES

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

1. HD SUPPLY \$15,000.00 Renewal  
 Solicitation No. B50001722 - Adjustable Valve Box with Lid -  
 Department of Public Works - Req. No. P515576

On December 8, 2011, the Board approved the initial award in the amount of \$10,000.00. The award contained two 1-year renewal options. This renewal in the amount of \$15,000.00 is for the period December 21, 2011 through December 20, 2012, with one 1-year renewal option remaining.

2. SHANNON-BAUM SIGNS, INC. \$21,000.00 Renewal  
 Solicitation No. B50001713 - Various Decals - Fire Department  
 - Req. No. R554399

On December 8, 2010, the Board approved the initial award in the amount of \$24,000.00. The award contained two 1-year renewal options. This renewal in the amount of \$21,000.00 is for the period December 21, 2011 through December 20, 2012, with one 1-year renewal option remaining.

3. CEELESTIS, INC. \$10,000.00 Renewal  
 Solicitation No. 08000 - Laboratory Test Kits - Health  
 Department - Req. No. P515703

On December 22, 2010, the Board approved the initial award in the amount of \$8,653.00. The award contained two 1-year renewal options. This renewal in the amount of \$10,000.00 is for the period December 21, 2011 through December 20, 2012, with one 1-year renewal option remaining.

## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

Bureau of Purchases

- |                                                                                                                       |             |          |
|-----------------------------------------------------------------------------------------------------------------------|-------------|----------|
| 4. MILLENNIUM AUTO PARTS, INC.                                                                                        | \$12,000.00 | Increase |
| Solicitation No. B50000975 - Used Foreign and Domestic Auto Parts - Department of General Services - Req. No. P507524 |             |          |

On April 01, 2009, the Board approved the initial award in the amount of \$24,000.00. The award contained two 1-year renewal options. Subsequent actions have been approved. This increase in the amount of \$12,000.00 will make the award amount \$36,875.00. The contract will expire on March 31, 2012, with one 1-year renewal option remaining.

- |                                                                                                            |             |             |
|------------------------------------------------------------------------------------------------------------|-------------|-------------|
| 5. APPLIED DIGITAL SOLUTIONS                                                                               | \$27,500.00 | Sole Source |
| Solicitation No. 08000 - Freedom Voice Recording System Maintenance - Police Department - Req. No. R590234 |             |             |

The vendor is the sole provider of this proprietary software system maintenance.

- |                                                                                                     |             |         |
|-----------------------------------------------------------------------------------------------------|-------------|---------|
| 6. TEXAS BOOM COMPANY, INC.                                                                         | \$15,000.00 | Renewal |
| Solicitation No. B50001734 - Spill Containment Boom - Department of Public Works - Req. No. P515661 |             |         |

On December 15, 2010, the Board approved the initial award in the amount of \$12,111.00. The award contained two 1-year renewal options. This renewal in the amount of \$15,000.00 is for the period December 28, 2011 through December 27, 2012, with one 1-year renewal option remaining.

## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

- |                                                |              |           |
|------------------------------------------------|--------------|-----------|
| 7. KERSHNER ENVIRONMENTAL<br>TECHNOLOGIES, LLC | \$ 50,000.00 | Extension |
|------------------------------------------------|--------------|-----------|
- Solicitation No. 08000- Furnish and Deliver Chlorination and De-Chlorination Parts - Department of Public Works, Bureau of Water and Wastewater - P.O. No. P501367

On January 27, 2010, the Board approved an agreement in the amount of \$350,000.00. An extension is needed to allow time to negotiate a new agreement for these items. This extension in the amount of \$50,000.00 is for the period January 9, 2012 through April 8, 2012 and will make the total award amount \$400,000.00.

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

- |                                                     |              |         |
|-----------------------------------------------------|--------------|---------|
| 8. WRIGHT EXPRESS FINANCIAL<br>SERVICES CORPORATION | \$370,000.00 | Renewal |
|-----------------------------------------------------|--------------|---------|
- Solicitation No. BP-07006 - Fleet Fuel Credit Card Services - Department of General Services - P.O. Nos. Various

On May 30, 2007, the Board approved the initial award in the amount of \$2,000,000.00. The award contained three 1-year renewal options. On December 15, 2010, the Board approved the first renewal in the amount \$370,000.00. This renewal in the amount of \$370,000.00 is for the period January 1, 2010 through December 31, 2012.

**MWBOO GRANTED A WAIVER.**

## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

- |                                                                                                                                    |              |                         |
|------------------------------------------------------------------------------------------------------------------------------------|--------------|-------------------------|
| 9. KENNEDY PERSONNEL<br>SERVICES                                                                                                   | \$259,500.00 | Increase and<br>Renewal |
| Solicitation No. B50001259 - Provide Nutrition Aide and<br>Lactation Consultant Services - Health Department - P.O. No.<br>P511631 |              |                         |

On December 23, 2009, the Board approved the initial award in the amount of \$184,500.00. The award contained four 1-year renewal options. On December 22, 2010, the Board approved an increase and renewal in the amount \$334,500.00. The current contract expires on December 31, 2011. This renewal in the amount of \$259,500.00 is for the period January 1, 2012 through December 31, 2012, with two 1-year renewal options remaining.

**MBE:** Swift Staffing 15.3%

**WBE:** All Pro Placement Service, 0.0%  
Inc.

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

**MWBOO FOUND VENDOR IN COMPLIANCE BASED ON A GOOD FAITH EFFORT.**

- |                                                                                                                      |              |                           |
|----------------------------------------------------------------------------------------------------------------------|--------------|---------------------------|
| 10. COGENT COMMUNICATIONS,<br>INC.                                                                                   | \$103,300.00 | Sole Source/<br>Agreement |
| Solicitation No. 06000 - Optical Internet Agreement - Mayor's<br>Office of Information Technology - Req. No. R581608 |              |                           |

The Board is requested to approved and authorize execution of an agreement with Cogent Communications, Inc. The period of the agreement is effective upon Board approval for six years, with two 3-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

This agreement is for the procurement of a 200 Mbps Fast Ethernet Internet Connection. Due to the current integration of the City network, considerably higher cost of establishing new fiber connectivity locations, and substantial roll-out costs that would be incurred by changing providers, no advantage would be gained from seeking bids.

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.**

**(FILE NO. 57210)**

- |                                                                                                                                   |              |                  |
|-----------------------------------------------------------------------------------------------------------------------------------|--------------|------------------|
| 11. MJACH DESIGNS                                                                                                                 |              | Selected Source/ |
| LIMITED                                                                                                                           | \$ 65,000.00 | Agreement        |
| Solicitation No. 06000 - Marketing Services for the Water Taxi Harbor Connector - Department of Transportation - Req. No. R583356 |              |                  |

The Board is requested to approve and authorize execution of an agreement with Mjach Designs Limited. The period of the agreement is December 21, 2011 through December 20, 2013, with one 1-year renewal option.

The vendor is the provider of design market services for the Water Taxi Harbor Connector. The vendor has the background knowledge of marketing efforts and equipment to maintain the continuity of the needed required service.

**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> |
|---------------|------------------------|--------------------|
|---------------|------------------------|--------------------|

Bureau of Purchases

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

**(FILE NO. 57210)**

|                                                                                                                                          |              |                           |
|------------------------------------------------------------------------------------------------------------------------------------------|--------------|---------------------------|
| 12. SHINGLE AND GIBB<br>COMPANY                                                                                                          | \$ 78,840.00 | Sole Source/<br>Agreement |
| Solicitation No. 08000 - SCADA Licensing Agreement -<br>Department of Public Works, Bureau of Water and Wastewater -<br>Req. No. R580294 |              |                           |

The Board is requested to approve and authorize execution of an agreement with Shingle and Gibb Company. The period of the agreement is effective upon Board approval for five years, with five 1-year renewal options.

The vendor is the sole authorized distributor for CitectSCADA software and services. The Supervisory Control and Data Acquisition (SCADA) software application is used to monitor and control all processes within the City's Water Treatment Plants as well as data recording, which is required by the State of Maryland and Environmental Protection Agency (EPA).

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.

**(FILE NO. 57210)**

## 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

- |                                                                                                                                                  |             |          |
|--------------------------------------------------------------------------------------------------------------------------------------------------|-------------|----------|
| 13. FLOW CONTROLS, INC.                                                                                                                          | \$60,000.00 | Increase |
| Solicitation No. 08000 - Replacement Parts for Instruments -<br>Department of Public Works, Bureau of Water and Wastewater -<br>P.O. No. P510381 |             |          |

On September 16, 2009, the Board approved the initial award in the amount of \$60,000.00. Additional funds are required due to increased usage of this contract. This increase in the amount of \$60,000.00 will make the award amount \$140,000.00.

- |                                                                               |         |         |
|-------------------------------------------------------------------------------|---------|---------|
| 14. SMITH-BLAIR, INC.                                                         | \$ 0.00 | Renewal |
| Solicitation No. 06000 - Couplings - Agencies - Various -<br>P.O. No. P507164 |         |         |

On January 14, 2009, the Board approved the initial award in the amount of \$50,000.00. The award contained three 1-year renewal options. Subsequent actions have been approved. This renewal is for the period January 22, 2012 through January 21, 2013, with one 1-year renewal option remaining.

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. PATUXENT MATERIALS, INC.                                                       | \$ 0.00 | Renewal |
| Solicitation No. B50000861 - Pea Gravel - Agencies - Various<br>- P.O. No. P506527 |         |         |

On December 17, 2008, the Board approved the initial award in the amount of \$88,000.00. The award contained three 1-year renewal options. Subsequent actions have been approved. This renewal is for the period January 2, 2012 through January 1, 2013, with one 1-year renewal option remaining.

**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

## 16. COLDSRING CO.

|      |              |           |
|------|--------------|-----------|
| INC. | \$500,000.00 | Extension |
|------|--------------|-----------|

Solicitation No. B5000874 - Baltimore City Weatherization Assistance Program - HVAC 2009 - Department of Housing and Community Development - P.O. No. P506282

On January 14, 2009, the Board approved the initial award in the amount of \$400,000.00. The award contained two 1-year renewal options. However, MWBOO found the contractor in non-compliance with M/WBE goals on November 7, 2011, thus the contract will not be renewed. An extension is needed to allow time to re-bid this requirement. The period of the extension is January 14, 2012 through April 13, 2012.

**MWBOO SET GOALS OF 27% MBE AND 7% WBE.**

|                         |             |       |
|-------------------------|-------------|-------|
| <b>MBE:</b> DW Plumbing | \$ 4,610.00 | 0.76% |
| Noah's Plumbing         | \$ 9,050.00 | 1.49% |
| BMC Services            | \$ 5,900.00 | 0.97% |

|                           |             |      |
|---------------------------|-------------|------|
| <b>WBE:</b> Cleo Services | \$11,565.00 | 1.9% |
|---------------------------|-------------|------|

**MWBOO FOUND VENDOR IN NON-COMPLIANCE.****A LETTER OF PROTEST WAS RECEIVED FROM COLDSRING CO. INC.**

## 17. BADGER METER, INC.

1<sup>ST</sup> CALLNEPTUNE TECHNOLOGY  
GROUP

|                      |         |         |
|----------------------|---------|---------|
| 2 <sup>ND</sup> CALL | \$ 0.00 | Renewal |
|----------------------|---------|---------|

Solicitation No. B50000209 - Compound Water Meters - Department of Public Works, Bureau of Water and Wastewater - P.O. Nos. P506946 and P506937



## 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

On February 25, 2009, the Board approved the initial award in the amount of \$250,000.00. The award contained four 1-year renewal options. The contract was awarded to three vendors, Badger Meter, Inc. (1<sup>st</sup> Call), Elster AMCO Water, Inc. (2<sup>nd</sup> Call) and Neptune Technology Group (3<sup>rd</sup> Call). On January 1, 2012, a new Maryland Code, Chapter 470 becomes effective wherein only low lead allow compound water meters can be installed. Badger Meter, Inc. and Neptune Technology Group have agreed to supply these meters while Elster AMCO Water, Inc. has declined. This renewal is for the period February 25, 2012 through February 24, 2013, with one 1-year renewal option remaining.

**MWBOO GRANTED A WAIVER.**

## 18. AJ STATIONERS, INC.

AMERICAN DESIGN ASSOCIATES

AMERICAN OFFICE EQUIPMENT CO., INC.

BERCO, INC., 1120 MONTROSE AVENUE

BRETTFORD MANUFACTURING, INC.

CAPITAL OFFICE SYSTEMS, INC.

CLARIN, A DIVISION OF GREENWICH IND.

DOURON, INC.,

ERGONOMIC CONCEPTS, INC.

GLOVER EQUIPMENT SALES GROUP, LLC

INDIANA FURNITURE INDUSTRIES, INC.

RUDOLPH'S OFFICE SUPPLY

SITONIT, INC.

STUDIO Q FURNITURE

THE MARVEL GROUP, INC.

TRENDWAY CORPORATION

WRIGHT LINE, LLC \$2,400,000.00

Renewal

BRCPC Solicitation No. 2008-01 - Office Furniture and

Equipment - Various Agencies - PO. Nos. Various

## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

Bureau of Purchases - cont'd

On February 27, 2008, the Board approved the initial award in the amount of \$4,000,000.00. The Board is requested to approve a renewal for the amount of \$1,000,000.00 to cover the period of January 01, 2012 through December 31, 2013 with three one-year renewal options.

Because this is a requirements contract, the dollar amounts will vary.

**MWBOO SET GOALS OF 5% MBE AND 0% WBE.**

AJ Stationers, Inc.

**MBE:** Sue Ann's Office Supply, Inc. 5%

American Design Associates

**MBE:** Walter's Relocation, Inc. 5%

American Office Equipment Co., Inc.

**MBE:** Walter's Relocation, Inc. 5%

Berco, Inc., 1120 Montrose Avenue

**MBE:** Walter's Relocation, Inc. 5%

Bretford Manufacturing, Inc.

**MBE:** Sebree & Associates, Inc. 5%

Capital Office Systems, Inc.

**MBE:** Allen & Son Moving/Storage 5%

Clarín, a Division of Greenwich Ind.

**MBE:** Sebree & Associates, Inc. 5%

## 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 - cont'd

Douron, Inc.,

**MBE:** Walter's Relocation, Inc. 5%

Ergonomic Concepts, Inc.

**MBE:** Sebree & Associates, Inc. 5%

Glover Equipment Sales Group, LLC

**MBE:** Priority Couriers, Inc. 5%

Indiana Furniture Industries, Inc.

**MBE:** Sebree & Associates, Inc. 5%

Rudolph's Office Supply

**MBE:** Walter's Relocation, Inc. 5%

SitOnIt, Inc.

**MBE:** Sebree & Associates, Inc. 5%

Studio Q Furniture

**MBE:** Walter's Relocation, Inc. 5%

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

Bureau of Purchases - cont'd

The Marvel Group, Inc.

**MBE:** Sebree & Associates, Inc. 5%

Trendway Corporation

**MBE:** Walter's Relocation, Inc. 5%

Wright Line, LLC

**MBE:** Roanne's Rigging & Transfer Co., Inc. 5%

**MWBOO FOUND VENDORS IN COMPLIANCE.**

|               |               |          |
|---------------|---------------|----------|
| 19. KPMG, LLP | \$ 124,800.00 | Increase |
|---------------|---------------|----------|

Solicitation No. B50001847 - Audit Financial Statements for the City of Baltimore - Department of Finance - Req. No. P517147

On April 27, 2011, the Board approved the initial award in the amount of \$779,745.00. The Board is requested to approve an increase for the amount of \$124,800.00 for efforts related to the restatement of the City's Fiscal Year 2010 financial statements and other financial matters affecting the beginning balances of the City's 2011 financial statements that were not anticipated.

**MBE:** King, King & Associates, PA 10.0%

**WBE:** Kahler & Associates, PC 6.0%

Because this is a requirements contract, the dollar amounts will vary.

**MWBOO FOUND VENDORS IN COMPLIANCE.**

(FILE NO. 54990)

BOARD OF ESTIMATES

12/21/2011

## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

Bureau of Purchases - cont'd

UPON MOTION duly made and seconded, the Board approved the foregoing informal awards and increases, extensions to contracts and approved and authorized execution of the agreements with Cogent Communications, Inc., Mjach Designs Limited, Shingle and Gibb Company. The President **ABSTAINED** on items no. 7, 10, 12, 13, and 17. Item No. 16 was **DEFERRED** to January 11, 2012.

P 85 #16

**HJM HARRIS JONES & MALONE, LLC**

2423 MARYLAND AVENUE  
SUITE 100  
BALTIMORE, MARYLAND 21218

LISA HARRIS JONES  
DIRECT DIAL: (410) 366-1500  
FAX NUMBER: (410) 366-1501  
lisa.jones@mdlobbyist.com

December 20, 2011

**VIA HAND DELIVERY**

City of Baltimore Board of Estimates:

Mayor Stephanie Rawlings-Blake  
City Hall, Room 250  
100 North Holliday Street  
Baltimore, Maryland 21202

City Council President Bernard C. "Jack" Young  
City Hall, Room 400  
100 North Holiday Street  
Baltimore, Maryland 21202

Joan M. Pratt, Comptroller  
City Hall, Room 204  
100 North Holliday Street  
Baltimore, Maryland 21202

George Nilson, City Solicitor  
City Hall, Room 101  
100 North Holiday Street  
Baltimore, Maryland 21202

Al Foxx, Director  
Department of Public Works  
200 N. Holliday Street, Room 600  
Baltimore, Maryland 21202

Re: Solicitation No. B5000874 – Baltimore City Weatherization Assistance Program – HVAC 2009 – Department of Housing and Community Development – P.O. No. P506282

Dear Mister President and Members of the Board of Estimates:

This office represents Coldspring Co., Inc. ("Coldspring") with respect to Solicitation No. B5000874/ P.O. No. P506282 (the "Contract"), referenced above. On behalf of Coldspring, we hereby protest item number 16 on the Board of Estimates' (the "Board") agenda for December 21, 2011.

Coldspring was neither on notice that the Contract would be terminated, nor that this item would be discussed at the December 21, 2011 meeting of the Board. Coldspring would appreciate an opportunity to address the Board with respect to its M/WBE compliance under the Contract. However, due to the truncated timeframe, we will not have sufficient time to prepare in advance of tomorrow's meeting.

Due to the lack of notice and the limited time to prepare, we request that this item be deferred to the next Board meeting scheduled for January 11, 2012.

Respectfully Submitted,



Lisa Harris Jones

## MINUTES

TRAVEL REQUESTSMayors Office of Employment Development

|    | <u>Name</u>   | <u>To Attend</u>                                                                                                                                               | <u>Fund Source</u> | <u>Amount</u> |
|----|---------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|---------------|
| 1. | Karen Sitnick | US Conference of Mayor's Workforce Dev. Council's Annual Congressional Forum & Board Of Trustees Meeting Washington DC Jan 17 - 18, 2012 (Reg. Fee - \$600.00) | Admin. Cost Pool   | \$1,003.24    |

The subsistence rate for this location is \$254.00 per day. The hotel cost is \$243.00 per night not including occupancy taxes in the amount of \$35.24 per night. The agency is requesting an additional \$34.00 to cover the cost of meals.

Office of the City Council President

|    |              |                                                                                                                    |                                   |           |
|----|--------------|--------------------------------------------------------------------------------------------------------------------|-----------------------------------|-----------|
| 2. | Helen Holton | Maryland Assoc. Of Counties' 2012 Annual Winter Conference Cambridge, MD January 4 - 6, 2012 (Reg. Fee - \$225.00) | Elected Officials Expense Account | \$ 718.98 |
|----|--------------|--------------------------------------------------------------------------------------------------------------------|-----------------------------------|-----------|

The subsistence rate for this location is \$166.00 per day. The hotel cost is \$143.00 per night not including occupancy taxes in the amount of \$19.31 per night. The Office is requesting an additional \$17.00 per day to cover meals and incidental expenses. The Office has prepaid the Conference Registration in the amount of \$225.00 in City issued credit card assigned to Mr. Hosea Chew. The disbursement to Ms. Holton will be in the amount of \$493.98.

## MINUTES

TRAVEL REQUESTSOffice of the City Council President - cont'd

| <u>Name</u>                  | <u>To Attend</u>                                                                                                                     | <u>Fund Source</u>                         | <u>Amount</u> |
|------------------------------|--------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------|---------------|
| 3. Sharon Green<br>Middleton | Maryland Assoc.<br>Of Counties' 2012<br>Annual Winter<br>Conference<br>Cambridge, MD<br>January 4 - 6, 2012<br>(Reg. Fee - \$225.00) | Elected<br>Officials<br>Expense<br>Account | \$ 718.98     |

The subsistence rate for this location is \$166.00 per day. The hotel cost is \$143.00 per night not including occupancy taxes in the amount of \$19.31 per night. The Office is requesting an additional \$17.00 per day to cover meals and incidental expenses.



## MINUTES

TRAVEL APPROVAL/REIMBURSEMENTDept. of Housing and Community Development, Head Start

|    |                     |            |            |
|----|---------------------|------------|------------|
| 4. | Shannon Burroughs - | Federal    | \$7,358.24 |
|    | Campbell            | Head Start |            |
|    | Wanda Johnson       | Grant      |            |
|    | Donna Clayton       |            |            |
|    | Barbara Bartels     |            |            |
|    | Ricky Moyd, Jr.     |            |            |
|    | Joyce Drake         |            |            |

On July 10-14, 2011, Ms. Shannon Burroughs-Campbell, Ms. Wanda Johnson, Ms. Donna Clayton, Ms. Barbara Bartels, Mr. Ricky Moyd, Jr., and Ms. Joyce Drake traveled to New York, NY to attend the, "Acclero Learning Summer Institute for Head Start/Early Head Start & Early Head Start Programs" courses. These training courses afforded Head Start staff the opportunity for professional development and training in the various service areas needed to fulfill the mission of providing quality services to the children and families of the Baltimore Head Start.

The Department is requesting approval and reimbursement of the additional travel expenses incurred for lodging, meals, and incidentals. All registration costs and some expenses were previously paid by expenditure authorization. The following representatives will receive the respective reimbursements, which were above the \$800.00 in travel funds previously distributed to each representative: Ms. Shannon Burroughs-Campbell, \$235.83; Ms. Donna Clayton, \$47.07; Ms. Barbara Bartels, \$205.84; and Mr. Ricky Moyd, Jr., \$129.89.

The Department timely submitted its request for approval prior to travel. However, there were questions about some of the amounts, which required clarification. During the review, the documents were mislaid. The Clerk to the Board apologizes for this oversight and the delay caused to the agency in finalizing its submission for approval.

The Board, UPON MOTION duly made and seconded, approved the travel requests. The President **ABSTAINED** on item nos. 2, 3 and

4.

## MINUTES

TRAVEL NOTATIONEmployees' Retirement System (ERS)

The Board is requested to **NOTE** the following education related travel of Roselyn H. Spencer, Executive Director of the ERS to the following conference and meeting, covering information regarding the ERS private equity investment.

| <u>Conference Name</u>                | <u>Location and Dates</u>                 | <u>Fund Source</u> | <u>Amount</u> |
|---------------------------------------|-------------------------------------------|--------------------|---------------|
| Abbott Capital Advisory Board Meeting | West Palm Beach, FL<br>Jan. 19 - 21, 2012 | Special Fund - ERS | \$1,300.00    |

The meeting is necessary to fulfill fiduciary education and due diligence requirements. It also provides updated knowledge about regulatory matters regarding the asset class, similar investment products and options. No general funds are required - Special Funds from the ERS will be used to cover the expenses.

UPON MOTION duly made and seconded, the Board **NOTED** the foregoing education related travel of Roselyn H. Spencer. The Comptroller **ABSTAINED**.

MINUTES

PERSONNEL MATTERS

\* \* \* \* \*

UPON MOTION duly made and seconded,

the Board approved

all of the Personnel matters

listed on the following pages:

4336 - 4348

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.

The President **ABSTAINED** on items nos. 2, 3, 22, and 27.

## MINUTES

PERSONNELDepartment of Law

|                               | <u>Hourly Rate</u> | <u>Amount</u>       |
|-------------------------------|--------------------|---------------------|
| 1. <b>ASHLEA HOWARD BROWN</b> | \$35.00            | <b>\$ 45,500.00</b> |

Account: 1001-000000-8620-175200-601009

Ms. Brown will continue to work as a Special Assistant Solicitor in the Law Department's Opinions and Advice Practice Division. This salary shows a 9% increase from the previous contract period. She will provide legal services. The period of the agreement is January 1, 2012 through December 31, 2012.

Office of City Council President

|                            |          |                     |
|----------------------------|----------|---------------------|
| 2. <b>MARLENE KOEPPPEL</b> | \$ 21.68 | <b>\$ 14,634.00</b> |
|----------------------------|----------|---------------------|

Account: 1001-000000-1000-106700-601009

Ms. Koepfel, a retiree, will continue to work as a Special Assistant to Councilwoman Rochelle Spector. She will serve as an assistant and perform constituent services, as needed. The period of the agreement is effective January 12, 2012 through January 11, 2013.

3. Create the following position:

00708 - Office Assistant III  
 Grade 078 (\$27,958.00 - \$32,241.00)  
 Job No. to be assigned by BBMR

Costs: \$46,513.62 - 1001-000000-1000-104800-601001

## MINUTES

PERSONNELDepartment of Human Resources

|                          | <u>Hourly Rate</u>                                                                                                     | <u>Amount</u> |
|--------------------------|------------------------------------------------------------------------------------------------------------------------|---------------|
| 4. JOHN WOODS            | \$200.00 for<br>the first session,<br>\$170.00 for ea.<br>succeeding session<br>and \$325.00 for ea.<br>written report | \$ 7,000.00   |
| 5. CARLA N. MURPHY       | \$200.00 for<br>the first session,<br>\$170.00 for ea.<br>succeeding session<br>and \$325.00 for ea.<br>written report | \$ 7,000.00   |
| 6. MICHELE Z. BLUMENFELD | \$200.00 for<br>the first session,<br>\$170.00 for ea.<br>succeeding session<br>and \$325.00 for ea.<br>written report | \$ 7,000.00   |

The cost incurred for each hearing is charged to the appellant's agency.

These individuals will work as a Hearing Officer. The Baltimore City Charter permits an investigation for employees discharged, reduced, or suspended for more than 30 days after the completion of the probationary period. The Hearing Officer presides over this investigation and submits a recommendation to the Civil Service Commissioners. The period of the agreement is effective upon Board approval for one-year.

Account: 1001-000000-1601-172500-603026

## MINUTES

PERSONNELDepartment of Human Resources - cont'd7. Transfer the following Position: Job No. 1604-36526

33669 - Apprenticeship Program Administrator  
Grade 113 (\$46,700.00 - \$65,500.00)

From: 1001-000000-1604-172500-601001

To: 2070-000000-5541-398400-601001

This transfer is effective January 07, 2012.

Police Department

|                                | <u>Hourly Rate</u> | <u>Amount</u>      |
|--------------------------------|--------------------|--------------------|
| 8. <b>ANTHONY PAUL ARMETTA</b> | \$14.42            | <b>\$28,111.00</b> |

Account: 4000-468211-2022-693700-601009

Mr. Armetta will continue to work as an Administrator for the Baltimore's Gun Offender Registry. He will be responsible for collecting court forms identifying gun offenders from court liaisons, entering information from court forms and gun offenders in the Gun Offenders database. He will also maintain and update the gun offender database, obtain all appropriate information from gun offenders subject to the reporting requirements, and verify and update information in the Gun Offender database using CJIS, JIS and other criminal justice information systems and provide timely information to the Gun Trace Task Force for enforcement and follow-up. The period of the agreement is January 1, 2012 through September 31, 2012.

Department of Recreation and Parks

|                           |         |                    |
|---------------------------|---------|--------------------|
| 9. <b>PHYLLIS FRIELLO</b> | \$32.00 | <b>\$ 5,312.00</b> |
| 10. <b>BRIENNE FISKE</b>  | \$32.00 | <b>\$ 5,312.00</b> |

Account: 6000-680512-4792-369900-601009

## MINUTES

PERSONNELRec. & Parks - cont'd

These individuals will continue to work as Ice Skating Instructors at the Mount Pleasant Ice Arena. They will be providing instruction in figure skating for participants in the "Learn to Skate" Program and summer camp programs. The program will include skills that are basic for the U.S. Figure Skating National Proficiency Tests; evaluation of student performance to determine mastery of specific skills and advancement to the next level; assisting students in planning an individual presentation program set to music; and provide skating instruction to members of the Youth and Adult Performance Troupes. They will also provide instruction to all levels of the Adult Skating Seminar. The period of the agreement is effective December 22, 2011 through December 21, 2012.

11. **JENNIFER KNIGHTON**                      \$32.00                      **\$ 5,952.00**

Account: 6000-680512-4792-369900-601009

Ms. Knighton will continue to work as an Ice Skating Instructor at the Mount Pleasant Ice Arena. Her duties will include, but not be limited to providing basic instruction in the "Learn to Skate" Program for the youngest rink participants ages 4-6 including summer recreation center campers. She will also prepare costumes and set designs for the Youth Performance Troupe production as well as assist with rehearsals and supervise youth activities in conjunction with the Performance Troupes. The period of the agreement is effective December 22, 2011 through December 21, 2012.

12. **TAMMARIE CROSBY**                      \$25.00                      **\$ 8,100.00**

Account: 6000-678412-4803-116803-601009

Ms. Crosby will work as an Academic Tutor at the Robert C. Marshall Recreation Center. Her duties will include but are not limited to providing one-on-one academic instruction in reading to youth 5 - 13 years old who are enrolled in the recreation center after school program with

## MINUTES

PERSONNELRecreation and Parks - cont'd

|                                                                                                                                                                                                                                                                                                                                                                       | <u>Hourly Rate</u> | <u>Amount</u>      |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|--------------------|
| <p>a particular focus on students in grades 1 - 3. In addition, she will evaluate student performance to determine mastery of specific skills, record and maintain progress reports for each student, as well as serve as a liaison between the parents, school and recreation center. The period of the agreement is effective upon Board approval for 6 months.</p> |                    |                    |
| 13. <b>JEFFREY NOLT</b>                                                                                                                                                                                                                                                                                                                                               | \$40.00            | <b>\$11,000.00</b> |

Account: 6000-680512-4792-369900-601009

Mr. Nolt will continue to work as an Ice Skating Instructor at the Mount Pleasant Ice Arena. He will be responsible for providing figure skating skills for participants in the "Learn to Skate" Program, summer camp programs, and spring vacation camp to include skills that are the basis for the U.S. Figure Skating National Proficiency Tests. He will evaluate student performance to determine mastery of specific skills and advancement to the next level. In addition, he will serve as Artistic Director of the Youth and Adult Performance Troupes, including choreography, specialized skill training, direction, and production of four annual performances. The period of the agreement is effective December 22, 2011 through December 21, 2012.

Environmental Control Board14. Create the following one position:

84241 - Paralegal  
 Grade 090 (\$42,267.00 - \$51,371.00)  
 Job No. to be assigned by BBMR

Costs: \$63,278 - 1001-000000-1170-138600-601001



## MINUTES

PERSONNELDepartment of General Services15. Create the following one position:

72115 - Engineer Supervisor  
 Grade 119 (\$61,900.00 - \$87,500.00)  
 Job No. to be assigned by BBMR

Cost: \$106,211.00 - 2051-000000-1981-194600-601001

16. Create the following position:

10172 - Division Chief, II  
 Grade 952 (\$62,700.00 - \$90,900.00)  
 Job No. to be assigned by BBMR

Abolish the following filled position:

Job No. 1890-19687

b. From: 52118 - Assistant Chief, Division of  
 Fleet Maintenance  
 Grade 118 (\$58,800.00 - \$83,800.00)  
 Job No. to be assigned by BBMR

Costs: \$4,848.00 - 2030-000000-1890-189900-601001

Baltimore Fire Department17. Reclassify the following filled position:

From: 41214 - Battalion Fire Chief  
 Grade 344 (\$65,446.00 - \$81,767.00)

To: 00143 - Executive Level II  
 Grade 959 (\$77,200.00 - \$132,400.00)

Costs: \$37,331.00 - 1001-000000-2101-225900-601061

## MINUTES

PERSONNEL18. Overlap in Employment in excess of 20 working days

00143 - Executive Level II  
Grade 959 (\$77,200.00 - \$132,400.00)  
Job No. 2121-12595

The Department of Human Resources has received a request from the Fire Department for authorization of Overlap in Employment due to the impending retirement of Mr. Donald W. Heinbuch, Executive Level II, on February 14, 2012. This request for an Overlap in Employment of forty 40 days from December 21, 2011 through February 14, 2012, is being made in order to provide the Fire Department with continuous staffing of the commander function. Therefore, in compliance with the provisions of the Administrative Manual, Section 211-1, "Personnel - Overlap in Employment", the Department of Human Resources respectfully requests the Board to approve an Overlap in Employment.

Costs: \$23,717.20 - 1001-000000-2121-226400-601061

19. Reclassify the following filled position:

Job No. 2121-12831

From: 41212 - Fire Lieutenant  
Grade 338 (\$51,289.00 - \$62,582.00)

To: 41242 - Fire Captain EMS EMT-P  
Grade 380 (\$61,351.00 - \$74,869.00)

Costs: \$12,465.00 - 1001-000000-3191-308700-601061

## MINUTES

PERSONNELFire Dept. - cont'd20. Reclassify the following vacant position:

From: 41277 - Fire Emergency Vehicle Driver  
Grade 354 (\$36,022.00 - \$57,334.00)  
Job No. 2121-13123

To: 41271 - Fire Lieutenant, OEM  
Grade 338 (\$51,289.00 - \$62,582.00)

Costs: \$5,324.10 - 1001-000000-2131-228200-601061

21. Change budget account numbers for the following seven filled positions:

---

a. Job No. 2121-12614

41214 - Battalion Fire Chief  
Grade 344 (\$65,446.00 - \$81,767.00)

From: 1001-000000-2121-226400-601061  
To: 1001-000000-2101-225100-601061

b. Job No. 2101-12670

41213 - Fire Captain  
Grade 341 (\$57,490.00 - \$70,911.00)

From: 1001-000000-2101-225000-601061  
To: 1001-000000-2121-226400-601061

c. Job No. 2112-14095

62712 - Paramedic EMT-P  
Grade 368 (\$41,992.00 - \$63,730.00)

From: 1001-000000-2112-225900-601061  
To: 1001-000000-3191-308700-601061

## MINUTES

PERSONNELFire Dept. - cont'dd. Job No. 2112-32818

62712 - Paramedic EMT-P  
Grade 368 (\$41,992.00 - \$63,730.00)

From: 1001-000000-2112-226000-601061

To: 1001-000000-3191-308700-601061

e. Job No. 2133-12659

41213 - Fire Captain  
Grade 341 (\$57,490.00 - \$70,911.00)

From: 1001-000000-2133-228200-601061

To: 1001-000000-2132-228200-601061

f. Job No. 2101-47369

41282 - Battalion Fire Chief ALS  
Grade 381 (\$66,935.00 - \$83,293.00)

From: 1001-000000-2101-225900-601061

To: 1001-000000-2121-226400-601061

g. Job No. 2121-12624

41214 - Battalion Fire Chief  
Grade 344 (\$65,446.00 - \$81,767.00)

From: 1001-000000-2121-226400-601061

To: 1001-000000-2101-225000-601061

There are no additional costs associated with this action.

## MINUTES

PERSONNEL

Mayor's Office of Information Technology (MOIT)

22. Abolish the following six vacant positions:

a. Job No. 2043-33531

52422 - Radio Maintenance Technician II  
Grade 088 (\$38,939.00 - \$47,176.00)  
1 position

b. Job Nos. 2043-19459, 2043-19461 and 2043-47456

33351 - 911 Operator  
Grade 083 (\$32,315.00 - \$38,431.00)  
3 positions

c. Job Nos. 2043-19373 and 2043-19384

33330 - Emergency Dispatcher  
Grade 087 (\$37,407.00 - \$45,218.00)  
2 positions

Create the following four positions:

33366 - Call Center Operations Manager  
Grade 115 (\$51,000.00 - \$72,200.00)  
3 positions  
Job Nos. to be assigned by BBMR

33677 - Personnel Generalist II  
Grade 111 (\$41,700.00 - \$60,500.00)  
1 position  
Job No. to be assigned by BBMR

Costs: (\$20,027.00) - 1001-000000-2043-219800-601001

## MINUTES

Department of Transportation23. Create the following three positions:

- a. 33212 - Office Assistant II  
Grade 075 (\$26,316.00 - \$29,913.00)
- b. 72712 - Engineering Associate II  
Grade 089 (\$40,540.00 - \$49,222.00)
- c. 72713 - Engineering Associate III  
Grade 092 (\$45,992.00 - \$56,004.00)

Job Nos. to be assigned by BBMR

Abolish the following three vacant positions:

- d. 72612 - Survey Technician II  
Grade 081 (\$30,223.00 - \$35,806.00)  
Job No. 5034-21702
- e. 33189 - GIS Technician  
Grade 087 (\$37,407.00 - \$45,218.00)  
Job No. 5034-21694
- f. 72614 - Survey Technician IV  
Grade 089 (\$40,540.00 - \$49,222.00)  
Job No. 5034-21677

Costs: \$6,081.00 - 1001-000000-5034-384500-601001

Baltimore City Circuit Court24. Downgrade the following one position:

- From: 00812 - Court Secretary I  
Grade 091 (\$44,084.00 - \$53,638.00)  
Job No. 1100-10279
- To: 00813 - Court Secretary II  
Grade 089 (\$40,540.00 - \$49,222.00)

Costs: (\$5,266.00) - 1001-000000-1100-109400-601001

## MINUTES

PERSONNELHealth Department25. Reclassify the following vacant position:

From: 33253 - Typist III  
Grade 078 (\$27,958.00 - \$32,241.00)  
Job No. 3001-14218

To: 33681 - Personnel Assistant I  
Grade 081 (\$30,223.00 - \$35,806.00)

Costs: \$2,680.00 - 1001-000000-3001-262600-601001

Department of Human Services26. Reclassify the following seven vacant positions:Two positions

From: 54422 - Motor Vehicle Driver II  
Grade 430 (\$31,073.00 - \$34,534.00)  
Job Nos. 5153-15366; 5153-47538

To: 54412 - Motor Vehicle Driver II  
Grade 490 (\$31,429.00 - \$33,488.00)

Five positions

From: 52941 - Laborer  
Grade 423 (\$27,263.00 - \$28,745.00)  
Job Nos.: 5153-15380, 5153-15384,  
5153-32375, 5153-47546,  
and 5153-47547

To: 52931 - Laborer  
Grade 482 (\$27,747.00 - \$28,662.00)

Cost: \$3,382.00 - 1001-000000-5153-387800-60001

## MINUTES

PERSONNELDepartment of Human Services - cont'd

Under the old Human Resources payroll system, it was necessary to maintain duplicate classes to address pay scheduling issues. This is no longer the case under the new Human Resources Information System. Therefore, the DHR completed a review of the above duplicated cases and with concurrence from the using agencies, will reclassify all positions in the classification job titles with an annual salary to the more heavily populated classification titles with an hourly rate.

Bureau of Water & Wastewater27. a. Abolish the following Position:

33253 - Typist III  
 Grade 078 (\$27,958.00 - \$32,241.00)  
 Job No.: 5601-23895

DHR - Department of Planning28. a. Create the following Civil Service Class:

34496 - Senior Capital Planning Analyst  
 Grade 118 (\$58,800.00 - \$83,800.00)

b. Reclassify the following Position:

Job No. 2089-16582

From: 74138 - City Planner III  
 Grade 115 (\$51,000.00 - \$72,200.00)

To: 34496 - Senior Capital Planning Analyst  
 Grade 118 (\$58,800 00 - \$83,800.00)

Cost: \$8,607.00 - 2089-208912-1873-187400-601001



## MINUTES

Department of Housing and - Grant Agreement  
Community Development

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a grant agreement with the Baltimore Community Lending (BCL). The period of the grant is effective upon Board approval through October 15, 2021.

**AMOUNT OF MONEY AND SOURCE:**

\$350,000.00 - 9910-914752-9588-90000-706032

**BACKGROUND/EXPLANATION:**

The BCL is a 501 (c)(3) organization that was established by Baltimore City in 1989 to generate community development in neighborhoods typically overlooked by traditional financial institutions.

Since its establishment, the BCL has deployed \$150,000,000.00 in loans and supported the construction of more than 3,700 residential units in addition to commercial and community facilities. The BCL receives funds from foundations, other financial institutions, and the state and federal government.

The BCL is in the process of recapitalizing its loan fund. In order to attract investment from other funders and to provide necessary matching funds for upcoming federal grant applications. DHCD is providing \$1,000,000.00 of its General Obligation Bonds over a three year period.

This grant agreement covers \$350,000.00 that was appropriated in the FY 12 capital budget. The remaining funds are budgeted in DHCD's FY'13 and FY'14 capital budgets.

## MINUTES

DHCD - cont'd

The \$350,000.00 will be used as follows: 1) \$175,000.00 to fund loans in the Vacants to Value Areas; and 2) \$175,000.00 to establish a loan loss reserve.

Under the terms of the agreement, the BCL will provide the City with quarterly reports that describe the borrower, the project funded, as well as the amount and terms of the loan. The loans will be made utilizing the BCL's existing loan programs and terms.

**AUDITS REVIEWED AND HAD NO OBJECTION.**

**TRANSFER OF FUNDS**

| <u>AMOUNT</u>              | <u>FROM ACCOUNT/S</u>       | <u>TO ACCOUNT/S</u> |
|----------------------------|-----------------------------|---------------------|
| \$350,000.00               | 9910-902960-9587            | 9910-914752-9588    |
| 30 <sup>th</sup> CDB FY'12 | Reserve                     | Balto. Community    |
|                            | Baltimore Community Lending | Lending             |
|                            | Lending - Reserve           |                     |

This transfer will provide funds to recapitalize Baltimore Community Lending's loan funds that are used to support efforts in Vacants to Value areas and Healthy Neighborhoods for fiscal year 2012.

**(FILE NO. 57271 )**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the grant agreement with the Baltimore Community Lending. The Transfer of Funds was approved, SUBJECT to the receipt of a favorable report from the Planning Commission, the Director of Finance having reported favorably thereon, in accordance with the provisions of the City Charter.

## MINUTES

Office of the Mayor - Consultant Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of an agreement with Mr. William S. Ratchford, II. The period of the agreement is January 1, 2012 through December 31, 2012.

**AMOUNT OF MONEY AND SOURCE:**

\$95,000.00 - 1001-000000-1250-152900-603018

**BACKGROUND/EXPLANATION:**

Mr. Ratchford is knowledgeable of State and local legislative and fiscal matters. He has been involved in legislative and fiscal policy analysis before the Maryland General Assembly since 1962. He served as Director of the Department of Fiscal Services from 1974 to 1997 and has earned a great deal of respect in legislative policy and fiscal matters.

As a consultant to the Mayor and Senior Advisor, Mr. Ratchford will prepare and provide expert analysis on State legislative and fiscal matters impacting Baltimore City and on various fiscal matters concerning the Baltimore City Public School System.

**APPROVED FOR FUNDS BY FINANCE**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the agreement with Mr. William S. Ratchford, II. The Mayor **ABSTAINED**.

## MINUTES

Office of Civil Rights & Wage - Hearing Officer  
Enforcement Wage Commission      Services Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a hearing officer services agreement with Mr. Alan B. Jacobson. The period of the agreement is effective upon board approval for one year.

**AMOUNT OF MONEY AND SOURCE:**

\$5,000.00 - 1001-000000-6560-424800-603026

**BACKGROUND/EXPLANATION:**

Mr. Jacobson will serve as a Hearing Officer for the Wage Commission. On an as-needed basis, at the direction of the Commission, Mr. Jacobson will conduct hearings in the Prevailing and Living Wage Sections as required by Article 5, §25 and 26, City Code.

**MBE/WBE PARTICIPATION:**

N/A

**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 hearing officer services agreement with Mr. Alan B. Jacobson.

## MINUTES

Department of Transportation - Employee Expense Report

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the expense report to reimburse Ms. Julia Harrison of the Traffic Division's Pedestrian Safety Section for mileage expenses incurred for the period of September 2011.

**AMOUNT OF MONEY AND SOURCE:**

\$33.86 - 3001-000000-6971-605100-603002

**BACKGROUND/EXPLANATION:**

The Administrative Manual, in Section 240-11, states that Employee Expense Reports that are submitted more than 40 work days after the last calendar day of the month in which the expenses were incurred require Board of Estimates approval.

The Department of Transportation received the original request in November of 2011, which is past the submission deadline to the Department of Finance for reimbursement. The request is late because the request was lost in the interoffice mail.

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

UPON MOTION duly made and seconded, the Board approved the expense report to reimburse Ms. Julia Harrison of the Traffic Division's Pedestrian Safety Section for mileage expenses incurred for the period of September 2011.

## MINUTES

TRAVEL REIMBURSEMENTDepartment of Transportation

| <u>Name</u>         | <u>To Attend</u>                                        | <u>Fund<br/>Source</u> | <u>Amount</u>   |
|---------------------|---------------------------------------------------------|------------------------|-----------------|
| 1. Laetitia Griffin | Nat'l DBE Training Institute, DBE/DBELO                 | NPWP                   | \$204.21        |
| Evan Smith          | UCP Training<br>Las Vegas, NV<br>Oct. 31 - Nov. 4, 2011 |                        | <u>243.08</u>   |
|                     |                                                         |                        | <b>\$447.29</b> |

On September 21, 2011, the Board approved a travel request for Ms. Griffin and Mr. Smith in the amount of \$1,910.00 each; \$656.00 for subsistence and \$1,254.00 for transportation and registration. The subsistence rate for this location is \$164.00 per day. The hotel cost was \$670.00 for each attendee, not including occupancy taxes in the amount of \$170.00 for each attendee. The attendees did not have funds to cover the total hotel cost and food because the hotel costs exceed the subsistence amount of \$656.00. The Department is requesting \$204.21 and \$243.08 to cover the hotel costs and food for Ms. Griffin and Mr. Smith, respectively. The total amount expended by Ms. Griffin was \$2,114.31 and by Mr. Smith was \$2,153.08 for a total of \$4,267.29.

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

## BOARD OF ESTIMATES

12/21/2011

## MINUTES

Mayor's Off. of Employment Development - Employee Expense Report

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the expense report to reimburse the Estate of Ms. Leanne Dyett-Edwards for mileage and travel expenses incurred for the period of July and August of 2011.

**AMOUNT OF MONEY AND SOURCE:**

|                  |              |
|------------------|--------------|
| \$ 134.00        | Subsistence  |
| 607.15           | July Mileage |
| <u>\$ 741.15</u> |              |

|                  |                |
|------------------|----------------|
| \$ 134.00        | Subsistence    |
| 504.30           | August Mileage |
| <u>\$ 638.30</u> |                |

**\$1,379.45** - 4000-804712-6390-459405-603041

**BACKGROUND/EXPLANATION:**

The Administrative Manual, in Section 240-11, states that Employee Expense Reports that are submitted more than 40 work days after the last calendar day of the month in which the expenses were incurred require Board of Estimates approval.

Ms. Dyett-Edward is now deceased. Subsequently, the Department is requesting that Ms. Dyett-Edward's estate be reimbursed. Ms. Dyett-Edwards incurred these expenses while performing career and reentry services at the Hagerstown and Cumberland Correctional Facilities.

The Mayor's Office of Employment Development has an agreement with the Maryland State Department of Labor, Licensing, and Regulation to provide an array of services to current offenders such as service orientation and information, resume writing, and soft skill preparation prior to release. The Mayor's Office of Employment Development employees must travel to Western Maryland to perform these services at various correctional facilities.

## MINUTES

Mayor's Off. of Employment Development - cont'd

The request is late because of the difficulty in obtaining actual receipts and additional information.

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

UPON MOTION duly made and seconded, the Board approved the expense report to reimburse the Estate of Ms. Leanne Dyett-Edwards for mileage and travel expenses incurred for the period of July and August of 2011. The President voted **NO**.



## MINUTES

Police Department - Interagency Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of an interagency agreement with the Baltimore City Public School System. The period of the interagency agreement is November 30, 2011 through March 31, 2012.

**AMOUNT OF MONEY AND SOURCE:**

\$40,000.00 - 4000-478911-2015-210705-607001

**BACKGROUND/EXPLANATION:**

On February 23, 2011, the Board approved the memorandum of agreement with the Maryland Emergency Management Agency for the Urban Area Security Initiative award of funds.

The interagency agreement with the Baltimore City Public Schools, (Baltimore's Truancy Assessment Center (B-TAC) for GIS/S.T.A.R.S., is intended to develop and implement emergency planning and preparedness courses in City high schools. This will help to strengthen the nation and Maryland against risk associated with potential terrorist attacks. Activities under the interagency agreements will focus on developing integrated systems for prevention, protection, response, and recovery.

The agreement is late because it was recently returned to the Department.

**MWBOO GRANTED A WAIVER.**

**APPROVED FOR FUNDS BY FINANCE**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the interagency agreement with the Baltimore City Public School System.

## MINUTES

Department of Housing and Community Development (DHCD) - Amendment No. 1 to Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of amendment no. 1 to agreement with the Park Heights Renaissance, Inc. (PHR). The amendment no. 1 to agreement extends the term of the agreement through December 31, 2012.

**AMOUNT OF MONEY AND SOURCE:**

N/A

**BACKGROUND/EXPLANATION:**

This amendment is for the PHR's Homeowner Rehabilitation Deferred Loan Program and down payment and Closing Cost Assistance.

On May 25, 2011, the Board approved an agreement with the PHR providing \$182,000.00 to provide a minimum of seven Homeowner Rehabilitation Deferred Loans to low and moderate-income owners living in stabilization areas with the Park Heights community. The agreement also provided \$100,000.00 to support the PHR's down payment and closing cost assistance program to first time homebuyers purchasing homes within the community. The maximum grant amount is \$3,000.00. The term of the grant agreement began on January 1, 2011 and expires on December 31, 2011.

None of the Deferred Loan Funds have been expended due to new requirements from HUD requiring the FHA certification, and a balance of \$86,000.00 remains for down payment and closing assistance. The PHR has therefore requested a one-year extension to this agreement.

All other terms and conditions of the original agreement will remain in full force and effect.

## MINUTES

DHCD - cont'd

**MBE/WBE PARTICIPATION:**

The existing MBE/WBE requirements continue to apply to this amendment.

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS NOTED THE TIME EXTENSION.**

**(FILE NO. 57276)**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the amendment no. 1 to agreement with the Park Heights Renaissance, Inc.

## MINUTES

Department of Housing and Community Development (DHCD) - Third Amendatory Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a third amendatory agreement with the Healthy Neighborhoods, Inc. (HNI). The amendment is effective upon Board approval through December 31, 2012.

**AMOUNT OF MONEY AND SOURCE:**

No funds are requested

\$300,000.00 - 9910-907036-9588-900000-706047

(Health Neighborhoods FY 10 General Obligation Bonds)

**BACKGROUND/EXPLANATION:**

The HNI will use funds for acquisition/rehabilitation, refinance/rehabilitation, or Home Improvement Loan Program.

This is a third-amendatory agreement to a grant agreement approved by the Board on April 23, 2008 providing \$1,000,000.00 through Ordinance 07-513 in General funds to provide matching loans to qualified homeowners.

A first amendment was approved by the Board permitting \$333,333.00 to be moved to the HNI FY'10 Operating Agreement and replenishing with \$583,333.00 in FY'10 General Obligation Bonds, and the second amendment approved by the Board in April 2011 providing for an additional \$300,000.00.

The First amendment required that the \$333,333.00 that was added to the Matching Grant Funds be expended by December 31, 2011. The HNI requested that the term to expend these funds by one year to December 31, 2012.

Matching Grant Funds are provided to homeowners that use the Healthy Neighborhoods Home Improvement Loan Product. Eligible buyers must qualify for a minimum of a \$5,000.00 HNI loan product and cannot earn more than 120 percent of the Area Median

## MINUTES

DHCD - cont'd

Income, or \$98,520.00 for a household of four. The Matching Grant is structured as a second or third deed of trust against the property and is forgiven by 20 percent for each year the owner occupant remains in the property. The borrower is responsible for paying all closing costs, including points. All terms of the grant agreement will remain unchanged.

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS NOTED THE TIME EXTENSION.**

**(FILE NO. 56594)**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the third amendatory agreement with the Healthy Neighborhoods, Inc.

## MINUTES

Department Housing and - Amendment No. 1 to Agreement  
Community Development

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of amendment no. 1 to agreement with Healthy Neighborhoods, Inc. The amendment no. 1 extends the period of the agreement through December 31, 2012.

**AMOUNT OF MONEY AND SOURCE:**

No additional funds

\$80,000.00 - 9910-916037-9588-900000-706047

(existing funds from Healthy Neighborhoods FY'10 GO Bonds)

**BACKGROUND/EXPLANATION:**

On September 29, 2010, the Board approved the grant agreement in the amount of \$750,000.00. The agreement provided \$80,000.00 to spur investment on selected blocks in Reservoir Hill. All funds were required to be expended by December 31, 2011. Because of market conditions, Healthy Neighborhoods has requested a 12-month extension to spend the funds targeted to Reservoir Hill. All other funds have been expended in accordance with the terms of the Grant Agreement.

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS NOTED THE TIME EXTENSION.**

**(FILE NO. 56594)**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the amendment no. 1 to agreement with Healthy Neighborhoods, Inc.

## BOARD OF ESTIMATES

12/21/2011

## MINUTES

Mayor's Office of                    - Employee Expense Report  
Employment Development

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the employee expense report for Mr. William M. Volk for the months of November 2010 through September 2011.

**AMOUNT OF MONEY AND SOURCE:**

| <u>Mileage</u>                             | <u>Parking</u>                             |
|--------------------------------------------|--------------------------------------------|
| \$ 21.00 - Nov. 2010                       | \$ 0.00                                    |
| 65.28 - Dec. 2010                          | 0.00                                       |
| 16.32 - Jan. 2011                          | 0.00                                       |
| 52.73 - Feb. 2011                          | 0.00                                       |
| 26.42 - Mar. 2011                          | 2.00 - Mar. 2011                           |
| 22.13 - April 2011                         | 5.00 - April 2011                          |
| 71.71 - May 2011                           | 18.00 - May 2011                           |
| 122.50 - June 2011                         | 16.00 - June 2011                          |
| 72.59 - July 2011                          | 17.25 - July 2011                          |
| 58.39 - Sept. 2011                         | 6.00 - Sept. 2011                          |
| <b><u>\$529.73</u></b>                     | <b><u>\$64.25</u></b>                      |
| Acct. - 4000-814211-6331-<br>458305-603002 | Acct. - 4000-814211-6331-<br>458305-603003 |

**BACKGROUND/EXPLANATION:**

The Administrative Manual, in Section 240-11, states that Employee Expense Reports that are submitted more than 40 work days after the last calendar day of the month in which the expenses were incurred require Board of Estimates approval.

Mr. Volk is a Cybersecurity Navigator which requires travel on a regular basis. The request is late because of the employee had difficulty in obtaining actual rates and odometer readings. The Department apologizes for the delay.

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

MINUTES

MOED - cont'd

UPON MOTION duly made and seconded, the Board approved the employee expense report for Mr. William M. Volk for the months of November 2010 through September 2011.



MINUTES

TRANSFERS OF FUNDS

\* \* \* \* \*

UPON MOTION duly made and seconded,

the Board approved

the Transfers of Funds

listed on the following pages:

4366 - 4369

SUBJECT to receipt of favorable reports

from the Planning Commission,

the Director of Finance having

reported favorably thereon,

as required by the provisions of the

City Charter.

## MINUTES

TRANSFERS OF FUNDS

|                                                | <u>AMOUNT</u>        | <u>FROM ACCOUNT/S</u> | <u>TO ACCOUNT/S</u> |
|------------------------------------------------|----------------------|-----------------------|---------------------|
| <u>Baltimore Development Corporation (BDC)</u> |                      |                       |                     |
| 1.                                             | \$ 168.75            | 9910-901860-9600      | 9910-905852-9601    |
|                                                | 19 <sup>th</sup> EDF | Constr. Res.          | Econ. Dev.          |
|                                                |                      | Industrial & Coml.    | Incentive           |
|                                                | 549.36               | 9910-901876-9600      | 9910-905852-9601    |
|                                                | 19 <sup>th</sup> EDF | Constr. Res.          | Economic Dev.       |
|                                                |                      | Industrial Park       | Incentive           |
|                                                |                      | Dev.                  |                     |
|                                                | 2,700.00             | 9910-902875-9600      | 9910-905852-9601    |
|                                                | 19 <sup>th</sup> EDF | Constr. Res.          | Economic Dev.       |
|                                                |                      | Bus & Tech. Init.     | Incentive           |
|                                                | 421.56               | 9910-904115-9600      | 9910-906835-9603    |
|                                                | 19 <sup>th</sup> EDF | Constr. Res.          | Westside Project    |
|                                                |                      | Westside Init.        | Init.               |
|                                                | 548.09               | 9910-904573-9600      | 9910-906575-9603    |
|                                                | 19 <sup>th</sup> EDF | Constr. Res.          | E. Balto. Ind. &    |
|                                                |                      | Fayette/Lombard St.   | Com. Dev.           |
|                                                | 615.98               | 9910-994001-9600      | 9910-902879-9601    |
|                                                | 19 <sup>th</sup> EDF | Constr. Res.          | Coml.               |
|                                                |                      | Unallocated Res.      | Revitalization      |
|                                                | 220.00               | 9910-994001-9600      | 9910-905852-9601    |
|                                                | 19 <sup>th</sup> EDF | Constr. Res.          | Economic Dev.       |
|                                                |                      | Unallocated Res.      | Incentive           |
|                                                | 734.05               | 9910-994001-9600      | 9910-906835-9603    |
|                                                | 19 <sup>th</sup> EDF | Constr. Res.          | Westside Proj.      |
|                                                |                      | Unallocated Res.      | Initiative          |
|                                                | 1,856.89             | 9910-901880-9600      | 9910-905852-9601    |
|                                                | 20 <sup>th</sup> EDF | Constr. Res.          | Economic Dev.       |
|                                                |                      | Open/Public Space     | Incentive           |

## MINUTES

TRANSFERS OF FUNDS

| <u>AMOUNT</u>                                  | <u>FROM ACCOUNT/S</u>                                              | <u>TO ACCOUNT/S</u>                                |
|------------------------------------------------|--------------------------------------------------------------------|----------------------------------------------------|
| <u>Baltimore Development Corporation (BDC)</u> |                                                                    |                                                    |
| 6,216.00<br>21 <sup>st</sup> EDF               | 9910-902483-9600<br>Constr. Res.<br>S. Balto. Ind. &<br>Coml. Dev  | 9910-3483-9601<br>S. Balto. Ind. &<br>Coml. Dev.   |
| 109.00<br>21 <sup>st</sup> EDF                 | 9910-903354-9600<br>Constr. Res.<br>W. Balto. Ind. &<br>Coml. Dev. | 9910-904354-9601<br>W. Balto. Ind. &<br>Coml. Dev. |
| 30,530.36<br>21 <sup>st</sup> EDF              | 9910-905575-9600<br>Constr. Res.<br>E. Balto. Ind. &<br>Coml. Dev. | 9910-906575-9601<br>E. Balto. Ind. &<br>Coml. Dev. |
| 4,228.94<br>22 <sup>nd</sup> EDF               | 9910-902873-9600<br>Constr. Res.<br>Brownfields<br>Incent. Fund    | 9910-904354-9601<br>W. Balto. Ind. &<br>Coml. Dev. |
| 3,290.00<br>22 <sup>nd</sup> EDF               | 9910-903354-9600<br>Constr. Res.<br>W. Balto. Ind. &<br>Coml. Dev. | 9910-902879-9601<br>Coml. Rev.                     |
| <u>\$52,188.98</u>                             |                                                                    |                                                    |

This transfer will provide funds to reimburse the BDC for eligible capital expenses for the month ending September 30, 2011.

## MINUTES

TRANSFERS OF FUNDS

| <u>AMOUNT</u>                                  | <u>FROM ACCOUNT/S</u>                                              | <u>TO ACCOUNT/S</u>                                    |
|------------------------------------------------|--------------------------------------------------------------------|--------------------------------------------------------|
| <u>Baltimore Development Corporation (BDC)</u> |                                                                    |                                                        |
| 2. \$ 2,487.82<br>19 <sup>th</sup> EDF         | 9910-901876-9600<br>Constr. Res.<br>Ind. Pk. Dev.                  | 9910-902870-9601<br>Business Incubators<br>and Centers |
| 2,200.00<br>19 <sup>th</sup> EDF               | 9910-904115-9600<br>Constr. Res.<br>Westside Init.                 | 9910-906835-9603<br>Westside Project<br>Init.          |
| 3,476.81<br>19 <sup>th</sup> EDF               | 9910-994001-9600<br>Constr. Res.<br>Unallocated Res.               | 9910-905852-9601<br>Economical Dev.<br>Incentive       |
| 5,000.00<br>20 <sup>th</sup> EDF               | 9910-901880-9600<br>Constr. Res.<br>Open/Public Space              | 9910-906575-90601<br>E. Balto. Ind. &<br>Coml. Dev.    |
| 362.46<br>20 <sup>th</sup> EDF                 | 9910-904115-9600<br>Constr. Res.<br>Westside Init.                 | 9910-906835-9603<br>Westside Project<br>Init.          |
| 4,152.00<br>21 <sup>st</sup> EDF               | 9910-902483-9600<br>Constr. Res.<br>S. Balto. Ind. &<br>Coml. Dev. | 9910-903483-9601<br>S. Balto. Ind. &<br>Coml. Dev.     |
| 2,000.00<br>21 <sup>st</sup> EDF               | 9910-902873-9600<br>Constr. Res.<br>Brownfields<br>Incent.         | 9910-903873-9601<br>Brownsfields Incent.<br>Fund       |
| 1,000.00<br>22 <sup>nd</sup> EDF               | 9910-902483-9600<br>Constr. Res.<br>S. Balto. Ind.<br>& Coml. Dev. | 9910-905852-9601<br>Econ. Dev. Incent.                 |

## MINUTES

TRANSFERS OF FUNDS

| <u>AMOUNT</u>        | <u>FROM ACCOUNT/S</u> | <u>TO ACCOUNT/S</u> |
|----------------------|-----------------------|---------------------|
| (BDC) - cont'd       |                       |                     |
| 5,823.57             | 9910-903354-9600      | 9910-902879-9601    |
| 22 <sup>nd</sup> EDF | Constr. Res.          | Coml. Revit.        |
|                      | W. Balto. Ind.        |                     |
|                      | & Coml. Dev.          |                     |
| 125.00               | 9910-903354-9600      | 9910-904354-9601    |
| 22 <sup>nd</sup> EDF | Constr. Res.          | W. Balto. Ind. &    |
|                      | W. Balto. Ind.        | Coml. Dev.          |
|                      | & Coml. Dev.          |                     |
| 1,384.62             | 9910-905575-9600      | 9910-902879-9601    |
| 22 <sup>nd</sup> EDF | Constr. Res.          | Coml. Revit.        |
| <u>\$28,012.28</u>   | E. Balto. Ind.        |                     |
|                      | & Coml. Dev.          |                     |

This transfer will provide funds to reimburse the BDC for eligible capital expenses for the month ending August 31, 2011.

## MINUTES

TRAVEL REIMBURSEMENT

| <u>Name</u>                              | <u>To Attend</u>                                                                                                                      | <u>Source</u>   | <u>Fund Amount</u> |
|------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------|-----------------|--------------------|
| <u>Health Department - Reimbursement</u> |                                                                                                                                       |                 |                    |
| 1. Olivia Farrow                         | 2011 Annual Summer<br>Conf. of Maryland<br>Association of<br>Counties<br>Ocean City, MD<br>Aug. 17 - 20, 2011<br>(Reg. Fee \$ 420.00) | Special<br>Fund | \$1,452.79         |

Ms. Farrow attended the Maryland Association of Counties 2011 Annual Sumer Conference in Ocean City, Maryland from August 17 - 20, 2011. The Department's Commissioner designated her deputy, Ms. Farrow to attend because of a scheduling conflict. The Department paid the registration fee of \$420.00 using a City issued credit card assigned to Ms. Dourakine Rosarion. The Department is requesting the Board to retroactively approve the total travel expenses in the amount of \$1,452.79.

The Department failed to follow AM 240-3, which requires Board of Estimates approval for travel exceeding \$800.00. The Department recognizes that incurring expenses without required authorization is a serious matter. The responsible employees have been counseled and the Department has reinforced the AM 240-3 policy to all managers and fiscal staff. The Board is requested to authorize a reimbursement of \$1,032.79 to Ms. Farrow for the following:

|                |                   |
|----------------|-------------------|
| Transportation | \$ 163.00         |
| Hotel          | 779.73            |
| Hotel Tax      | 89.73             |
|                | <u>\$1,032.79</u> |

The subsistence rate allowed for this request at the time of travel was \$266.00 per day for a total of \$798.00.

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

## 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. ERNST & YOUNG<br>LLP                                                                                                  | \$542,500.00 | Sole Source/<br>Agreement |
| Solicitation No. 08000 - Audit Financial Statements for the<br>City of Baltimore - Finance Department - Req. No. R591435 |              |                           |

The Board is requested to approve and authorize execution of an agreement with Ernst & Young, LLP. The period of the agreement is effective upon Board approval and will terminate the earlier of June 30, 2012 or upon completion.

A restatement of the City's Comprehensive Annual Financial Report (CAFR) for Fiscal Year 2010 is required. Ernst & Young, LLP (E&Y) was the Certified Public Accountant firm contracted by the City who performed the audit and report for FY 2010 and therefore is the sole vendor able to perform the restatement in the required time frame because E&Y has already performed the preliminary functions and it intimately knowledgeable of all the assumptions that went into the CAFR for FY 2010.

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.

**(FILE NO. 57281)**

UPON MOTION duly made and seconded, the Board approved the foregoing informal award, sole source agreement. The President voted **NO**.

MINUTES

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

\*\*\*\*\*



## 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.

**THERE WERE NO ADDENDA RECEIVED.**

## 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:

1. Department of Transportation - TR 10301, North Charles Street Construction from 25th Street to University Parkway  
Potts & Callahan, Inc.  
Civil Construction, LLC  
P. Flannigan & Sons, Inc.  
Concrete General, Inc.  
Facchina Construction Co., Inc.  
Daisy Concrete, Inc. of MD
2. Department of Recreation Parks - RP 11862, Solo Gibbs & Spray Park  
Allied Contractors, Inc.  
Bensky Construction Co., LLC
3. Bureau of Purchases - B50002089, Drawbridge Operations  
Covington Machine & Welding  
Cianbro Corporation

## MINUTES

4. Bureau of Purchases - B50002151, EMS Billing Service (TECHNICAL)

MED 3000, Inc.  
 Advanced Data Processing, Inc.  
 d/b/a Intermedix Corp.  
 Digitech Computer, Inc.  
 ACS State & Local Solutions, Inc.  
 \*Lifeline Systems, Inc. d/b/a  
 LifeQuest Services

\*UPON FURTHER MOTION, the Board found the bid of Lifeline Systems, Inc. d/b/a LifeQuest Services, **NON-RESPONSIVE** because of the company's failure to submit a complete original bid book as required in the bid instructions. The original bid was not included with the submission as outlined in the solicitation instructions, therefore the City could not accept the bid.

5. Bureau of Purchases - B50002209, Copper Cable Installation, Maintenance and Repair Services

Highlander Contracting Company, LLC  
 VT Integrated Solutions  
 Intellect Corporation  
 James Communication, Inc.

MINUTES

- 6. Bureau of Purchases - B50002218 Snow Removal Contractors II

Carroll Concrete  
 A2Z Environmental Group, LLC  
 Unified Solutions Services, LLC  
 Consolidated Services, Inc.

- 7. Bureau of Purchases - B50002223 22 Ton X 4' Hydraulic Press Brake and 8' X 1/2" Hydraulic Shear

Machinery Sales Company, Inc.  
 d/b/a US Industrial Machinery

- 8. Bureau of Purchases - B50002225 Bleach Tanks

Coastal Technical Sales, Inc.  
 Environmental Solutions -CBR, Inc.

\*\*\*\*\*

There being no objections, the Board, UPON MOTION duly made and seconded, adjourned until its next regularly scheduled meeting on Wednesday, January 11, 2012.

JOAN M. PRATT  
 Secretary