

MINUTES

REGULAR MEETING

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

The meeting was called to order by the President.

* * * * *

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:

Cam Construction Co., Inc.	\$ 82,242,000.00
Enterprise Electric Company	\$ 140,121,000.00
F&F Landscaping, Inc.	\$ 8,000,000.00
First Potomac Env. Corp.	\$ 801,000.00
Henkels & McCoy, Inc.	\$1,344,933,000.00
Midwest Mole, Inc.	\$ 45,072,000.00
Seaway Coatings, Inc.	\$ 7,866,000.00
The Six M Company, Inc.	\$ 60,957,000.00

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BOARDS AND COMMISSIONS - cont'd2. 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:

Century Engineering	Engineer Land Survey
CH2M Hill, Inc.	Property Line Survey Architect Landscape Architect
George, Miles & Buhr, LLC	Engineer
McCormick Taylor, Inc.	Engineer Landscape Architect
McLaren Engineering Group	Engineer
Simpson, M.E. Co., Inc.	Engineer
Transtech Engineering Consultants, Inc.	Engineer

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

MINUTES

Baltimore City Sheriff's Office - TRANSFER OF LIFE-TO-DATE SICK LEAVE

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

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

<u>NAME</u>	<u>DAYS</u>
1. James Conyers	2
2. Duchess Howell	2
3. Edward Cooper	5
4. Myra Chew	1
5. Mark Scherr	5
6. Donald Rheubottom	1
7. Yolanda Allmond	2
8. Tomeka Pendall	<u>1</u>
TOTAL	19

THE LABOR COMMISSIONER RECOMMENDED APPROVAL.

UPON MOTION duly made and seconded, the Board approved the transfer of LIFE-TO-DATE sick leave days from the above-listed City employees to the designated employee, Andrea Black.

MINUTESDepartment of Audits - Audit Report and Related Audit Digest

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

Audit of the Comprehensive Annual Financial Report
of the Fire and Police Employees' Retirement System
Fiscal Year Ended June 30, 2009.

The Board **NOTED** receipt of the Audit Report and Related Digest. The Comptroller **ABSTAINED**.

MINUTES

TRANSFERS OF FUNDS

* * * * *

UPON MOTION duly made and seconded,

the Board approved

the Transfers of Funds

listed on the following pages:

262 - 264

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 Planning</u>			
1.	\$ 100,000.00	9904-903781-9129	9904-901781-9127
	1 st Public	Promotion	Promotion
	Building	Arts-School 33	Arts-School 33
		Art Center	Art Center

The transfer will provide funds for the addition of an elevator to make School 33 Art Center completely ADA compliant. The addition is a major part of the extensive renovations plans at the school.

(FILE NO. 56338)

2.	\$ 300,000.00	9904-901401-9129	9904-909401-9127
	General Obligation	1 st B & O Railroad	1 st B & O Railroad
	Bonds	Loan	Loan

The transfer will provide funds to cover the City's match of the costs associated with the award of Contract No. TR 06301 to Trionofo Builders, Inc., to restore the B & O Railroad Museum's Car Shops.

(FILE NO. 56057)

Department of Transportation

3.	\$ 31,948.34	9950-903280-9509	9950-902280-9508-3
	MVR	Constr. Res.	Design & Studies
		Wilkins Ave.	Resurface Wilkins
			Ave. from west of
			Brunswick St. to
			Fulton Ave.

The transfer will fund costs associated with the award of Task No. 1 on Project 1011 (BD # 06042) to STV, Inc. for additional design services for the project, Resurfacing Wilkins Ave - west of Brunswick Street to Fulton Avenue.

MINUTES

TRANSFER OF FUNDS

	<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Department of Finance</u>			
7.	\$ 200,000.00	9904-901166-9129	9904-907166-9127
	1 st Cultural		Babe Ruth Museum
	Institutional		Renov. Project
	125,000.00	9904-901400-9129	" "
	<u>General Funds</u>		
	\$ 325,000.00		

The transfer will provide funding for renovation of the Babe Ruth Birthplace as part of the Babe Ruth Museum Renovation Project approved by the Board on June 6, 2007.

MINUTES

Health Department - Agreement and Notification
of Grant Awards (NGA)

The Board is requested to approve and authorize acceptance of the following agreement and notification of grant awards.

AGREEMENT

1. **BALTIMORE SUBSTANCE ABUSE SYSTEMS, INC. \$ 30,000.00**
(BSAS)

Account: 6000-629310-3040-278100-603051

BSAS will use the revenue collected through the Tobacco Enforcement Program, provided by citation collection to support up to 14 days of residential treatment at intermediate care facility treatment centers for uninsured/underinsured Baltimore City Residents. The period of the agreement is December 1, 2009 through June 30, 2010.

The agreement is being presented at this time because funding is dependent on revenue collected for tobacco control citations.

MWBOO GRANTED A WAIVER.

AUDITS REVIEWED AND HAD NO OBJECTION.

NOTIFICATION OF GRANT AWARDS (NGAs)

2. **DEPARTMENT OF HEALTH AND HUMAN SERVICES \$1,033,323.00**
CENTERS FOR DISEASE CONTROL AND PREVENTION
COMPREHENSIVE STD PREVENTION SYSTEMS

Account: 4000-422510-3030-273000-404001

The Baltimore City Sexually Transmitted Disease (STD) Control Program is a separate project area that serves the

MINUTES

Health Department - cont'd

City of Baltimore. The program provides clinical services for STD's at two full-service, free STD clinics, located in high STD morbidity areas within the city. The program's mission is simply to reduce the incidence of STD's in Baltimore City, thereby improving the health status of citizens. The period of the grant award is January 1, 2010 through December 31, 2010.

3. **DEPARTMENT OF HEALTH AND HUMAN SERVICES \$ 150,000.00**
CENTERS FOR DISEASE CONTROL AND PREVENTION
STD SURVEILLANCE NETWORK GRANT AWARD

Account: 4000-422610-3030-272500-404001

The STD Surveillance Network provides clinical services for STDs and HIV at two full-service, free STD clinics. These sites will be used for the STD Surveillance Network (SSN) clinic based surveillance activities. As a proposed site for the national SSN, the Department will use its existing integrated clinical and laboratory data system (Insight) and its population-level morbidity surveillance system (STD*MIS) to collect data and create dataset useful for analysis at the local and national levels to describe emerging STD/HIV trends. The local data will be used to target and intensify local STD prevention efforts and to provide relevant information to regional medical providers. The period of the grant award is September 30, 2009 through September 29, 2010.

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Health Department - cont'd

The NGAs are being presented at this time because they were 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 execution of the agreement and notification of grant awards. The President **ABSTAINED** on item no. 1.

MINUTES

Department of Housing and - Local Government Resolution
Community Development

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the local government resolution in support of 1000 Friends of Maryland's application to the State of Maryland's Community Investment Tax Credit Program (CITCP).

AMOUNT OF MONEY AND SOURCE:

\$50,000.00 - CITCP

No City funds are required.

BACKGROUND/EXPLANATION:

The 1000 Friends of Maryland, located at 1209 N. Calvert Street, proposes the 1000 Friends of Maryland is *growing green* Project. This project will use the funding for related capital improvements planned for the historic brownstone, which is the home of the 1000 Friends of Maryland in historic Mt. Vernon.

The 1000 Friends of Maryland's mission is to protect Maryland's natural areas and open spaces, improve the quality of life in communities, restore once vibrant cities and towns, and improve public transportation through meaningful public participation, education, research and advocacy.

A local government resolution in support is required by the State for all applications to programs for funding.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the local government resolution in support of 1000 Friends of Maryland's application to the State of Maryland's Community Investment Tax Credit Program.

MINUTES

Department of Housing and - Quarterly Report on
Community Development Loan Subordinations

ACTION REQUESTED OF B/E:

The Board is requested to **NOTE** receipt of the quarterly report on loan subordinations from the Department of Housing and Community Development (DHCD). The quarterly report is for the period July 2009 through September 2009.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

This quarterly report outlines loan subordination requests received from homeowners and approved by the DHCD.

On February 23, 2005, the Board approved a Loan Subordination Policy. Under the policy, the DHCD is given the authority to execute subordination agreements from homeowners seeking to refinance first mortgages, provided the homeowner did not receive any cash-out from the refinance.

The DHCD's Finance Review Committee has reviewed and approved seven subordination agreements during this past quarter, which allow the City's second lien position to remain unchanged.

All other requests from homeowners for equity withdrawal, when refinancing, are presented to the Board and the Director of Finance for approval, pursuant to the policy previously approved by the Board.

(FILE NO. 57077)

The Board **NOTED** receipt of the quarterly report on loan subordinations from the Department of Housing and Community Development.

MINUTES

Department of Housing and - Lien Release
Community Development

ACTION REQUESTED OF B/E:

The Board is requested to approve the release of liens, plus all accrued interest and/or penalties on the vacant property located at 3316 Edmondson Avenue, for the transferee, Ms. Effria Turner.

AMOUNT OF MONEY AND SOURCE:

\$3,627.58, plus all accrued interest and/or penalties.

BACKGROUND/EXPLANATION:

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

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

Ms. Turner will rehabilitate the vacant property for use as a rental property. The release of liens on the property will make it financially feasible for redevelopment and prevent tax abandonment.

Prior to settlement, Ms. Turner will pay the flat taxes and water charges for the property which currently total \$11,154.61. This exceeds the assessed value of the property, which currently totals \$3,000.00. The amount paid will be applied to satisfy the water bill, real estate taxes flat tax first, and other liens that have accrued prior to the date of this lien release.

MINUTES

DHCD - cont'd

Any additional property tax assessments, water charges, and liens that accrue from the date of this lien release will be the responsibility of the transferee to pay prior to settlement. Failure to record the deed and pay the flat taxes and water charges of \$11,154.61 within 120 days from the date of approval by the Board, will void this release.

UPON MOTION duly made and seconded, the Board approved the release of liens, plus all accrued interest and/or penalties on the vacant property located at 3316 Edmondson Avenue, for the transferee, Ms. Effria Turner.

MINUTES

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

ACTION REQUESTED OF B/E:

The Board is requested to approve the acquisition of the leasehold interest in the vacant building located at 1004 E. Federal Street as a gift from ELB Enterprises, LLC, subject to all municipal liens and all accrued interest and/or penalties accrued through the date of settlement.

AMOUNT OF MONEY AND SOURCE:

No City funds will be expended.

BACKGROUND/EXPLANATION:

ELB Enterprises, LLC is donating the vacant building located at 1004 E. Federal Street as a gift to the City of Baltimore for a contribution to the Oliver Project. The property is in an area scheduled for redevelopment, and accepting the donation will save acquisition expense and time.

Pursuant to the provisions of Article 13, § 2-7 of the Baltimore City Code (2000 Edition) and subject to the prior approval of the Board, the DHCD may acquire, for and on behalf of the City by gift, any single-family or multiple-family dwelling unit or other structure or lot within the City, for development and redevelopment. The Commissioner of the DHCD has made the required determination with regard to this property. This property will be redeveloped.

The municipal liens accrued through December 31, 2009 are as follows:

Real Property Taxes Tax year 2009/2010

\$ 75.57

BOARD OF ESTIMATES

2/3/10

MINUTES

DHCD - cont'd

Tax Sale	Tax sale dated 5/18/2009	544.46
Miscellaneous Bill	Bill No. 5853213 dated 11/2/2009	116.82
Miscellaneous Bill	Bill No. 5922091 dated 11/24/2009	<u>194.41</u>
	Total	\$931.26

MBE/WBE PARTICIPATION:

N/A

UPON MOTION duly made and seconded, the Board approved the acquisition of the leasehold interest in the vacant building located at 1004 E. Federal Street as a gift from ELB Enterprises, LLC, subject to all municipal liens and all accrued interest and/or penalties accrued through the date of settlement.

MINUTES

Department of Housing and - Agreements
Community Development

The Board is requested to approve and authorize execution of the following agreements. The period of the agreement is September 1, 2009 through October 31, 2010, unless otherwise indicated.

1. **REBUILDING TOGETHER BALTIMORE, INC.** **\$ 66,323.00**

Account: 2089-208910-5930-431155-603051

The purpose of the agreement is to provide CDBG-35 funding for Rebuilding Day (April 24, 2010) and a "Fix-it" home maintenance program for low to moderate income owner-occupied households that reside in the Southern Park Heights and other low-income areas of Baltimore City. Priority will be given to low-income, elderly and disabled homeowners. In addition, referrals to appropriate institutions or agencies for extensive maintenance will be made.

On May 14, 2009, 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 2009 Annual Action Plan for the following formula programs:

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

The DHCD began negotiating and processing the CDBG agreements effective July 1, 2009 and beyond, as outlined in the Plan, pending approval of the Resolution. Consequently, the agreements were delayed due to final negotiations and processing.

MINUTES

DHCD - cont'd

2. **REBUILDING TOGETHER BALTIMORE, INC.** **\$100,000.00**

Account: 4000-485710-5750-644800-603051

The organization will carry out on an expedited basis, eligible activities under the CDBG program in order to stimulate the local economy. The purpose of the agreement is to create one full-time position and support operating costs associated with implementing the Low-Income Homeownership Safety and Energy Efficiency Program in the Park Heights area in the City. Low-income owner occupants will be assisted with home repairs to increase safety and improve energy efficiency in their homes. The period of the agreement is October 1, 2009 through September 30, 2010.

On May 27, 2009, the Board approved a Resolution authorizing the Department of Housing and Community Development (DHCD), on behalf of the Mayor and City Council, to accept American Recovery and Reinvestment Act of 2009 (ARRA) funds for the Community Development Block Grant (CDBG-R) Program.

Upon receipt of the Housing and Urban Development grant agreement for the CDBG-R funds on July 24, 2009, the DHCD's Contract Section began negotiating and processing CDBG-R agreements as awarded in the Substantial Amendment to the 2008 Annual Action Plan to be effective beginning October 1, 2009 and beyond. Consequently, the agreements were delayed due to final negotiations and processing.

MWBOO SET GOALS OF 15% MBE and 5% WBE.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

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

MINUTES

Department of Housing and - Land Disposition Agreement
Community Development (DHCD)

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the land disposition agreement with Eager Street Development 28, LLC, developer, for the sale of the properties located at 2325, 2327, 2329, 2332, 2336, 2401, 2402, 2408, 2412, 2415, 2417, 2423, 2424, 2426, 2434, 2438, 2500, 2502 E. Eager Street, 900, 906 N. Milton Avenue, 906, 926 N. Montford Avenue, 901, 903, 904, 907 N. Port Street, and 2316, 2422 Ashland Avenue.

AMOUNT OF MONEY AND SOURCE:

\$ 1,000.00 - 2325 E. Eager Street
 1,000.00 - 2327 E. Eager Street
 1,000.00 - 2329 E. Eager Street
 1,000.00 - 2332 E. Eager Street
 1,000.00 - 2336 E. Eager Street
 1,000.00 - 2401 E. Eager Street
 1,000.00 - 2402 E. Eager Street
 1,000.00 - 2408 E. Eager Street
 1,000.00 - 2412 E. Eager Street
 1,000.00 - 2415 E. Eager Street
 1,000.00 - 2417 E. Eager Street
 1,000.00 - 2423 E. Eager Street
 1,000.00 - 2424 E. Eager Street
 1,000.00 - 2426 E. Eager Street
 1,000.00 - 2434 E. Eager Street
 1,000.00 - 2438 E. Eager Street
 1,000.00 - 2500 E. Eager Street
 1,000.00 - 2502 E. Eager Street
 1,000.00 - 900 N. Milton Avenue
 1,000.00 - 906 N. Milton Avenue

MINUTES

DHCD - cont'd

1,000.00	-	906 N. Montford Avenue
1,000.00	-	926 N. Montford Avenue
1,000.00	-	901 N. Port Street
1,000.00	-	903 N. Port Street
1,000.00	-	904 N. Port Street
1,000.00	-	907 N. Port Street
1,000.00	-	2316 Ashland Avenue
1,000.00	-	2422 Ashland Avenue
<u>\$28,000.00</u>	-	Purchase Price

BACKGROUND/EXPLANATION:

Eager Street Development 28, LLC proposes to rehabilitate 28 single family homes, with the size of the properties ranging from 799 sq. ft. to 1,350 sq. ft., at a total cost of \$145,000.00 per unit. Some parking will be in the rear with parking pads included and the rest will be off-street parking.

The developer has applied for subsidy from several lenders including the Federal Home Loan Bank, the Community Legacy Program, and a Maryland State Capital Grant. The developer has received approval for one of the requests for subsidy funds. The John's Hopkins's "Live Near Where You Work" Program also agreed to assist with low interest loans to the buyers.

STATEMENT OF PURPOSE AND RATIONALE FOR SALE BELOW THE APPRAISED VALUE:

The properties were appraised at an average value of \$11,150.00 on April 2, 2009 and will be sold below the appraisal value to help stabilize the neighborhood. The properties are in dire need

MINUTES

DHCD - cont'd

of repair and have stood vacant for decades. The rehabilitation of the properties will also remove blight from the neighborhood. In addition, the sale of the properties below the appraised value will give the developer the ability to sell the properties as affordable housing.

MBE/WBE PARTICIPATION:

The developer has signed the Commitment to Comply with Article 5, Subtitle 28 of the Baltimore City Code, Minority and Women's Business Enterprise Program.

(FILE NO. 57107)

UPON MOTION duly made and seconded, the Board approved and authorized execution of the land disposition agreement with Eager Street Development 28, LLC, developer, for the sale of the properties located at 2325, 2327, 2329, 2332, 2336, 2401, 2402, 2408, 2412, 2415, 2417, 2423, 2424, 2426, 2434, 2438, 2500, 2502 E. Eager Street, 900, 906 N. Milton Avenue, 906, 926 N. Montford Avenue, 901, 903, 904, 907 N. Port Street, and 2316, 2422 Ashland Avenue.

MINUTES

Department of Housing and - Land Disposition Agreement
Community Development (DHCD)

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the land disposition agreement with Mr. Steven Gross, developer, for the sale of the property located at 1316 North Spring Street.

AMOUNT OF MONEY AND SOURCE:

\$7,000.00 - Purchase Price

BACKGROUND/EXPLANATION:

A good faith deposit of \$1,000.00 has been received from the developer.

The property has been appraised for the amount of \$7,000.00.

This property located at 1316 North Spring Street is a small one-bedroom, two-story row house that includes a basement. The dimensions of the property are 11'6" x 55'6", or 616 sq. ft. It is deteriorated and will require substantial investment in renovation costs.

Mr. Gross rents several properties on this street and is a well-respected landlord who fixes, repairs, and conducts maintenance promptly. He will rent the rehabilitated property to a community resident.

MINUTES

DHCD - cont'd

The project's total construction budget is \$22,150.00, with hard costs representing \$20,200.00. The project's total estimated permit and transfer, recording, and construction payroll taxes are \$200.00. The project's total estimated annual property taxes are \$461.00.

MBE/WBE PARTICIPATION:

The property is not subject to Article 5, Subtitle 28 of the Baltimore City Code because it will be sold at market value.

(FILE NO. 57106)

UPON MOTION duly made and seconded, the Board approved and authorized execution of the land disposition agreement with Mr. Steven Gross, developer, for the sale of the property located at 1316 North Spring Street.

MINUTES

Department of Housing and - Amendment No. 1 to Grant Agreement
 Community Development/ and Extension of Loan and Promissory
 Homeless Services Note

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of amendment no. 1 to a grant agreement with Saint Vincent DePaul of Baltimore, Inc. (SVDP). The amendment extends the period of the agreement through December 31, 2011. The Board is also requested to extend the period of the loan and promissory note to December 31, 2011.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

On October 24, 2007, the Board approved a grant agreement with the SVDP. The purpose of the original grant agreement and loan agreement was to provide funds to purchase and rehabilitate a property located at 1523 Bank Street to operate as a drop-in center for homeless persons in Baltimore City. The loan amount was \$350,000.00 and the grant amount was \$450,000.00.

Per the original grant agreement, the time permitted for the draw down of funds expired December 31, 2009. The Board is requested to extend the time permitted to draw down funds to December 31, 2011.

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

- extensive community involvement was determined to be appropriate and the interests of the following community groups were addressed: Douglas Place Community Association, Perkins Tenant Council, Fells Prospect Community Association, and Upper Fells Point Improvement Association.

MINUTES

DHCD/Homeless Services - cont'd

- The zoning application was not approved until September 15, 2009. After approval of zoning, the process of obtaining approval from the Commission for Historical and Architectural Preservation (CHAP) was commenced. The design was presented to CHAP on January 12, 2010. CHAP approval is expected at its meeting scheduled for March 9, 2010.

It is the opinion of the SVDP that despite these delays, the project can be completed with an extension to December 31, 2011. The necessity of an extension was considered in the original agreement - pursuant to Article III.A. of the original grant agreement, the time of performance for completion of this project may be extended in writing on the same terms and conditions upon written request and that "such approval shall not be unreasonably withheld." Similar language is included in the Promissory Note, Section A.4 and A.5.

By granting an extension to December 31, 2011, the amendment no. 1 will require the SVDP to complete rehabilitation of the project by December 31, 2011. If the rehabilitation is not done by December 31, 2011, the SVDP pursuant to the agreement, (Article V - Termination Repayment) can be liable for repayment. To date funds expended include the warehouse purchase in the amount of \$519,000.00; demolition, architectural services, engineering, fees, permits, and legal fees in the amount \$370,000.00. Of these funds, \$350,000.00 is sourced from City funds. The amendment only grants an extension all other terms and conditions of the original agreement will remain in full effect.

The delay in submitting this amendment to the Board is attributable to the amount of time required to secure

MINUTES

DHCD - cont'd

documentation from SVDP, and for legal counsel to prepare a comprehensive amendment. The SVDP commenced the amendment process on September 22, 2009 by e-mail request to Baltimore Homeless Services. It is respectfully requested that the amendment be approved because the SVDP serves one of the City's neediest populations.

MWBOO GRANTED A WAIVER.

AUDITS NOTED THIS NO-COST TIME EXTENSION.

(FILE NO. 56476)

UPON MOTION duly made and seconded, the Board approved and authorized execution of amendment no. 1 to a grant agreement with Saint Vincent DePaul of Baltimore, Inc. The Board also approved the extension of the period of the loan and promissory note to December 31, 2011.

MINUTES

Department of Housing and Community - Agreements
Development/Homeless Services

The Board is requested to approve and authorize execution of the various agreements. The period of the agreement is October 1, 2009 through September 30, 2010.

1. **CENTER FOR URBAN FAMILIES** **\$120,000.00**

Account: 5000-585210-5750-649856-603051

The organization will provide clients with case management services and assistance in developing a family focused career advancement plan.

AUDITS REVIEWED AND HAD NO OBJECTION.

2. **THE STRATEGY TO IMPROVE BIRTH** **\$950,000.00**
OUTCOMES IN BALTIMORE CITY

Account: 5000-585210-5750-649896-603051

The Strategy to Improve Birth Outcomes in Baltimore City is designed to address many factors that contribute to the three leading causes of excess infant death in Baltimore City: pre-term birth, low birth weight and unsafe sleep.

The agreements are late because of delay at the administrative level.

MWBOO GRANTED A WAIVER.

APPROVED FOR FUNDS BY FINANCE

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

MINUTES

PERSONNEL MATTERS

* * * * *

UPON MOTION duly made and seconded,

the Board approved

all of the Personnel matters

listed on the following pages:

286 - 287

All of the Personnel matters have been approved

by the EXPENDITURE CONTROL COMMITTEE.

All of the contracts have been approved

by the Law Department

as to form and legal sufficiency.

MINUTES

PERSONNEL

Department of Human Resources (DHR)

Hourly Rate

Amount

Department of Transportation

- | | | | |
|----|-------------------|----------------|--------------------|
| 1. | LISA SMITH | \$22.91 | \$42,000.00 |
|----|-------------------|----------------|--------------------|

Account: 6000-617209-2300-251600-601009

Ms. Smith, will work as a Special Administrative Analyst. Her duties will include, but will not be limited to studying and recommending improvements in the organization, operations and administrative procedures for the Department and its divisions. Ms. Smith will develop policies and procedures for CitiStat and TranStat statistical data and develop procedures for organizational and administrative studies. The period of the agreement is effective upon Board approval.

Baltimore City Police Department

- | | | | |
|----|------------------------|----------------|--------------------|
| 2. | JAIME O. THOMAS | \$12.00 | \$ 9,120.00 |
|----|------------------------|----------------|--------------------|

Account: 4000-452208-2240-243502-601009

Ms. Thomas will work as a Grant Management Assistant. Her duties will include, but will not be limited to creating and modifying grant award documents, and setting-up and coordinating monthly staff meetings and conferences. She will also submit grant reimbursement requests, create financial reports in CityDynamics and draft Board of Estimates letters. The period of the agreement is effective upon Board approval through September 30, 2010.

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PERSONNEL

Fire Department

- 3. **PATRICK NOWLAN** \$44.44 **\$ 87,000.00**

Account: 4000-454208-2010-210700-601009

Mr. Nowlan will serve as Director of Information Technology for the City's Office of Emergency Management (OEM). He will be responsible for managing all information technology systems and equipment used by the OEM for preparedness and operations. His duties will include emergency management applications, GIS programs, network configuration, services and other hardware and software. The period of the agreement is effective upon Board approval for one year.

- 4. **WAYNE D. BROWN** \$31.36 **\$ 63,000.00**

Account: 4000-453908-2010-210702-601009

Mr. Brown will serve as an Office of Emergency Management (OEM) Exercises and Training Manager. He will develop and coordinate the City's multi-agency program of annual emergency preparedness training and exercises. He will also provide implementation of the National Incident Management System and city workforce preparedness and other related training and exercises. The period of the agreement is effective upon Board approval for one year.

MINUTES

Mayors Office of Employment - Agreement
Development (MOED)

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an agreement with University of Maryland Medical Center/University of Maryland Medical Systems Corporation. The period of the agreement is January 9, 2010 through May 22, 2010.

AMOUNT OF MONEY AND SOURCE:

\$4,438.50 - 4000-805310-6310-465005-603051

BACKGROUND/EXPLANATION:

The agreement authorizes the University of Maryland Medical Center to provide 76 hours of training for 15 incumbent employees of the University of Maryland Medical Center through an initiative known as Maryland Business Works.

The incumbent employees will receive Central Sterile Processing Certification Preparation/Review Course Training. The amount of this agreement will not exceed \$4,438.50 of federal funds. This cost represents 50% of the total cost of the training. The agreement was delayed because of an extended negotiation process.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the agreement with University of Maryland Medical Center/University of Maryland Medical Systems Corporation.

MINUTES

Mayors Office of Employment - Expenditure of Funds
Development (MOED)

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize payment to Sum & Harrington, Inc.

AMOUNT OF MONEY AND SOURCE:

\$5,830.46 - 4000-807010-6310-455705-603018

BACKGROUND/EXPLANATION:

The Baltimore Workforce Investment Board (BWIB) held a Strategic Action Planning Session, on September 8, 2009. Sum & Harrington, Inc. provided advisory services during the session that entailed developing the framework for helping the BWIB to identify and establish its priorities and focus over the next two years. Mr. Paul Harrington, a principal of this firm, has unique knowledge and expertise in labor market analysis. His extensive experience has assisted local and national workforce organizations in understanding labor market analysis and planning effective strategies. Mr. Harrington is an economist with the Center for Labor Market Studies at the Northeastern University. This was a sole source procurement and the paperwork from the vendor was misplaced. Unfortunately the MOED was unable to seek the Board's approval prior to the session.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

This item was **WITHDRAWN.**

MINUTES

Department of Finance - Grant

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize a grant to the Downtown Partnership. The period of the grant is March 1, 2010 through June 30, 2010.

AMOUNT OF MONEY AND SOURCE:

\$50,000.00 - 1001-000000-1220-146500-607001

BACKGROUND/EXPLANATION:

The Downtown Partnership will provide numerous services in the Downtown Management Authority District. These services will include emptying of all of the trashcans and smart baskets two times per day and repair and replacement of cans. The funds will be also be used to provide hokey carts; and graffiti removal and maintenance of street trees on eight routes.

In downtown area parks, the Downtown Partnership will provide five employees for trash pickup, weeding, graffiti removal, removal of stickers, and power washing in Center Plaza, Hopkins Plaza, Preston Gardens, and Lexington Mall.

APPROVED FOR FUNDS BY FINANCE

(FILE NO. 56327)

UPON MOTION duly made and seconded, the Board approved and authorized the grant to the Downtown Partnership.

MINUTES

Department of Finance - Grant

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize a grant to the Living Classrooms Foundation. The period of the grant is March 1, 2010 through June 30, 2010.

AMOUNT OF MONEY AND SOURCE:

\$50,000.00 - 1001-000000-1220-146500-607001

BACKGROUND/EXPLANATION:

Project SERVE (Service Empowerment Revitalization Volunteerism Employment) is a community-based program that works in the City's underserved neighborhoods and trains disadvantaged residents with marketable skills while they revitalize their communities. Project SERVE participants are using this opportunity to create a future for themselves and their families while giving back to the community. Over the past three years, 75% of Project SERVE graduates have remained employed.

APPROVED FOR FUNDS BY FINANCE

(FILE NO. 55550)

UPON MOTION duly made and seconded, the Board approved and authorized the grant to the Living Classrooms Foundation. The President **ABSTAINED**.

MINUTES

Department of Finance - Post-Adoption Budget
Reductions Round II

ACTION REQUESTED OF B/E:

The Board is requested to authorize the abolishment of certain positions as identified in Exhibit A.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

In September 2009, the City implemented a spending reduction plan to address projected General Fund and Motor Vehicle Revenue Fund deficits caused by State aid reductions and declining local revenues. That \$60.2 million plan included employee furloughs, continuation of the hiring freeze, and targeted agency spending reductions.

Since September, local revenues have continued to drop and the City still needs to close a projected \$52.5 million deficit. As one step toward closing that deficit, the Mayor has approved a second round of agency spending reductions totaling \$12.9 million. These reductions include closing the Public Works Museum and abolishing five positions.

MINUTES

Department of Finance - cont'd

EXHIBIT A

**FISCAL 2010
POSITION ABOLISHMENT**

Agency	Fund	Class	Job No	Union
DPW	General	Director Baltimore Public Works Museum	1900-34672	MAPS
DPW	General	Curator Public Works Museum	1900-23817	CUB
DPW	General	Assistant Curator Public Works Museum	1900-23818	CUB
DPW	General	Laborer	1900-22278	AFSCME 44
DPW	MVR	Laborer	1900-22689	AFSCME44

(FILE NO. 57086)

UPON MOTION duly made and seconded, the Board approved and authorized the abolishment of certain positions as identified in Exhibit A.

MINUTES

EXTRA WORK ORDERS AND TRANSFER OF FUNDS

* * * * *

UPON MOTION duly made and seconded,

the Board approved the

Extra Work Orders

listed on the following pages:

295 - 296

All of the EWOs had been reviewed and approved

by the

Department of Audits, CORC,

and MWBOO, unless otherwise indicated.

The Transfer of Funds was approved

SUBJECT to receipt of a favorable report

from the Planning Commission,

the Director of Finance having reported favorably

thereon, as required by the provisions

of the City Charter.

MINUTES

EXTRA WORK ORDERS

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

Department of Transportation

1. EWO #006, \$577,504.60 - TR 03309, Reconstruction of Chesapeake Avenue-Phase 2 from West of Sun Street to Patapsco River

\$ 6,627,399.36	\$ 1,515,628.51	Monumental Paving & Excavating, Inc.	-	-
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2. TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$797,018.96	9950-917001-9507	
Federal	Constr. Res.	
	Federal Highway Aid	
168,126.26	9950-901763-9514	
MVR	Resurfacing Highway	
<u>\$965,145.22</u>	- Sector 2	
	-----	9950-901532-9506-2
		Extra Work Order
		Chesapeake Avenue
		Phase II from West
		of Sun Street to
		Patapsco River

This transfer will fund the Extra Work Order Nos. 6 and 7 under contract TR 03309 with Monumental Paving & Excavating, Inc.

3. EWO #007, \$418,766.60 - TR 03309, Reconstruction of Chesapeake Avenue-Phase 2 from West of Sun Street to Patapsco River

\$ 6,627,399.36	\$ 2,093,133.11	Monumental Paving & Excavating, Inc.	0	100
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MINUTES

EXTRA WORK ORDERS

<u>Contract</u>	<u>Prev. Apprvd.</u>		<u>Time</u>	<u>%</u>
<u>Awd. Amt.</u>	<u>Extra Work</u>	<u>Contractor</u>	<u>Ext.</u>	<u>Compl.</u>
<u>Bureau of Water and Wastewater</u>				
4. EWO #020, \$ 66,370.01 - WC 1175, Water Appurtenance Installation				
\$ 3,786,300.00	\$ 2,516,872.84	Spiniello Companies - Excavating, Inc.	-	-
 THE TRANSFER OF FUNDS TO COVER THE COST OF EXTRA WORK FOR WC 1175 WAS APPROVED BY THE BOARD ON 12/23/09.				
5. EWO #023, \$ 38,775.68 - SC 812, Improvements to the Lower Gwynns Run Interceptor				
\$21,206,342.00	\$ 2,653,025.76	Carp Seca Corporation	-	-
6. EWO #024, \$309,096.20 - SC 812, Improvements to the Lower Gwynns Run Interceptor				
\$21,206,342.00	\$ 2,691,801.44	Carp Seca Corporation	0	99
7. EWO #027, \$ 88,860.00 - SC 847, Lower Stony Run Wastewater Pumping Station and Force Main				
\$15,876,763.00	\$ 59,355.02	Whiting-Turner Contracting Co., Inc.	26	99
8. EWO #012, \$ 26,000.00 - WC 1193, Repaving Utility Cuts at Various Locations				
\$ 2,793,512.50	\$ 1,389,194.90	Monumental Paving & Excavating, Inc.	0	72.04
9. EWO #013, \$ 26,011.20 - WC 1193, Repaving Utility Cuts at Various Locations				
\$ 2,793,512.50	\$ 1,415,194.90	Monumental Paving & Excavating, Inc.	0	72.04

MINUTES

Department of Transportation - Task Assignment No. 13

ACTION REQUESTED OF B/E:

The Board is requested to approve task assignment no. 13, Project No. 1074, under the On-Call Consultant Services Agreement, Reconstruction, Rehabilitation and/or Resurfacing with KCI Technologies, Inc.

AMOUNT OF MONEY AND SOURCE:

\$122,715.98 - 9950-903726-9514-900020-703032

BACKGROUND/EXPLANATION:

This task assignment no. 13 provides for the continuation of data collection in connection with the Pavement Management System.

MWBOO SET MBE GOALS AT 21% AND WBE GOALS AT 7%.

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$ 90,524.88	9950-901763-9514	9950-903726-9514-3
MVR	Resurfacing Highways - Sector 2	Design & Studies Pavement Management Systems

This transfer will fund the costs associated with the award of Task No. 13, under Project 1074 to KCI Technologies, Inc. for the continuation of data collection in connection with the Pavement Management Systems.

(FILE NO. 57079)

UPON MOTION duly made and seconded, the Board approved task assignment no. 13, Project No. 1074, under the On-Call Consul-

MINUTES

Department of Transportation - cont'd

tant Services Agreement, Reconstruction, Rehabilitation and/or Resurfacing with KCI Technologies, Inc. The transfer of funds was approved subject to receipt of a favorable report from the Planning Commission, the Director of Finance having reported favorably thereon, as required by the provisions of the City Charter.

MINUTES

Bureau of General Services - Indefinite Quality Contract Assignment

ACTION REQUESTED OF B/E:

The Board is requested to approve an assignment under the Indefinite Quality Contract (IQC) with Denver-Elect, Inc.

AMOUNT OF MONEY AND SOURCE:

\$157,820.00

BACKGROUND/EXPLANATION:

The Department of General Services sought prices from multiple IQC contractors to perform HVAC upgrades to the gymnasium at the Chick Webb Recreation Center. Denver-Elek, Inc. was selected at its low price of \$157,820.00 to perform work that includes: removal and replacement of gymnasium windows, removal of existing window HVAC units, furnish and install new roof mounted condenser unit, new ceiling mounted diffusers, refrigerant piping, related equipment and controls, and the painting of walls of the inside gym.

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$180,000.00	9938-903789-9475	9938-902789-9474
Rec. & Parks	Reserve - Rec.	Active - Rec.
25 th Series	Facility Renov.	Facility Renov.

This transfer will provide funds to cover cost associated with the award of the HVAC upgrades to the gymnasium at Chick Webb Recreation Center to Denver-Elek, Inc.

UPON MOTION duly made and seconded, the Board approved the

MINUTESBureau of General Services - cont'd

assignment under the Indefinite Quality Contract (IQC) with Denver-Elect, Inc. The transfer of funds was approved subject to receipt of a favorable report from the Planning Commission, the Director of Finance having reported favorably thereon, as required by the provisions of the City Charter.

MINUTES

Space Utilization Committee - License Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a license agreement with Family Learning, Inc., a/k/a Greenmount School, licensee, for the rental of the property known as 501 W. 30th Street. The period of the agreement is August 1, 2009 through June 30, 2013, with the option to renew for an additional five years.

AMOUNT OF MONEY AND SOURCE:

Annual Rent

\$7,800.00 - payable in full on the first day the
License agreement begins.

BACKGROUND/EXPLANATION:

The demised premises will be utilized for instruction of students enrolled in the Greenmount School. Rent for the renewal period will be negotiated at the time of renewal. The licensee will be responsible for all routine maintenance and operating cost of the premises.

The licensor will be responsible for capital improvements only.

The Space Utilization Committee approved this lease at its meeting on December 15, 2009.

(FILE 55377)

LETTERS OF PROTEST HAVE BEEN RECEIVED FROM THE REMINGTON NEIGHBORHOOD ALLIANCE.

CORRESPONDENCE HAS BEEN RECEIVED FROM THE GREENMOUNT SCHOOL.

MINUTES

Space Utilization Committee - cont'd

CORRESPONDENCE HAS BEEN RECEIVED FROM CHARLES VILLAGE CIVIC ASSOCIATION, INC., GREATER HOMEWOOD COMMUNITY CORPORATION, GREATER REMINGTON IMPROVEMENT ASSOCIATION, THE COMMUNITY SCHOOL, AND MS. ELIZABETH BARBUSH.

A LETTER OF PROTEST WAS RECEIVED FROM DOUGLAS ARMSTRONG AND RONDINE JOHNSON.

President: "We have one item that remains on the non-routine agenda and that is Page 39. That is a lease agreement with Family Learning Inc., a/k/a the Greenmount School and the City. Do you know if Ms. Floyd is coming?"

Mr. Douglas Armstrong: "No. Ms. Floyd is unable to attend today. She had a prior engagement. I am Douglas Armstrong. I am standing in for myself, as well as for the Remington Public Recreation Inc."

President: "Okay. Thanks."

Mr. Walter Horton, Department of Real Estate: "Good morning members of the Board. Before you is a license agreement by and between the City and the Family Learning Center, also known as the Greenmount School, for the property known as the Wyman Park

MINUTES

Space Utilization Committee - cont'd

Multi-Purpose Center located at 501 West 30th Street in the City of Baltimore. This license agreement would allow the Greenmount School to lease the property -- use the property for a period of five years. A little bit of background on this multi-purpose center, back in the early 90s it was closed due to budget restrictions and it has since been occupied by the Greenmount School, who has done several improvements. I believe we have the President of the School Board from Greenmount here also, to make reference and testify to the School's academic achievements. We have a protest, as noted by the President from the Greenmount community -- Remington Improvement Association."

Deputy Comptroller: "Remington Neighborhood Alliance."

Mr. Armstrong: "Remington Neighborhood Alliance and several individuals."

President: "That is it for you? Is there anybody else?"

Mr. Douglas Armstrong: "I am one of the founding members of the Remington Public Recreation Incorporated, which I think, if you read my letter and the articles of incorporation that were

MINUTES

Space Utilization Committee - cont'd

included, indicate the intention to develop and create and run and fund recreational programs for Remington as well as Citizens of the City of Baltimore. We will put together a proposal to present to the City concerning recreational programs for the Wyman Park Center. Since I believe nobody here on this Board can honestly build rec centers in the City of Baltimore, taking this one away for ten years, since this is a renewable lease, basically forecloses on recreational programs having a facility in Remington for the next ten years. So, that is unacceptable, but we will submit a proposal shortly to the City and it will be in keeping with the City Charter. You have my objections. you have other people's objections, it is all pretty well laid out, if it is not clear enough, then it is too late."

President: "Thanks. Do we have a representative here from Recreation and Parks?"

Ms. Leslie Murphy, Department of Recreation and Parks: "Good morning. We are currently in the process of developing a plan for a mobile recreation unit that will be available at the

MINUTES

Space Utilization Committee - cont'd

request of City agencies, -- I mean City groups, much as the Fun Wagon used to be available. We will be able to bring recreational programs to different communities. As I said, that program is under development and we are currently in the process of hiring staff to perform those part-time functions, but it looks like we will not be ready to implement that for another couple of months. In all likelihood, that will be around April 2010."

President: "Ms. Murphy, could you describe when you say mobile recreation, what that entails?"

Ms. Murphy: "Essentially, it will be a matter of bringing games, table games and you know recreational equipment into a community. As far as Wyman Park is concerned there is a gym there in that facility. So, we will be able to bring staff in to provide programming on a part-time basis, at their request. Possibly, two or three days a week to facilitate and to bring recreation to that community."

President: "As you are developing -- Is Recreation and Parks developing this program or are you seeking input from the

MINUTES

Space Utilization Committee - cont'd

different community groups as to the types of services or recreational activities that they would be particularly interested in to make sure that we are targeting the ask."

Ms. Murphy: "Well, our staff has already met with Ms. Floyd on at least one occasion with regards to the needs for the Remington community and we have also indicated to Ms. Floyd that in addition to that program, the Barclay Recreation Center is one mile from the Remington neighborhood and the Roosevelt Recreation Center is 1.2 miles from the Remington neighborhood. So, there is some programming available in that vicinity. We just don't have the resources to sponsor a recreational program in every community in the City."

President: "Thank you. Did you want to add something?"

Mr. Armstrong: "Well, I know that Ms. Floyd met with Rec. and Parks and I am not fully privy to all of those things. To me this a new indication. But, as Ms. Murphy has just mentioned, there is a gym there and the gymnasium was the foundation of the rec program in previous years. To essentially lose a public

MINUTES

Space Utilization Committee - cont'd

building for public use, is what we are talking about here. This is an interesting proposal. I don't know much about it. But, as she mentioned it is a mile to Barclay. It is a mile and two tenths to Roosevelt. Rec. and Parks, I think, would agree that rec programs need to be in neighborhoods, need to address neighborhoods. Some programs involve more than one neighborhood like baseball leagues and soccer leagues and this sort of thing. However, you need programs in neighborhoods for neighborhood kids, and that is something that the group that has just started wants to try and address and one of the things that we understand that Rec. and Parks is very, very limited in the amount of funds that they have available. They are going to be limited for quite some time. They are going to need neighborhood participation. I am sure she is very well familiar with the Roosevelt Recreation Council, which is a major reason why there are all the Rec. programs that there are at Roosevelt rec. it is because of that effort. That is an effort that is intended to be created in Remington and it is an effort that has

MINUTES

Space Utilization Committee - cont'd

to be created in other neighborhoods since I have been to numerous rec meetings recently in the last six months. They have talked about how Rec. Councils are going to have be created on a neighborhood local basis, in order to bring rec programs, to supplement Rec. and Parks, because there isn't going to be the money. We are going to have to do a lot of it ourselves. I just feel, and I think you are well aware, that giving away of a public building to a private party for their exclusive use for the next ten years is just that. You are giving away a building for ten years that the public does not have access to, does not have the use of. The public owns it, but we don't have use of it, and that is what you are talking about here, and in this case it forecloses the opportunity for recreational programs to be run out of it."

President: "Thank you. Is this an exclusive lease for the sole use of the Greenmount School?"

Mr. Larry Jenkins, Law Department: "No. First of all, it is a license agreement, which has a quality difference in the lease

MINUTES

Space Utilization Committee - cont'd

in that they don't have a possessory interest in the property. We have more rights in terms of taking back control, but we did take time to make some improvements to this document particularly the gymnasium is going to be available to the public that we have provisioned within the license agreement that requires the school to have posted on their website so people can sign up and they administer that, but some of the letters of support that came in that were mentioned by Ms. Taylor (Clerk) are people that are actually using it from the community and we would expect that that would continue as part of the oversight of this that we will make sure that that does happen. But, the gymnasium is available for use by the public."

President: "Prior to the Greenmount School, this was a vacant building?"

Mr. Jenkins: "Yes."

President: "How long had it been vacant?"

Mr. Horton: "Five years. I think it closed in 1992 and the Greenmount went in 1997."

MINUTES

Space Utilization Committee - cont'd

President: "Okay. Do you have any other questions? Is there a Motion? You can't make the Motion because you are abstaining. Do you want to do it Director Scott?"

Director of Public Works: "Yes, Madam. I MOVE that we approve Page 39 of the Board of Estimates Agenda, Space Utilization Committee License Agreement."

Mayor: "Second."

President: "All those in favor say AYE. Opposed. Motion carries, and this item is approved. Thank you."

The City Solicitor **ABSTAINED**.

* * * * *

MINUTES

Space Utilization Committee - Lease Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the following lease agreement with the Baltimore Rowing Club, tenant, for the rental of the property known as 3301 Waterview Ave (block 7610, Lot 15) being on the lower level, consisting of 50% of the total leased space. The period of the lease agreement is January 1, 2010 through December 31, 2010, with no renewal options.

AMOUNT OF MONEY AND SOURCE:

Annual Rent

\$3,169.00

BACKGROUND/EXPLANATION:

The space will be used as storage space for the tenant's boats. The landlord will be responsible for fire insurance. The tenant must obtain approval from the Facility Administrator prior to making any improvements to the storage space. The tenant must keep the storage area in a good and orderly manner, and is responsible for obtaining liability insurance. The tenant may use the weight room at the Facility Administrator's discretion.

The Space Utilization Committee approved the lease at its meeting on January 26, 2010.

The lease is late because of delays in obtaining signed copies of the documents from the tenant.

(FILE NO. 54777)

UPON MOTION duly made and seconded, the Board approved and authorized execution of the lease agreement with the Baltimore

MINUTES

Space Utilization Committee - cont'd

Rowing Club, tenant, for the rental of the property known as 3301 Waterview Ave (block 7610, Lot 15) being on the lower level, consisting of 50% of the total leased space.

MINUTES

Mayor's Office of Community and Human Development - Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an agreement with The Family League of Baltimore City, Inc. (FLBC). The period of the agreement is July 1, 2009 through June 30, 2010.

AMOUNT OF MONEY AND SOURCE:

\$871,000.00 - 1001-122-095-00-701

BACKGROUND/EXPLANATION:

According to the Annie E. Casey Foundation, "The Right Start for America's Newborns: City and State Trends 2005", of the nation's 50 largest cities, Baltimore City ranks 49th in low birth weight births and 46th in preterm births. For 2007, Baltimore City had an infant mortality rate of 11.3 per thousand births (Maryland 8.0), a preterm birth rate of 13.7% (Maryland 10.9%) and a low birth weight rate of 12.8% (Maryland 9.1%).

The FLBC will support the prenatal home visiting programming in the City. Prenatal home visiting is a nationally recognized strategy for supporting pregnant women and their families in achieving healthy birth outcome. Baltimore City does not have sufficient community-based home visiting programs to provide support to the estimated 3,000 to 4,500 women who are at risk of a poor birth outcome each year.

MINUTES

Mayor's Office of Community and Human Development - cont'd

The FLBC's Local Management Board, will continue funding four, competitively selected programs, that in FY 2010 will provide community-based home visiting services to 216 pregnant women and their families living in previously underserved City communities with higher incidents of infant mortality, low birth weight weights, and pre-term births.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION

(FILE NO. 55358)

UPON MOTION duly made and seconded, the Board approved and authorized execution of the agreement with The Family League of Baltimore City, Inc. The Mayor **ABSTAINED**.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

Bureau of Purchases

- | | | |
|---|-------------|---------|
| 1. JANI-KING OF BALTIMORE | \$12,924.00 | Low Bid |
| Solicitation No. B50001280 - Janitorial Services for Field Health Services - Health Department - Req. No. R535344 | | |

The period of the award is February 3, 2010 through January 31, 2011 with three 1-year renewal options.

- | | | |
|---|-------------|----------|
| 2. LORD BALTIMORE UNIFORM | \$ 8,175.58 | Only Bid |
| Solicitation No. 07000 - Mat Services for Recreation and Parks - Health Department - Req. No. R539027 | | |

The price is considered fair and reasonable. The period of the award is February 3, 2010 through January 31, 2011 with two 1-year renewal options.

- | | | |
|--|-------------|-------------|
| 3. SOUTHEASTERN DISTRIBUTORS, INC. | \$21,920.00 | Sole Source |
| Solicitation No. 08000 - Plastic Meter Boxes - Department of Public Works - Req. No. R538639 | | |

The vendor is the sole manufacturer and distributor for Maryland.

- | | | |
|---|-------------|----------|
| 4. QUANTUM ENGINEERING | \$ 9,240.00 | Only Bid |
| Solicitation No. B50001333 - Universal Fit Hand Hole Covers - Department of Transportation - Req. No. R538377 | | |

The price is considered fair and reasonable.

- | | | |
|---|-------------|-------------|
| 5. AMERICAN SOCIETY OF CRIME LAB DIRECTORS/
LABORATORY ACCREDITATION BOARD | \$ 9,856.00 | Sole Source |
| Solicitation No. 08000 - Annual Laboratory Accreditation - Police Department - Req. No. R540776 | | |

The American Society of Crime Lab Directors/Laboratory Accreditation Board must certify that the Baltimore City

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

Bureau of Purchases

Police Department Laboratory maintains compliance with industry standards.

- | | | |
|---------|-------------|-------------|
| 6. HACH | \$11,642.54 | Sole Source |
|---------|-------------|-------------|
- Solicitation No. 08000 - Hach MOD I/O Interface Modules - Department of Public Works - Req. No. R540353

These proprietary modules are needed as a redundant system to the Supervisory Control and Data Acquisition, and the Programmable Logic Controller network.

- | | | |
|--------------------------|-------------|---------|
| 7. YELLOW TRANSPORTATION | \$15,000.00 | Renewal |
|--------------------------|-------------|---------|
- Solicitation No. 06000 - Transportation Services - Health Department - Req. No. R539654

On February 11, 2009, the Board approved the initial award in the amount of \$15,000.00. The award contained two 1-year renewal options at the sole discretion of the City. This renewal in the amount of \$15,000.00 is for the period February 11, 2010 through February 10, 2011.

- | | | |
|------------------|-------------|---------|
| 8. EDRICH LUMBER | \$12,000.00 | Low Bid |
|------------------|-------------|---------|
- Solicitation No. 07000- Wood Fiber/Mulch - Department of Recreation and Parks - Req. No. R533264

- | | | |
|--------------------------|--------------|-------------|
| 9. LAWMEN SUPPLY COMPANY | \$ 43,075.00 | Sole Source |
|--------------------------|--------------|-------------|
- Solicitation No. 08000 - Tasers - Police Department - Req. No. R540641

The requested model is used throughout the Police Department, which desires to maintain uniformity for inventory and training purposes. The vendor is the sole distributor of Taser International products in Maryland.

It is hereby certified that the above procurement is of such a nature that no advantage will result in seeking nor would

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

Bureau of Purchases

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.

- | | | | |
|---|------------------|---------------------|----------------|
| 10. | <u>HCE, INC.</u> | <u>\$200,000.00</u> | <u>Renewal</u> |
| Solicitation No. B50000929 - Portable Chemical Toilets - Agencies Various - Req. Nos. Various | | | |

On February 18, 2009 the Board approved the initial award in the amount of \$200,000.00. The award contained four 1-year renewal options at the sole discretion of the City. This renewal in the amount of \$200,000.00 is for the period February 17, 2010 through February 16, 2011.

MWBOO GRANTED A WAIVER.

- | | | | |
|---|-------------------|----------------|----------------|
| 11. | <u>RGA, INC.,</u> | <u>\$ 0.00</u> | <u>Renewal</u> |
| Solicitation No. 08000 - Traffic Signal Vehicle Detection Equipment - Department of Transportation - Req. No. R504032 | | | |

On April 16, 2008, the Board approved the initial award in the amount of \$234,866.00. The award contained three 1-year renewal options at the sole discretion of the City. Subsequent actions have been approved. This is the second 1-year renewal for the period April 1, 2010 through March 31, 2011.

MWBOO GRANTED A WAIVER.

- | | | | |
|---|---|---------------------|-----------------------------|
| 12. | <u>SKYLINE NETWORK
ENGINEERING, LLC</u> | <u>\$ 27,400.00</u> | <u>Cooperative Contract</u> |
| Carroll County Public Network Request for Proposal No. 49-F-1-06/07 - Project Management and Network Operations Management Services - Circuit Court - Req. Nos. R539967 | | | |

The Carroll County Public Network competitively bid and awarded this contract to Skyline Network Engineering. Under

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS
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Bureau of Purchases

this contract, the vendor manages the conduit and fiber optic cable infrastructure for the Maryland Transportation Administration (MTA). The MTA has agreed to share with the Circuit Court the existing conduit from the Wabash Courthouse located at 5800 Wabash Avenue to the MTA maintenance facility across the street at 5801 Wabash Avenue. The conduit itself is available to the City at no cost if the City uses Skyline Network Engineering, the MTA's contracted vendor to supply and install the cable.

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.

- 13. ENTERPRISE LEASING COMPANY
OF BALTIMORE \$ 0.00 Extension
Solicitation No. BP-06111 - Provide Lease of Compact and Mid-Sized Passenger Vehicles - City Council - Req. Nos. N/A

On February 22, 2006, the Board approved the initial award in the amount of \$97,951.20. Subsequent actions have been approved. The master contract expires on February 28, 2010 with no renewals remaining. Currently, the City has six individual leases under the master contract, the last of which expires on May 18, 2012. To assure that the individual lease agreements are in effect for the entire period, it is necessary to extend the master contract through May 18, 2012. No additional leases will be made under the master contract. A new contract will be competitively solicited prior to May 18, 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

14. SHERWIN WILLIAMS CO.		
DBA DURON	\$200,000.00	
McCORMICK PAINT WORKS		
CO.	<u>200,000.00</u>	
	<u>\$400,000.00</u>	Renewal

Maryland State Contract Number 001B8900508 - Paint and Chemical Coating - Agencies Various - Req. Nos. Various

On April 18, 2008, the Board approved the initial award to Sherwin Williams in the amount of \$50,000.00. On June 18, 2008 the Board approved an increase in the amount of \$150,000.00. On July 23, 2008, the Board approved an award with McCormick Paint Works Co., in the amount of \$200,000.00. The award contained renewal options at the sole discretion of the City. This is the final 1-year renewal in the amount of \$400,000.00 for the period February 28, 2010 through February 27, 2011.

15. LORENZ, INC.	\$ 16,941.00	
SHEMIN NURSERIES, INC.	22,442.00	
WESTMINSTER WHOLESALE		
NURSERIES	<u>23,880.00</u>	
	<u>\$ 63,263.00</u>	Increase

Solicitation No. B50001181 - Trees for Fall 2009 and Spring 2010 - Department of Recreation and Parks - Req. No. to be determined later

On September 30, 2009, the Board approved the original award for fall trees in the amount of \$63,263.00. The contract expires April 1, 2010. This increase in the amount of \$63,263.00 is necessary to purchase additional trees. This is a one-time purchase. However, the City reserves the right to order additional quantities at the bid price within a year of the date of the original award. This increase in the amount of \$63,263.00 makes the total award amount \$126,526.00. The vendors will provide the following line items as requested by the City:

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

<u>Vendors</u>	<u>Line Items</u>
Lorenz, Inc.	4, 6, 7, 10, 13, 17, & 20
Shemin Nurseries, Inc.	1, 2, 3, 11, 12 & 15
Westminster Wholesale Nurseries	5, 8, 9, 14, 16, 18, 19, 21, 19, 21, 22 & 23

MWBOO GRANTED A WAIVER.

16. RADIO ONE INC. \$ 72,000.00 Selected Source
 Solicitation No. 06000 - Radio Advertising - Department of
 Transportation - Req. No. R541419

In order to promote the Charm City Circulator bus system to a targeted local audience, the Department of Transportation desires to use Radio One's network of stations that reaches a prime ridership market for the Circulator. No other network or station is positioned to focus on this targeted audience.

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. 55340)

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

17. MIXING & MASS
TRANSFER TECHNOLOGIES,
LLC. \$ 0.00 Extension
- Solicitation No. BP-05091 - Technical Service Contract for Two Oxygen Plants - Department of Public Works, Bureau of Water and Wastewater - Req. Nos. Various

On January 19, 2005, the Board approved the initial award in the amount of \$2,065,000.00. On March 17, 2007, the Board approved an increase in the amount of \$1,635,000.00. This extension is necessary to allow time for the contractor to complete the assigned work. The period of the extension is February 15, 2010 through June 30, 2010.

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

UPON MOTION duly made and seconded, informal awards, renewals, increases to contracts and extensions. The President **ABSTAINED** on item no. 13.

MINUTES

Bureau of General Services (BGS) - Amendment to
On-Call Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an amendment to the on-call agreement with Johnson Mirmiran & Thompson for Project No. 1099J. The period of the agreement is effective upon Board approval for two years, or until the upset limit is reached, whichever comes first.

AMOUNT OF MONEY AND SOURCE:

\$250,000.00 - Upset limit

BACKGROUND/EXPLANATION:

On February 25, 2009, the Board approved the original two-year agreement with the upset limit in the amount of \$750,000.00. Due to the extra work that needs to be assigned to Johnson Mirmiran & Thompson for Project No. 1099J by the BGS, an increase in the upset limit is needed. All other terms and conditions of the agreement remain unchanged.

APPROVED FOR FUNDS BY FINANCE

AUDITS NOTED THE INCREASE IN THE UPSET LIMIT AND WILL REVIEW TASK ASSIGNMENTS.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the amendment to the on-call agreement with Johnson Mirmiran & Thompson for Project No. 1099J.

MINUTES

Department of General Services - Minor Privilege Permit Applications

The Board is requested to approve the following applications for Minor Privilege Permits. 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. 3123 W. North Ave.	CJ's Electronics, LLC	Retain one flat sign 15'4" x 2', one spot reflector
Annual Charge - \$149.43		
2. 4123 Frederick Ave.	Irvington Enterprises, LLC	One handicap ramp 18' x 4'
Annual Charge - \$70.30		
3. 1029 E. Baltimore St.	House of Freedom, Inc.	Two 4" conduits @ 180 linear ft., one 1½" conduit @ 90', six 3" conduit @ 60'
Annual Charge - \$1,155.00		

MINUTES

Department of General Services - cont'd

<u>LOCATION</u>	<u>APPLICANT</u>	<u>PRIVILEGE/SIZE</u>
4. 2100 Fleet St.	William T. Jackson, II	Retain two awnings w/signage 20' x 4', 8'4" x 5'

Annual Charge - \$393.15

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

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

MINUTES

Bureau of General Services (BGS) - On-Call Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an on-call agreement with Wallace, Montgomery & Associates, LLP (WM&A) for Project No. 1099WM. The period of the agreement is effective upon Board approval for two years, or until the upset limit is reached, whichever comes first.

AMOUNT OF MONEY AND SOURCE:

\$750,000.00 - Upset limit

BACKGROUND/EXPLANATION:

Various City agencies, on a continuing basis, require civil and structural engineering services to modify, upgrade or repair their facilities. Typically, the work involved is limited in scope or of an urgent nature, which in either case, should not be postponed until the customary civil/structural engineering selection process can be executed. To accommodate this type of work, the BGS wishes to establish an on-call civil structural engineering agreement with the WM&A. The services will be provided on an as-needed basis, as needs are identified.

The cost of services rendered will be negotiated on a not-to-exceed price for each task assigned. The fees will be based on actual payroll rates, not including overhead and burden, times a set multiplier. The payroll rates and multiplier have been reviewed by the Department of Audits.

The period of the contract is for two years. However, projects started within the two-year period may continue beyond the two-year time frame until completion. The total fee for this consultant's contract will not exceed \$750,000.00 for the two-year period.

The consultant has been approved by the Architect and Engineering Awards Commission (AEAC) procedures, under AEAC Project No. 1099.

MINUTES

BGS - cont'd

MBE/WBE PARTICIPATION:

MWBOO SET GOALS OF 23% FOR MBE AND 10% FOR WBE.

MBE: Sabra Wang and Assoc. Inc.
Sidhu Associates, Inc.

Total	\$172,500.00	23.00%
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WBE: P.E.L.A. Design Group,
Inc.
Robert B. Balter Company
K. Lechleiter Architects,
LLC

Total	\$ 75,000.00	10.00%
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MWBOO FOUND VENDOR IN COMPLIANCE.

AUDITS NOTED THIS ON-CALL AGREEMENT AND WILL REVIEW TASK ASSIGNMENTS.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the on-call agreement with Wallace, Montgomery & Associates, LLP (WM&A) for Project No. 1099WM.

MINUTES

Police Department - Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an agreement with L. Hicks, Incorporated, a Florida Corporation, registered to conduct business in Maryland as The Hicks Police Training System, Inc. The agreement is effective upon Board approval for one year.

AMOUNT OF MONEY AND SOURCE:

\$ 43,500.00 - 5000-585310-5750-650404-603026
191,500.00 - 6000-611210-2020-218500-603026
\$235,000.00

BACKGROUND/EXPLANATION:

The Hicks Police Training System, Inc. is designated to provide practical instruction and reinforce the learning process with a four-part memory retention method, which consists of audio, visual, kinesthetic and mechanical anchoring techniques in each of its courses. The Department has utilized this training from 2008 to present and wishes to continue to engage the contractor for training of Baltimore City Police Officers and to expand the training for Police Academy Trainees. This is a highly specialized program only available directly from the vendor.

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.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved and

MINUTES

Police Department - cont'd

authorized execution of the agreement with L. Hicks, Incorporated, a Florida Corporation, registered to conduct business in Maryland as The Hicks Police Training System, Inc.

MINUTES**TRAVEL REQUESTS**Baltimore City Fire Department

	<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
1.	Scott Merbach Joseph Brocato	National Fusion Center New Orleans, LA (Feb 23-25, 2010)	FY07 USAR Funds	\$1,672.80

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

MINUTES

Commission on Aging and - Expenditure of Funds
Retirement Education (CARE)

ACTION REQUESTED OF B/E:

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

AMOUNT OF MONEY AND SOURCE:

\$19,394.73 - 4000-433509-3250-316900-604002

BACKGROUND/EXPLANATION:

The expenditure of funds will pay for modular furniture that was ordered but could not be accepted due to budgetary constraints. The amount of the invoice for the furniture is \$19,394.73. CARE has decided to accept the equipment and pay in full the outstanding invoice. If CARE does not accept the equipment the agency is required to pay a 25% restocking fee in the amount of \$4,848.68, plus a storage fee in the amount of \$4,200.00 for a total of \$9,048.68.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

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

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:

332 - 334

to the low bidders meeting the specifications,

or rejected bids on those as indicated

for the reasons stated.

The Transfers of Funds were approved

SUBJECT to receipt of favorable reports

from the Planning Commission,

the Director of Finance having reported favorably

thereon, as required by the provisions

of the City Charter.

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS:

Bureau of Purchases

- | | | | |
|----|---|-------------------------------------|--------------|
| 1. | B50001296, Air Man PDS
185S Portable Air
Compressor | Modern Equipment
Sales & Rentals | \$ 46,649.28 |
|----|---|-------------------------------------|--------------|

This is a one-time purchase. However, the City reserves the right to order additional quantities at the same bid price within a year from the date of the award.

MWBOO GRANTED A WAIVER.

Department of Transportation

- | | | | |
|----|---|------------------------------|--------------|
| 2. | TR 09012, Seton
Business Park Access
Improvements | Machado
Construction, Co. | \$495,492.30 |
|----|---|------------------------------|--------------|

MBE: Priority Construction Corp.	\$55,000.00	11.10%
WBE: Priceless Industries, Inc.	\$10,248.00	2.07%
McCall Trucking, Inc.	19,560.00	3.95%
	\$29,808.00	6.02%

MWBOO SET MBE GOALS AT 10% AND WBE GOALS AT 5%

MWBOO FOUND THE VENDOR IN COMPLIANCE.

3. **TRANSFER OF FUNDS**

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$569,816.15 MVR	9950-909-9528 Constr. Res. Seton Business Park Improvements	
\$495,492.30	-----	9950-908701-9527-6 Structure and Improvements
49,549.23	-----	9950-908701-9527-5 Inspections

MINUTES

DPW - cont'd

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
40,000.00	9938-902791-9475	9938-903791-9474
State	Reserve - Park and Playground Program FY08	Active - Park and Playground Program FY08
<u>\$270,000.00</u>		

This transfer will provide funds to cover costs associated with the award of the John Eager Howard Improvements, Contract No. RP09830 assigned to Mirabile Construction Company, Inc.

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) - Options</u>			
1. Lighthouse Ground Rents, LLC	622 Pitcher St.	G/R \$84.00	\$ 700.00
2. Mid Atlantic Funding Corporation	514 Laurens St.	Sub G/R \$140.00	\$ 933.00
3. Mid Atlantic Funding Corporation	815 Edmondson Ave.	Sub G/R \$140.00	\$ 933.00
4. Mid Atlantic Funding Corporation	517 Presstman St.	G/R \$120.00	\$ 800.00

Funds will be transferred prior to settlement into Account No. 9910-907079-9588-900000-704040, Scattered Site Ground Rent Acquisition Project.

The interest in these properties will be consolidated with the current City-owned leasehold interests to form a fee simple interest for future redevelopment of the properties. In the alternative, should there be a failure to fully execute the sales agreements, the Department will cancel the acquisitions.

5. Fairfield, LLC	2796½ Tivoly Ave.	G/R \$120.00	\$ 1,100.00
6. Turf, LLC	2794 Tivoly Ave.	G/R \$96.00	\$ 640.00

Funds will be transferred prior to settlement into Account No. 9988-906326-9593-900000-704040, CHM Project.

MINUTES

OPTIONS/CONDEMNATION/QUICK-TAKES:

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
Dept. of Housing and Community Development (DHCD) - <u>Options</u>			
7. Gregory K. Adams, Sr.	433 E. 23 rd St.	L/H	\$46,596.00
Funds are available in Account No. 9912-910713-9591-900000-704040, Barclay Project.			
(FILE NO. 57066)			
8. Overview Properties, LLC	1028 W. Saratoga St.	F/S	\$ 55,000.00
Funds are available in account 9910-901780-9588-900000-704040, Poppleton Project.			
(FILE NO. 57069)			
9. Margaret Green	1111 Rutland Ave.	L/H	\$114,500.00
Funds are available in State Funds, Account No. 9910-906416-9588-900000-704040, EBDI Phase 2 Project.			
(FILE NO. 56017)			
10. Morton L. Goss and Helene F. Goss, Trustees	1713 Barclay St.	G/R \$70.00	\$ 641.66
(FILE NO. 57066)			
11. M&E Investments, LLC	553 Laurens St.	G/R \$65.00	\$ 541.66
12. M&E Investments, LLC	558 Presstman St.	G/R \$84.00	\$ 700.00
13. M&E Investments, LLC	510 Robert St.	G/R \$90.00	\$ 750.00

MINUTES

OPTIONS/CONDEMNATION/QUICK-TAKES:

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
DHCD - <u>Options</u> - cont'd			
14. M&E Investments, LLC	523 Robert St.	G/R \$60.00	\$ 500.00
15. M&E Investments, LLC	537 Robert St.	G/R \$60.00	\$ 500.00

Funds will be transferred prior to settlement into Account No. 9910-907079-9588-900000-704040, Asset Management Ground Rent Project.

16. Morrow V. Evan a/k/a Morrow V. Diggs	1725 Ellsworth St.	L/H	\$12,800.00
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(FILE NO. 57017)

17. Jack M. Elam, Life Tenant with Power remainder unto Keisa D. Elam	2017 E. Eager St.	L/H	\$20,064.00
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(FILE NO. 57017)

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

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

MINUTES

OPTIONS/CONDEMNATION/QUICK-TAKES:

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>DHCD - Condemnations - cont'd</u>			
18. Paul Wye Nochumowitz and Amy Sue Nochumowitz	2427 Barclay St.	G/R \$90.00	\$ 600.00

Funds will be transferred prior to condemnation into UDAG Funds, Account No. 9912-910713-9591-900000-704040, Barclay Project.

(FILE NO. 57066)

19. Baltimore Federal Savings and Loan Association	336 E. 22 nd St.	G/R \$120.00	\$ 1,000.00
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The Board is requested to approve acquisition of the ground rent interest in 336 E. 22nd Street by condemnation, or in the alternative may, SUBJECT to the prior approval of the Board, make application to the Maryland Department of Assessments and Taxation to redeem or extinguish the ground rent interest for these properties.

(FILE NO. 57066)

20. Reginald Baylor	1116 Rutland Ave.	L/H	\$ 39,700.00
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(FILE NO. 56017)

21. Wanda Brown and Dorothy V. Brown	2014 Ashland Ave.	L/H	\$ 15,980.00
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(FILE NO. 56017)

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

MINUTES

OPTIONS/CONDEMNATION/QUICK-TAKES:

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>DHCD - Condemnations/Quick-Takes</u>			
22. Margaret J. Sharfstein, Personal Rep. of the Estate of Reuben Shiling	237 N. Schroeder St.	G/R \$24.00	\$ 160.00

Funds will be transferred prior to condemnation into General Funds, Account No. 9910-901780-9588-900000-704040, Poppleton Project.

(FILE NO. 57069)

23. Eric Sapp	923 N. Washington St.	L/H	\$11,720.00
24. 4 th Baltimore Acquisition, LLC	934 N. Castle St.	L/H	\$ 7,300.00
25. Wash Wash XV, LLC	932 N. Castle St.	L/H	\$ 7,900.00

Funds are available in State Funds, Account No. 9910-906416-9588-900000-704040, EBDI Phase 11F Project.

DHCD - Rescission and Approval

26. Kelvin C. York	912 N. Chester St.	F/S	\$25,000.00
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On October 21, 2009, the Board approved acquisition of the leasehold interest in 912 N. Chester Street, by condemnation, for the amount of \$24,700.00. The property interest and property value were incorrectly recorded. Therefore, the Board is requested to rescind its prior approval and approve the acquisition of the fee simple interest in the property for the corrected amount of \$25,000.00.

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

MINUTES

OPTIONS/CONDEMNATION/QUICK-TAKES:

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>Department of Law - Payment of Settlements</u>			
27. Wadsworth M. Robinson, Jr. (previous owner)	817 N. Chester St.	L/H	\$25,300.00

On July 16, 2008, the Board approved the acquisition of the leasehold interest in 817 N. Chester Street, by condemnation, in the amount of \$59,700.00. The City obtained an updated appraisal that valued the property at \$77,400.00. The parties agreed to settle the condemnation suit for \$85,000.00. Therefore, the Board is requested to approve payment of the settlement balance in the amount of \$25,300.00 into the Circuit Court for Baltimore City in settlement of this case.

Funds are available in Account No. 9910-906416-9588-900000-704040.

28. Sherman Vandevender (previous owner)	824 N. Madeira St.	L/H	\$11,900.00
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On September 17, 2008, the Board approved the acquisition of the leasehold interest in 824 N. Madeira Street, by condemnation, in the amount of \$43,100.00. The City obtained an updated appraisal that valued the property at \$46,600.00. On the day of the trial, the parties agreed to settle the condemnation suit for \$55,000.00. Therefore, the Board is requested to approve payment of the settlement balance in the amount of \$11,900.00 into the Circuit Court for Baltimore City in settlement of this case.

Funds are available in Account No. 9910-907410-9588-900000-704040, EBDI Project, Phase II.

MINUTES

OPTIONS/CONDEMNATION/QUICK-TAKES:

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>Department of Law - Payment of Settlements</u>			
29. Leader's Homes, LLC (previous owner)	809 N. Madeira St.	L/H	\$ 4,225.80

On July 16, 2008, the Board approved the acquisition of the leasehold interest in 809 N. Madeira Street, by condemnation, in the amount of \$20,280.00. The parties agreed to settle the condemnation suit for \$24,505.80. Therefore, the Board is requested to approve payment of the settlement balance in the amount of \$4,225.80 into the Circuit Court for Baltimore City in settlement of this case.

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

FILE NO. 56017

UPON MOTION duly made and seconded, options, condemnations/quick takes, rescission and approval, and payments of settlements.

MINUTES

Department of Transportation - Interim Revenue Service Hour Rates for Veolia Transportation Services, Inc.

ACTION REQUESTED OF B/E:

The Board is requested to approve the Interim Revenue Service Hour Rates to pay Veolia Transportation Services, Inc. (Veolia) for operation of the Charm City Circulator Routes.

AMOUNT OF MONEY AND SOURCE:

\$2,001,976.00 - 6000-617410-2340-591801-603026

BACKGROUND/EXPLANATION:

On February 11, 2009, the Board approved and authorized execution of a five-year agreement with Veolia for the operation of the Charm City Circulator, which began service on January 11, 2010.

The Agreement provides that "in the event the City, at its option, elects to begin revenue service with less than 21 buses, then the parties shall agree upon an Interim Revenue Service Hour rate" which must be approved by the Board of Estimates. According to the agreement, the Interim Revenue Service Hour Rate "shall be calculated to take into account both reduced variable costs and the increase in fixed costs per Buses."

The Interim Revenue Service Hour Rates will be used to pay Veolia for operation of the first two Charm City Circulator Routes. The first route to be operational, the Orange Route will be billed at the Interim Revenue Service Hour Rate of \$93.68. When the second route, the Green Route, begins operations, the Interim Revenue Service Hour Rate will be reduced to \$84.59 for both routes. When the third route, the Purple Route, begins operations, the originally negotiated Revenue Service Hour Rate of \$62.38 will take effect for all three routes.

MINUTES

Department of Transportation - cont'd

The Department of Transportation has reviewed Veolia's cost proposal and finds that the rates are fair and equitable to both the City and to Veolia.

Veolia and the Department of Transportation have further agreed, upon delivery of all of the buses from DesignLine, to pursue liquidated damages against DesignLine for late delivery of the buses, which will be used to offset the Interim Service Hour and/or deliver other long-term benefits to the City. The Department of Transportation will still be well within its adjusted appropriation for FY10 with this temporary rate increase.

APPROVED FOR FUNDS BY FINANCE.

AUDITS REVIEWED AND HAD NO OBJECTION.

(FILE NO. 57006)

UPON MOTION duly made and seconded, the Board approved the Interim Revenue Service Hour Rates to pay Veolia Transportation Services, Inc. for operation of the Charm City Circulator Routes.

MINUTES

Department of Transportation - Termination of Memorandum of Understanding (MOU)

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize the termination of a MOU with Baltimore Harbor Waterkeeper, Inc.

AMOUNT OF MONEY AND SOURCE:

\$50,000.00 - 9950-903176-9527-000000-490375

BACKGROUND/EXPLANATION:

On April 30, 2008 the Board approved a MOU to establish the funding framework for design and construction efforts for improvements in the Inner Harbor. On September 17, 2008 Amendment No. 1 to the MOU was approved to incorporate the language that permits the Baltimore Harbor Waterkeeper, Inc. participation in all phases of the bio-retention project. The Department was unable to expend the funds due to permit complications. The Baltimore Harbor Waterkeeper, Inc. requested the termination of the MOU and repayment of the grant funds of \$50,000.00 that was referenced on miscellaneous Bill No. 5274451.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved and authorized the termination of the memorandum of Understanding with Baltimore Harbor Waterkeeper, Inc.

MINUTES

Department of Transportation - Traffic Impact Study Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a traffic impact study (TIS) agreement with Hilltop Center Limited Partnership. The period of the agreement is effective upon Board approval and termination will be deemed in writing by the Department.

AMOUNT OF MONEY AND SOURCE:

\$25,422.38

BACKGROUND/EXPLANATION:

Baltimore City Ordinance 06-345, approved on November 11, 2006, requires a TIS before permits may be approved for projects, as determined by the Director of the Department of Transportation.

Under the terms of this agreement, a TIS for the development of the parcel at 5421-5455 Reisterstown Road, Hilltop Shopping Center to include 20,000 square feet of new use for a Motor Vehicle Administration Service Center, plus an additional 4,500 square feet of new retail space. The Department agrees to present the applicant with the completed TIS no later than 60 business days after the initial payment is made pursuant to Clause V, unless the parties agree in writing that additional time is needed due to Applicant's changes to the Development.

MBE/WBE PARTICIPATION:

N/A

UPON MOTION duly made and seconded, the Board approved and authorized execution of a traffic impact study agreement with Hilltop Center Limited Partnership.

MINUTES

Department of Transportation - Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an agreement among the Maryland Transit Administration, the Baltimore City Department of Transportation and the Baltimore Development Corporation. The period of the agreement is effective upon Board approval.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

The purpose of this agreement is to provide a funding framework for the design, construction and operation of certain transit, city street and development improvements related to the Howard Street Improvements Project. This project will improve the appearance of Howard Street, provide enhanced transit service, encourage transit-oriented development, promote improved air quality, reduce congestion, and provide transportation options for the citizens of Baltimore City and the State of Maryland.

MBE/WBE PARTICIPATION:

N/A

(FILE NO. 57193)

UPON MOTION duly made and seconded, the Board approved and authorized execution of the agreement among the Maryland Transit Administration, the Baltimore City Department of Transportation and the Baltimore Development Corporation.

MINUTES

Department of Transportation - Funding Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a Funding Agreement with the University of Maryland, Baltimore Parking and Transportation Services, in connection with the Downtown Circulator Bus Service. The period of the agreement is January 11, 2010 through June 30, 2013.

AMOUNT OF MONEY AND SOURCE:

\$419,397.00 - 6000-617410-2340-591800-600000

BACKGROUND/EXPLANATION:

The City is implementing a new Downtown Circulator Bus service in Baltimore City, to be called the Charm City Circulator which offers continuing services to the downtown Baltimore area.

The University of Maryland Baltimore provides shuttle bus service to its students and faculty within and around its campus, and currently provides shuttle bus service on and between the University's main campus area.

The University in lieu of operating a shuttle service for the UM Shuttle Route, desires to support the City's proposed Circulator Service provided that the Circulator Service will remain at least the current schedule and quality of service offered by the University on the UM Shuttle Route and further provide that the University staff and students will be able to ride the entire Circulator Service Route at no cost to them. The City in return for additional payments from the University, is willing and able to operate the Circulator Service along the UM Shuttle Route for extended hours.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

(FILE NO. 55340)

UPON MOTION duly made and seconded, the Board approved and

MINUTES

Department of Transportation - cont'd

authorized execution of a funding agreement with the University of Maryland, Baltimore Parking and Transportation Services, in connection with the Downtown Circulator Bus Service.

MINUTES

Midtown Community Benefits - Second Amended and Restated
District Management Authority By-Laws for the Midtown
Community Benefits District

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize the second amended and restated by-laws for the Midtown Community Benefits District Management Authority.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

The Board of Directors of the Midtown Community Benefits District Management Authority has approved a change to its by-laws proposed by the governance committee at its meeting of September 2, 2009 and unanimously approved on October 7, 2009. As per the Baltimore City Code Article 14 §7-14, the submitted change is being submitted to the Board of Estimates for approval.

The intention of this change is to require a Community Association President to either serve on its Board or to appoint a representative to serve on the Board in his or her place, but to prohibit that President from filing an at-large elected position and then appointing two representatives.

The Governance Committee is presenting the following proposed amendments to the By-Laws:

Article II, §C Proposed by law change will add the following: "the President of an Association may not designate another person to fill his/her position as a member of the Board of Directors and also serve as a member of the Board of Directors in another capacity."

(FILE NO. 55221A)

UPON MOTION duly made and seconded, the Board approved and authorized the second amended and restated by-laws for the Midtown Community Benefits District Management Authority.

MINUTES

Parking Authority of Baltimore City (PABC) - Fourth Amendment
to Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a fourth amendment to agreement with CALE Parking Systems USA, Inc. (CALE).

AMOUNT OF MONEY AND SOURCE:

\$55,200.00 - 2075-000000-5800-408700-607001

BACKGROUND/EXPLANATION:

On April 8, 2009, the Board approved the third amendment to the agreement with CALE for the purchase of 25 new solar powered, pay-and-display parking stations, EZ park meters.

This fourth amendment to agreement with CALE Parking Systems USA, Inc. will further expand payment options - EZ park meters not only accept coins for payment of parking charges, but they offer the convenience of accepting credit cards for payment as well. Currently, about 55% of revenues collected at EZ Park meters are through credit card transactions, and parking patrons appreciate the payment option. This fourth amendment is for the upgrading of the method of credit card processing (a monthly fee per meter increase of \$23.00) for 200 selected EZ park meters.

As a result of the EZ park meter program, parking meter revenues have increased by \$3,600,000.00, a 67% increase. All other terms and conditions of the agreement remain unchanged

MBE/WBE PARTICIPATION:

MBE/WBE participation will continue under the same terms as the original agreement.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

This item was **DEFERRED** until February 17, 2010.

MINUTES

Baltimore Development - Memorandum of Understanding Corporation (BDC)

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a memorandum of understanding (MOU) with the Maryland Stadium Authority (MSA). The Board is also requested to approve and authorize the Director of Finance to execute a MOU between the City, and the MSA describing the obligations and responsibilities of each party. The MOU is effective upon Board approval.

AMOUNT OF MONEY AND SOURCE:

\$100,000.00 - 9910-906483-9601

BACKGROUND/EXPLANATION:

The funds will be used to pay the City's share of costs for a feasibility study to determine the potential impacts of (i) building a major league stadium for the D.C. United Soccer Team in the Westport area of Baltimore, and (ii) building a minor league stadium for the Crystal Palace soccer team in the Carroll-Camden area of Baltimore.

The MSA and the City have agreed to work together. The MSA will be responsible for contracting with the firm to perform the study, supervising the preparation of the study, and paying all invoices in connection with the preparation of the study. The City will contribute \$100,000.00 to pay the costs of the study, of which, \$25,000.00 will be reimbursed by the potential developers.

APPROVED FOR FUNDS BY FINANCE

MINUTES

BDC - cont'd

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$100,000.00	9910-902483-9600	9910-903483-9601
22 nd EDF	Constr. Res.	South Baltimore
	South Baltimore	Ind. & Coml. Dev.
	Ind. & Coml. Dev.	

This transfer of funds is for expenses related to the City's share of costs of a feasibility study to determine the potential impacts of (i) building a major league stadium for the D.C. United Soccer team in the Westport area of Baltimore and/or (ii) building a minor league stadium for the Crystal Palace soccer team in the Carroll-Camden area of Baltimore.

(FILE NO. 57108)

UPON MOTION duly made and seconded, the Board approved and authorized execution of a memorandum of understanding with the Maryland Stadium Authority (MSA). The Board also approved and authorized the Director of Finance to execute the MOU between the City, and the MSA describing the obligations and responsibilities of each party. The transfer of funds was approved subject to receipt of a favorable report from the Planning Commission, the Director of Finance having reported favorably thereon, as required by the provisions of the City Charter.

MINUTES

Baltimore Development - Business Discontinuation Payment Corporation (BDC)

ACTION REQUESTED OF B/E:

The Board is requested to approve the Business Discontinuation Payment to effectuate the relocation of Temporary Overload Personnel Services, Inc. from its move of 419-421 N. Howard Street.

AMOUNT OF MONEY AND SOURCE:

\$60,000.00 - 9910-905826-9603

BACKGROUND/EXPLANATION:

On November 5, 2008, a Notice of Relocation Eligibility Assistance was sent to Temporary Overload Personnel Services, Inc., in accordance with the Market Center Urban Renewal Plan.

This is a fixed payment in lieu of payment for actual moving and related expenses, as summarized in the HUD claim Form HUD-40056, invoices and other documentation, the Board is requested to approve a claim of \$60,000.00 for Business Discontinuation Payment.

AUDITS REVIEWED AND HAD NO OBJECTION.

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$60,000.00	9910-904115-9600	9910-905826-9603
22 nd EDF	Constr. Res.	West Side Relocation
	West Side Init.	

This transfer will provide funds for business discontinuation payment for actual costs to effectuate the relocation of Temporary Overload Personnel Services, Inc. from 419-421 N. Howard Street within the Westside redevelopment project in accordance with the Market Center Urban Renewal Plan.

MINUTES

BDC - cont'd

(FILE NO. 57039)

UPON MOTION duly made and seconded, the Board approved the business discontinuation payment to effectuate the relocation of Temporary Overload Personnel Services, Inc. from 419-421 N. Howard Street. The transfer of funds was approved subject to receipt of a favorable report from the Planning Commission, the Director of Finance having reported favorably thereon, as required by the provisions of the City Charter.

MINUTES

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

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an amendment to an agreement with Rummel, Klepper, & Kahl, LLP (RKK), for Project 1086R, Urgent Need Storm Water Engineering Services. The amendment extends the period of the agreement through February 23, 2011.

AMOUNT OF MONEY AND SOURCE:

\$ 50,000.00	- MVR
<u>200,000.00</u>	- MDOT State Construction
\$250,000.00	- 9958-902439-9520-900020-703031

BACKGROUND/EXPLANATION:

On February 24, 2009, the Board approved the original agreement with RKK to provide urgent need engineering service to improve the City's storm drain system for the Storm Water Engineering Office. The agreement was approved in the amount of \$250,000.00 for one year with an option of the City to renew for up to two 1-year terms.

This amendment will increase the upset limit by \$250,000.00 making the total amount of the agreement \$500,000.00. The amendment will also extend the amendment for one year. The Storm Water Engineering Office would like to exercise the operation of renewal for one year.

MBE/WBE PARTICIPATION:

MBE:	Daniel Consultants, Inc.	\$32,500.00	13%
	EBA Engineering, Inc.	<u>20,000.00</u>	<u>8%</u>
		\$52,500.00	21%

MINUTES

BW&WW - cont'd

WBE: Floura-Teeter Landscape Architects, Inc.	\$12,500.00	5%
Elizabeth Anderson Comer/ Archaeology	<u>5,000.00</u>	<u>2%</u>
	\$17,500.00	7%

AUDITS NOTED THE TIME EXTENSION AND THE INCREASE IN THE UPSET LIMIT.

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$200,000.00	9958-903439-9522	
MDOT - State Construction Loan	Constr. Res. On-Call Storm Drain Design & Engineering Services	
88,739.80	9958-904711-9522	
<u>MVR</u>	Constr. Res. Emergency Flood Mitigation	
\$288,739.80	-----	9958-902439-9520-3 Design

The funds are required for the consultant to provide services to improve the City's storm drain system.

(FILE NO. 55370)

UPON MOTION duly made and seconded, the Board approved and authorized execution of the amendment to the agreement with Rummel, Klepper, & Kahl, LLP (RKK), for Project 1086R, Urgent Need Storm Water Engineering Services. The transfer of funds was

MINUTES

BW&WW - cont'd

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

MINUTES

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

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an amendment to an agreement with KCI Technologies, Inc. (KCI), for SC 870, Scum/Grease System Improvements at Back River Wastewater Treatment Plant. The amendment to agreement will extend the period of the agreement through December 31, 2010.

AMOUNT OF MONEY AND SOURCE:

\$ 55,077.90 - Baltimore City Water Revenue Bonds
55,077.90 - Baltimore County
\$110,155.80 - 9956-902685-9551-900020-703031

BACKGROUND/EXPLANATION:

On June 18, 2008, the Board approved the original agreement with KCI to provide Scum/Grease System Improvements. The agreement was approved in the amount of \$672,835.77, for two years, or until the upset limit is reached, whichever occurs first.

The consultant will perform additional engineering services to evaluate an alternative site for the Septage Receiving Station (SRS). The original SRS site is now required as part of the re-design of the acid phase reactor project. The additional work includes: coordination between the two design projects supplemental field surveys, geotechnical field investigation, revisions to the conceptual design report to reflect the revised location for the SRS, and geotechnical engineering for evaluations of the new site area and access roadway modifications. The Consultant was approved by the Office of Boards and Commissions to design this project.

This amendment will increase the upset limit by \$110,155.80 making the total amount of the agreement \$782,991.57.

MINUTES

BW&WW - cont'd

Technologies, Inc. (KCI), for SC 870, Scum/Grease System Improvements at Back River Wastewater Treatment Plant. The transfer of funds was approved SUBJECT to receipt of a favorable report from the Planning Commission, the Director of Finance having reported favorably thereon, as required by the provisions of the City Charter.

MINUTES

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

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an on-call agreement with Rummel, Klepper & Kahl, LLP for Project No. 1101, Construction Claims Review Services. The period of 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 - Upset Limit

BACKGROUND/EXPLANATION:

Rummel, Klepper & Kahl, LLP will provide Construction Claims Review Services under Project 1101. These services will include analyzing construction claims and investigating design liability; establishing design and construction histories through review of project files; interviewing personnel familiar with the project; and other available means. In addition, the consultant will evaluate design methods and drawings to determine the appropriateness of the project; review all change orders to determine cause and liability; and review construction schedules to establish viability and liability for any time extension requests. Rummel, Klepper & Kahl, LLP will also assist the BW&WW with constructability reviews of upcoming projects; offer training to the BW&WW in claims avoidance; and recommend the appropriate action to be taken by the City to resolve all matters of claims and liability issues.

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

MINUTES

BW&WW - cont'd

MBE/WBE PARTICIPATION:

MBE: Daniel Consultants, Inc.	\$210,000.00	14.00%
EBA Engineering, Inc.	<u>195,000.00</u>	<u>13.00%</u>
	\$405,000.00	27.00%
 WBE: Ross Technical Engineering,	 \$135,000.00	 9.00%

MWBOO FOUND VENDOR IN COMPLIANCE.

AUDITS NOTED THIS ON-CALL AGREEMENT AND WILL REVIEW TASK ASSIGNMENTS.

(FILE 55370)

UPON MOTION duly made and seconded, the Board approved and authorized execution of the on-call agreement with Rummel, Klepper & Kahl, LLP for Project No. 1101, Construction Claims Review Services.

MINUTES

Bureau of Water and Wastewater - 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 the Whiting Turner Construction Co. for Contract No. SC 847, Lower Stony Run Wastewater Pumping Station & Force Main.

AMOUNT OF MONEY AND SOURCE:

\$774,842.95 - 9956-904592-9551-900020-706063

BACKGROUND/EXPLANATION:

All work on Contract No. SC 847 was completed June 24, 2009. The contractor has requested a partial release of retainage in the amount of \$774,842.95. The City holds \$809,842.95 in retainage. The remaining \$35,000.00 is sufficient to protect the interests of the City.

MWBOO APPROVED THIS 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 the Whiting Turner Construction Co. for Contract No. SC 847, Lower Stony Run Wastewater Pumping Station & Force Main.

MINUTES

Bureau of Water and Wastewater - Memorandum of Understanding

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a memorandum of understanding (MOU) with the Maryland Port Administration (MPA). The period of the agreement is effective upon Board approval.

AMOUNT OF MONEY AND SOURCE:

\$1,507,355.00 - 9958-904995-9525-900020-703032

BACKGROUND/EXPLANATION:

The National Pollutant Discharge Elimination System Permit for storm water requires the City to study water sheds and open channels. The City will identify opportunities to reduce storm water pollution using state of the art methods such as stream restoration, wetlands, stream day-lighting, and green roofs, etc.

A Watershed Water Quality Management Plan was prepared in 2006 to fulfill the storm water permit for Baltimore City. The plan identified the Biddison Run stream to be very unstable. Approximately 1,400 feet of stream from Moravia Road to its confluence with the Herring Run was restored in 2007.

Under the terms of this memorandum of understanding, the MPA will provide \$1,507,355.00 in construction funds for this project to protect and restore Biddison Run, which is currently eroding the banks. PB Design Services will provide design services approximately 6,900 linear feet of the Biddison Run open channel upstream of Moravia Road.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

(FILE NO. 55463)

UPON MOTION duly made and seconded, the Board approved and authorized execution of the memorandum of understanding with the Maryland Port Administration (MPA).

MINUTES**PROPOSALS AND SPECIFICATIONS**

- | | |
|---|--|
| <u>Department of Public Works/
Department of Recreation
and Parks</u> | - RP 07825, Roosevelt Park Site
Improvements
<u>BIDS TO BE RECV'D: 03/17/2010</u>
<u>BIDS TO BE OPENED: 03/17/2010</u> |
| <u>Department of Public Works/
Bureau of Water & Wastewater</u> | - WC 1178, Improvements to
Liberty Gatehouse Suspension
Bridge
<u>BIDS TO BE RECV'D: 03/24/2010</u>
<u>BIDS TO BE OPENED: 03/24/2010</u> |

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

MINUTES

MAYOR'S REMARKS

President: "Is there anything else before we close?"

Mayor: "Yes. Thank you Madam President. I want to take a couple of minutes just to reflect today, and I am going to stick to my notes so that I only spend a couple of minutes. But, today is my last and final Board of Estimates meeting as Mayor of Baltimore. I leave this office as Mayor as I began, with full optimism and hope for Baltimore City. I love this City and I leave City Hall after 23 years of public service, secure in the knowledge that Baltimore's best days are ahead. It has been a privilege to serve the people of Baltimore for more than two decades. Now, it is time for me to begin a new chapter. When I became Mayor in 2007, my administration focused on finding new ways to transform Baltimore into a cleaner, greener, healthier and safer City, and I didn't use those terms just for buzz words or for political gain, but to really impact neighborhoods and communities throughout this City. I committed to make Baltimore City government deliver services to residents more innovatively, more effectively, and efficiently. We are seeing results. Crime, including homicides and shootings are down. Homicides in particular have not been this low in over 20 years. In January of this year, we recorded the lowest number of homicides since

MINUTES

1977. I won't even tell you how old I was. We did this the right way; with fewer arrests, less overtime and fewer discourteous complaints. Our brave police officers are targeting repeated criminals. We are nurturing relationships in the community, particularly with our police officers and others and working with law enforcement partners like never before. In addition to making the streets safer, we are finding more supportive services for families. Providing jobs to young people and increasing educational opportunities for children in school. My administration, realized that we have the capacity in our existing programs to provide more services to young people and families than we had previously reached. By reaching these young people, and children and families in the communities; we are maximizing God-given potential in our young people. When I talk about -- when we put a strategy together -- looking at the beginning of life to the end of life -- using and focusing on those issues that sometimes cripple Baltimore from really being successful -- and that is human development -- human capital. We didn't turn one young person away from a job. We doubled our business participation in Youth Works. On the economic development front, we made progress across the neighborhoods and downtown despite the worst economy since the

MINUTES

Great Depression. In downtown, we made progress on the Westside Super Block. One of the first things -- Mr. Nilson and his team sat down and we said we had to make a difference to move the Westside Renaissance forward. We settled three inherited law suits, completed property acquisition, and secured by the Board of Estimates approval of two major development agreements. We also retained Legg Mason's headquarters and 500 jobs in Baltimore City, and assisted with the expansion of Morgan Stanley until the first building of Harbor Point and there is expected to be in the next ten years, over 900 jobs. We worked with the City Council to move two transformational transit oriented development projects forward: Westport, Waterfront, and the East Baltimore Development Inc. Both projects will create thousands of construction jobs, provide an array of affordable and marketable-rate housing and opportunities to promote access to transit. We advanced the Red Line by sponsoring the Red Line Summit. This summit kicked-off an intensive community engagement process resulting in the Red Line Community compact. A document of guiding principles and strategies for the City to advocate during the design and construction. I know Mr. Foxx, Jamie Kendrick, and others were involved and engaged and that process will continue. We laid a

MINUTES

great foundation. As we confronted the City's historic budget deficit, I looked to changes and ways that City -- that we deliver services that would provide benefits in the years to come. I was sharing with a group last night at our Cleaner Greener Awards event, that on last Thursday I had a brief conversation with Governor O'Malley. He came into City Hall and we chatted a little and in the conversation what struck me most was when he talked about in the history of my tenure in City government, we never had a surplus. So, we had about four years of a surplus during his administration. We were able to put a list of things together that we wanted to have done in this City and what he said to me was that, we worked very well together and that if we had not taken the City in a partnership to move it forward, we wouldn't have made the progress. He also said, which is really true, that I have been able to do more with less with my administration compared to what he had. Particularly, since he had a little cash to spend as Mr. Gallagher grins because he had not seen a surplus either in his tenure. But, we have challenges ahead of us. The Department of Transportation's Orange Cone was able to set records for roads paved in the past three years because we found new ways of coordinating our resources to make road construction more efficiently. I know

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Margaret is here and I have shared with she and Mr. Foxx and others, that when you are in the supermarket and people come up to you and you think they are going to give you a compliant, and they say thank you for paving my road, it has not been done in 30 years. But, it was being innovative and effective and efficient. It was taking JOC contracts and in-house employees and doubling that effort. Because that is what it is about, quality of life in neighborhoods and communities. And, with the Department of Public Works, David Scott probably lost more hair than he had when he came. But, when we said that we were going to go to the new one plus one initiative, which was planned before we talked about budget constraints, which was probably going to be in a year or so, but we saved \$7,000,000.00. A comprehensive reorganization of a Department's operation that had not been accomplished in over three decades. They had not changed districts. They had not made any changes. A woman last night confessed that the Greener, Cleaner effort -- she said that this is my first time I have ever recycled, and she said thank you to her community and to the City. This ended an ease of burden that last year with our budgets in the upcoming year. You know the ten-year homeless plan that I kicked off when I was City Council President and we created a Board and we said that

MINUTES

we were going to end homelessness in ten years. I know Greg Silio was here and I know Diane is not, but I don't think people realize the magnitude that this group took and also takes everyday, when they go out in the snow to find homeless people to put them in our 24 hour seven day a week shelter -- and the fact that we will have a Housing Resource Center. We got many challenges from many neighborhoods when we were trying to put temporary shelters in five neighborhoods. But, what we did when we met with them and they said don't come in our neighborhood, we made agreements with them that we would take care of their communities to make sure that their communities stayed stable. Most of them, the last one in particular, I remember, did not realize that we were no longer in their neighborhood with the homeless individuals. As I move on, I know that I was blessed to have the opportunity to serve a City that I love and that I called home for my entire life. You know I want to thank my staff and in my Dixon Report, if you read in my Dixon Report, my final reflections, I think the key with my staff and I -- many of them are here right now, is the passion and the drive and the energy and the care that they have. So, I am really blessed to have worked with them and I look forward to them wherever their lives take them that they will continue to have that kind of

MINUTES

drive and energy. I wish the new administration the best and I want to take two minutes because I want to one of the items on the Board of Estimates there are going to be some people that are going to be laid off and I want to acknowledge Mari Ross, who is with the Baltimore Public Museum, who has done an extraordinary job in the City. Thank you Mary.

(Applause)

We need to figure out a way to keep that museum going, even if it becomes a non-profit. You did a great job. I want to also acknowledge Carolyn Blakeney, who handled the Board of Estimates with me as Mayor.

(Applause)

She read all my sticky notes and all my questions and my pins and emails late at night, along with Andy Frank and others who have been a part of that. So, I move on and I believe that the City is in a good place to make tremendous growth and progress for the future. Thank you."

MINUTES

(Applause)

President: "As there is no more business before the Board, the meeting will recess until bid opening at 12:00 noon. Thank you."

* * * * *

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

MINUTES

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:

Bureau of Water and Wastewater - WC 1164, Towson Finished
Water Reservoir Cover and
Miscellaneous Repairs

Allan A. Myers
Corman Corporation
Flippo Construction
The Whiting-Turner Contracting Co.
Northeast Remsco Construction, Inc.
*Eastern Testing and Inspection Corp.

Department of Transportation - TR 08316, Construction of
CCTV Cameras & Signal Rewiring
Citywide - JOC - Federal

Bruce & Merrilees Electric Co.
Allied Contractors, Inc.
Midasco, LLC
LAI Construction Services
CCI Systems, Inc.

*UPON MOTION duly made and seconded, the Board declared the bid of Eastern Testing and Inspection Corporation **IRREGULAR** to the company's failure to submit a complete original bid and a duplicate bid book as required by the bid submission instructions. In addition, the company did not submit a bid bond as required by the bid documents and City Charter.

MINUTES

Department of Transportation - TR 08318, Installation of
Fiber Optic & Copper
Communications Systems
Citywide - JOC - Federal

Bruce & Merrilees Electric Co.
Allied Contractors, Inc.
Midasco, LLC
KCI Technologies
LAI Construction Services
CCI Systems, Inc.

Bureau of Purchases - B50001317, Mowing & Landscaping
Service for Enoch Pratt Free
Library Branches

Heritage Custom Lawn & Landscapes
Lorenz, Inc.
H.F. Huber & Son, Inc.
Jan Ferguson, Inc.
Evergreen Landscape & Design Corp.
Tote-It, Inc.
Noah Garrison d/b/a/ The Garrison Company

MINUTES

Bureau of Purchases - B50001328, Electrical, Compressed Air & Water Services for the Baltimore Convention Center (TECHNICAL)

Edlen Electrical Exhibition Services
Hi-Tech Electric
Freeman
GES

Bureau of Purchases - B50001330, Tactical Face Masks

National Safety Supply, Inc.
Federal Resources Supply

Bureau of Purchases - B50001339, Long Distance Telephone Service

AT&T Corporation

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There being no objections, the Board, UPON MOTION duly made and seconded, adjourned until its next regularly scheduled meeting on Wednesday, February 10, 2010.



JOAN M. PRATT
Secretary