

MINUTES

REGULAR MEETING

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

The meeting was called to order by the President.

President: "I would direct the Board members attention to the memorandum from my office dated April 01, 2013, identifying matters to be considered as routine agenda items together with any corrections and additions that have been noted by the Deputy Comptroller. I will entertain a Motion to approve all of the items contained on the routine agenda."

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

Comptroller: "Second."

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

The Motion carries."

MINUTES

BOARDS AND COMMISSIONS1. Prequalification of Contractors

In accordance with the Rules for Prequalification of Contractors, as amended by the Board on October 31, 1991, the following contractors are recommended:

Armada Hoffler Construction Company	\$ 19,737,000.00
Asbestos Specialists, Inc.	\$ 8,000,000.00
D&T Welding Contractor, LLC	\$ 1,500,000.00
Encasement Technologies, LLC	\$ 441,000.00
J.A.K. Construction Co., Inc.	\$ 8,000,000.00
The Poole and Kent Corporation	\$100,000,000.00
Work Capacity Rating Underwritten by Blanket Guarantee for \$100,000,000.00 from the Parent Corporation EMCOR Group, Inc.	
Prospect Waterproofing Company	\$ 1,566,000.00
T.E. Jeff, Inc.	\$ 1,500,000.00
Ulliman Schutte Construction, LLC	\$650,088,000.00
Vanguard Utility Service, Inc.	\$ 1,500,000.00

MINUTES**BOARDS AND COMMISSIONS** - cont'd**2. Prequalification of Architects and Engineers**

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

C.C. Johnson & Malhotra, P.C.	Architect Engineer Property Line Survey
Jacobs Engineering Group, Inc.	Architect Engineer
Patton Harris Rust & Associates, P.C.	Landscape Architect Engineer Land Survey
Pennoni Associates, Inc.	Landscape Architect Engineer Land Survey
Sabra, Wang & Associates, Inc.	Engineer
Toole Design Group, LLC	Landscape Architect Engineer

There being no objection, the Board, UPON MOTION duly made and seconded, approved the prequalification of Contractors and Architects and Engineers for the listed firms. The Comptroller **ABSTAINED** on item no. 1.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS
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Bureau of Purchases

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|---|-------------|---------|
| 1. 3M COMPANY | \$25,000.00 | Renewal |
| Solicitation No. B50002406 - Traffic Marking Tape - Department of Transportation - Req. No. Various | | |

On May 7, 2012, the City Purchasing Agent approved the initial award in the amount of \$13,027.50. The award contained two 1-year renewal options. On August 21, 2012, the City Purchasing Agent approved an increase in the amount of \$10,000.00. This renewal in the amount of \$25,000.00 is for the period May 7, 2013 through May 6, 2014, with one 1-year renewal option remaining.

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| 2. GWAVA TECHNOLOGIES, INC. | \$28,000.00 | Sole Source |
| Solicitation No. 08000 - Maintenance for Archiving Software - Police Department - Req. No. R627179 | | |

GWAVA Technologies, Inc. is the manufacturer and sole source provider of maintenance and support for their archiving software currently in use by the Police Department. The period of the award is June 5, 2013 through June 4, 2014.

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| 3. MARTIN SUPPLY CO., INC. | \$15,000.00 | Renewal |
| Solicitation No. B50002384 - Sign and Marking Inks - Department of Transportation - Req. No. R600333 | | |

On April 11, 2012, the Board approved the initial award in the amount of \$15,000.00. The award contained two 1-year renewal options. This renewal in the amount of \$15,000.00 is for the period April 11, 2013 through April 10, 2014, with one 1-year renewal remaining.

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VENDOR	AMOUNT OF AWARD	AWARD BASIS
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Bureau of Purchases

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|---|-------------|---------|
| 4. DAZSER-BAL CORP. d/b/a
JANI-KING OF BALTIMORE | \$ 7,044.00 | Renewal |
| Solicitation No. B50001483 - Janitorial Services - Enoch Pratt
Free Library - Req. No. P518096 | | |

On June 16, 2010, the Board approved the initial award in the amount of \$7,044.00. Subsequent actions have been approved. This final renewal in the amount of \$7,044.00 is for the period July 1, 2013 through June 30, 2014.

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| 5. VULCAN INC. | \$100,000.00 | Renewal |
| Solicitation No. B50002385 - Aluminum Sheets - Department of
Transportation - P.O. No. P520379 | | |

On June 6, 2012, the Board approved the initial award in the amount of \$57,505.00. The award contained four 1-year renewal options. This renewal in the amount of \$100,000.00 is for the period June 6, 2013 through June 5, 2014, with three 1-year renewal options remaining.

MWBOO GRANTED A WAIVER.

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| 6. ASPEX CORPORATION | \$175,000.00 | Sole Source |
| Solicitation No. 08000 - Aspex Instrument Upgrades - Police
Department - Req. Nos. R625465 and R625496 | | |

Aspex Corporation is the sole source for required upgrades and maintenance needed for equipment currently in use by the Baltimore City Police Department Lab Units.

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 (e)(i) of the City Charter, the procurement of the equipment and/or service is recommended.

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INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS
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Bureau of Purchases

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| 7. HACH COMPANY | \$ 60,000.00 | Increase |
| Solicitation No. 08000 - Provide DPD Powder, Reagents and Parts for Online Analyzers - Department of Public Works, Bureau of Water and Wastewater - P.O. No. P515831 | | |

On December 15, 2010, the Board approved the initial award in the amount of \$60,000.00. On August 29, 2012, the City Purchasing Agent approved an increase in the amount of \$30,000.00. Due to an increase in usage additional funds are required. This increase in the amount of \$60,000.00 will make the award amount \$150,000.00. The contract expires on December 14, 2013 with two 1-year renewal options remaining.

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

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| 8. TATE ENGINEERING SERVICES, INC. | \$ 80,000.00 | Increase |
| Solicitation No. 08000 - Cleaver Brooks Boilers Maintenance - Department of Public Works, Bureau of Water and Wastewater - Req. Nos. Various | | |

On January 26, 2011, the Board approved the initial award in the amount of \$70,000.00. Authority is requested for an increase for continuity of required maintenance services. This increase will make the award amount \$150,000.00. The contract expires on January 25, 2016.

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 (e)(i) of the City Charter, the procurement of the equipment and/or service is recommended.

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INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS
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Bureau of Purchases

9. GEIGER PUMP AND

EQUIPMENT CO., INC.	\$ 25,000.00	Increase
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Solicitation No. 08000 - Replacement of Pulsafeeder and Eclipse Pumps - Department of Public Works, Bureau of Water and Wastewater - P.O. No. P518582

On October 26, 2011, the Board approved the initial award in the amount of \$25,000.00. On February 13, 2013, the Board approved an increase in the amount of \$18,000.00. Due to unanticipated increase in usage of the pumps an increase in the amount of \$25,000.00 is necessary making the total award amount \$68,000.00.

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

10. RUDOLPH'S OFFICE &

COMPUTER SUPPLY, INC.	\$600,000.00	Increase
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Solicitation No. B50002025 - OEM & Remanufactured Toner & Inkjet Cartridges - Agencies - Various - P.O. No. P518463

On October 5, 2011, the Board approved the initial award in the amount of \$900,000.00. An increase is necessary to provide additional funds for services through October 10, 2013. The contract expires on October 10, 2013, with two 2-year renewal options.

MWBOO SET GOALS OF 5% MBE AND 2% WBE.

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<u>VENDOR</u>	<u>AMOUNT OF AWARD</u>	<u>AWARD BASIS</u>
<u>Bureau of Purchases</u>		
MBE: Sutherland Data Products	\$96,255.99	6%
WBE: All Pro Placement Services, Inc.	\$ 6,288.56	
Corp. Business Solutions (CBS)	<u>68,107.96</u>	
was added and approved by MWBOO	\$74,396.52	4.5%

MWBOO FOUND VENDOR IN COMPLIANCE.

A PROTEST WAS RECEIVED FROM THE MARYLAND MINORITY CONTRACTORS ASSOCIATION.

President: "The first item on the non-routine agenda can be found on Page 6 item 10, Bureau of Purchases, OEM Remanufactured -- and Remanufactured Toner & Inkjet Cartridges. Will the parties please come forward?"

Mr. Krus: "Tim Krus, City Purchasing Agent. This is an increase to this contract in the amount of \$600,000.00 to provide for actual usage of these specified ink and toner cartridges for City agencies."

Mr. Jolivet: "Mr. President, may I ah -- may I have these distributed? Arnold M. Jolivet, and if you have an extra one may I ask for it back? Okay, thank you. I would ask you to look at exhibit no. 1 and I introduce that to you for purposes of

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<u>VENDOR</u>	<u>AMOUNT OF AWARD</u>	<u>AWARD BASIS</u>
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<u>Bureau of Purchases - B50002025</u>	-	cont'd
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drawing a contrast because the contractor or vendor that is proposed today for the \$600,000.00 increase is the same identical contractor that we came before the Board last week - ah- for which the Bureau of Purchases proposed a \$200,000.00 actually \$2,000,000,000.00 increase on a very similar contract and even -ah- though different. Ah -- nonetheless, it is very similar, and the process - the process I believe -ah- again on the initial contract that we considered last week was a requirements contract and I said last week that I believe very strongly that the way the City -ah- Bureau of Purchases is administering the requirements contract, ah -- almost in every instance -ah- makes the contract, makes the contract illegal and that it violates the spirit and the intent of the purpose of the competitive bidding Charter provision -ah- and that provision Article VI, Section 11 provides that -ah- the City shall award the contract. This Board of course shall award all contracts ah -- having an expenditure of \$50,000.00 or more to the lowest

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<u>VENDOR</u>	<u>AMOUNT OF AWARD</u>	<u>AWARD BASIS</u>
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Bureau of Purchases - B50002025 - cont'd

responsive, responsible bidder or in case of Request for Proposals to the highest scoring bidder, and apparently this was a request for proposal where they awarded the initial contract in 2011. Ah -- it's not showing, it doesn't really say but I would presume it was ah -- pursuant to a competitive request for proposal, because if you notice my exhibit no. 2, ah -- it has ah - it has a price initially submitted by the bidder ah -- whom the Bureau of Purchases proposes to award an additional \$600,000.00. But that price was \$555,632.07. Now, the term pertinent relevant terms of the request for bid required this bidder to provide these services for a minimum of two years without an additional increase in the price. That was the sale of terms of the RFP and presented in the contract. Now my contention here this morning before this Honorable Board is that if we're going to administer requirement contracts or for the other matter any contract, well the bidder can bid the contract in such a way; a low price combined with other factors and get

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Bureau of Purchases - B50002025 - cont'd

the contract and not comply with the duration or the term of contract to provide those services for the price that -- price stipulated in its original bid, and I would submit to your Honorable Board today that I keep seeing these kind of contracts that come before the Board and if you look at my exhibit no. 2. Neo Tech, which is one of our small minority firms, African American firm. The original bid Neo Tech was one of the bidders but I submit to you that their bid was not low, but when you consider this \$600,000.00 that the Bureau of Purchases is proposing to award -ah- as an increase then I submit to you that this would have made Neo Tech a small African American firm this would have made this firm the low bidder. But anyway, I think I've made my point and I don't want to beat a dead horse."

President: "Mr. Jolivet, on last week when you raised the issue about the \$2,000,000,000.00 I supported your argument and I also told you that coming from a background being a manager at Johns Hopkins, where I had um to order my supplies, remember when I

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<u>VENDOR</u>	<u>AMOUNT OF AWARD</u>	<u>AWARD BASIS</u>
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Bureau of Purchases - B50002025 - cont'd

told you about that? And how the manufacturer gave us one price and we can always go and you know increase the price when our inventory gets low from the same place. I mentioned to Mr. Nilson and we talked to Mr. Krus that you know we want to look at these types of awards and see what we can do to tighten it up. So, I gave you my word on that and I talked to Mr. Nilson just this morning. The Finance Director is also you know, concerned about these types of increases and we promise you we are going to try to tighten it up."

Mr. Jolivet: "And I want you to know I was very appreciative of you taking your time to explain to me how your experience at Johns Hopkins. I was moved. I was particularly moved that you would take the time to enlighten me, -ah- and I was of course compelled to come before the Board on this matter because when this matter first came before the Board in 2011, I represented Neo Technology, and I felt at that time and I believe I

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Bureau of Purchases - B50002025 - cont'd

presented a plausible argument that Neo Technology was unreasonably and unfairly disqualified and my point today is that in all due respect to Mr. Krus, if we are allowing these requirement contracts and the contractor to get additional funds before the original term of the contract expires, then there's no competitive bidding Mr. President. That is not competitive bidding. It's fundamental based on the proposition that all bidders must be placed and bid on the same proposition. Same proposition and the thing that Mr. Krus knows is wrong is that in each one of these requirements contracts, the agency does not know and the agency does not identify in the request for proposal exact quantities. So therefore, if the agency cannot identify and state in the request for proposal the exact quantities that will be utilized during the term of the contract I submit to you that we need to disband and discontinue this process, because it allows one bidder to trump the system and every time the award of the contract and come back before the term of contract is over with and get additional monies."

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Bureau of Purchases - B50002025 - cont'd

City Solicitor: "It seems to me Mr. Jolivet just two observations. Number one, you're suggesting that requirements contracts be abolished totally. Because they are fundamentally designed for a situation, where the agency or the collection of user agencies in the aggregate can't identify with particularity their needs over the next year or two years so you're advocating not for restraint but for abolition. I'm sorry termination of the practice. And secondly, so you're remarks about Neo Tech it doesn't appear that Neo Tech was disqualified. It appears that Neo Tech was a high bidder on this requirements contract by several hundred thousand dollars, which was already a not very good price score and they're not getting the contract. So, I'm sort of and then I'm not sure how you know they ended up getting harmed by the fact that now this contract is being increased at the same relatively lower price for the commodity that um -- Rudolph's bid in 2011. So, I'm not following the argument about Neo Tech's harm here."

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<u>VENDOR</u>	<u>AMOUNT OF AWARD</u>	<u>AWARD BASIS</u>
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Bureau of Purchases - B50002025 - cont'd

Mr. Jolivet: "The harm comes about largely and solely because by Neo Tech you're absolutely right. Neo Tech was not the initial low bidder. That -- you missed my argument and that argument was they were not the lowest bidder at the time but now that you've given that the Purchases Bureau is giving or proposing to give additional \$600,000.00 Mr. Solicitor it would definitely make Neo Tech if you add that additional \$600,000.00 you would definitely make Neo Tech a lower bidder, if not the lower."

City Solicitor: "I now understand what you are saying."

Mr. Jolivet: "It would make Neo Tech the lower a low bidder."

City Solicitor: "I understand what you're saying. I don't agree with it but I understand what you saying."

Mr. Jolivet: "Well, we never agree."

Mr. Krus: "Mr. President if I --."

Mr. Jolivet: "No let me --."

President: "Mr. Jolivet come on."

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<u>VENDOR</u>	<u>AMOUNT OF AWARD</u>	<u>AWARD BASIS</u>
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Bureau of Purchases - B50002025 - cont'd

Mr. Jolivet: "I will but I want to make one other point, and I actually I'm really pained to come before the Board to rehash the same fundamental principle, but the point is and I want Mr. Nilson to read Platt v. Platt Electric Company v. City of Seattle. I want you to read that case Mr. Nilson. I'd like for you to read Platt and presumably, it would be good if you had the benefit of the court decision in that case where the court says that when you're doing competitive bidding essentially the bid specification must be uniform. So, you can't have one bidder bidding on one item or one quantity and another bidder and the quantity is left to another bidder to surmise what the quantity will be."

City Solicitor: "I'm happy to read it."

Mr. Jolivet: "Yeah, I asked you to read it."

City Solicitor: "I realize it's not a Maryland decision but I'm happy to read it."

Mr. Jolivet: "But it would be very highly persuasive."

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<u>VENDOR</u>	<u>AMOUNT OF AWARD</u>	<u>AWARD BASIS</u>
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Bureau of Purchases - B50002025 - cont'd

City Solicitor: "I will read it."

Mr. Jolivet: "Yeah, and actually the Maryland Court of Appeals has cited it."

City Solicitor: "Good."

Mr. Jolivet: "In a Baltimore City case."

City Solicitor: "The proposition you just stated is terrific and I agree with it."

President: "Mr. Krus."

Mr. Krus: "Tim Krus City Purchasing Agent. I just wanted to respond to a few of the things that Mr. Jolivet pointed out. Um -- As I noted last week this is a common public purchasing practice to establish requirements contracts. Last week we talked about Rudolph's who was an awardee on a competitively bid MWBOO compliant requirements contract for office supplies. That's for commodities. When we increased that commodities contract the price of the commodities doesn't go up, the usage by City agencies increases. This time we're talking about

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<u>VENDOR</u>	<u>AMOUNT OF AWARD</u>	<u>AWARD BASIS</u>
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Bureau of Purchases - B50002025 - cont'd

Rudolph's who separately competed for and won an award for toner and ink cartridges, again a commodity. Had Neo Technology been awarded this contract and City usage had increased, we would have been coming here for an increase for Neo Technology on usage of cartridges not necessarily the increase in the price of those cartridges. So, I just wanted to make that clear as we look at this and Mr. President, we're happy to engage in this discussion with you."

President: "Okay. Comptroller, you got to talk in the mic."

Comptroller: "Mr. Krus, Rudolph's has been a vendor for over a decade."

Mr. Krus: "Correct."

Comptroller: "Okay, and so don't they have a history of the usage for supplies and cartridges?"

Mr. Krus: "They do. Madam Comptroller, I would point out that when we typically go forward with the award of the solicitation we start with usage for the initial term. So, the vendor may

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VENDOR	AMOUNT OF AWARD	AWARD BASIS
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Bureau of Purchases - B50002025 - cont'd

bid a certain amount of money and the contract may have several renewals. We would typically come to the Board for the amount that we think is going to be needed for the initial term. Because we're required to come back to the Board to award the renewal, at that time we come with the amount that we believe is necessary for the renewal term. So, in a lot of these cases you'll see a contract value summary that has a number of regularly scheduled renewals along with the estimates at the time of renewal."

Comptroller: "So, that the usage when you take a look at the usage over a period of time, the historic information. Are we seeing that they're bidding on um -- supplies or toners um -- that they need at that time so that they wouldn't have to come back for increases, because it I understand Mr. Jolivet's point. If the bidder, like Rudolph, who has been doing business with the City for over a decade, they have historical information of how many toners the City uses and they bid low knowing that in

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Bureau of Purchases - B50002025 - cont'd

the interim that they are going to have to come back to ask for an increase because we need more toners or more supplies. It just seems a little unfair since they have that historical way of --."

Mr. Krus: "Well, they are bidding the unit price and in the event that the particular types of cartridges that we put on the solicitation don't encompass all that are used, they're also bidding a discount of their catalog price. So, every vendor has a level playing field in that and what we try to do on the solicitation is establish a pricing sheet and a method of award that allows us to compare apples to apples. We're not necessarily going out to the vendor and to the potential bidders and telling them what we think the City might be willing to spend on this because we don't want all the prices to gravitate toward that amount. So, we are trying to have a fair solicitation and then come to the Board for approval to award the City's requirements over a period of time with those prices constrained. We have price escalation and de-escalation clauses in those contracts. But in these cases, they are all relating

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<u>VENDOR</u>	<u>AMOUNT OF AWARD</u>	<u>AWARD BASIS</u>
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Bureau of Purchases - B50002025 - cont'd

ah to the unit prices. Last week of office supplies, this week of toner and ink cartridges."

President: "Okay. I call for the vote."

City Solicitor: "I MOVE to approve the recommendation of the Bureau of Purchases and deny the bid protest on this item."

President: "All in favor say --."

Director of Public Works: "Second."

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

Comptroller: "NAY."

President: "Please note the Comptroller votes NAY. The Motion carries."

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VENDOR	AMOUNT OF AWARD	AWARD BASIS
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Bureau of Purchases

11. LOCATION AGE, LLC	\$350,000.00	Ratification and
	250,000.00	Increase
	<u>\$600,000.00</u>	

Solicitation No. 06000 - Geographic Information Systems Staff Augmentation Support - Agencies - Various - P.O. No. P500114

On May 30, 2007, the Board approved the initial award in the amount of \$850,628.70. The award contained three 1-year renewal options. Subsequent actions have been approved. Ratification is being requested for work performed by the contractor prior to the issuance of appropriate purchase orders. Additional funds are required to maintain continuity of services for user agencies for the remainder of this contract. The period of the ratification was July 13, 2012 through April 2, 2013. The period of the increase is April 3, 2013 through June 1, 2013.

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 (e)(i) of the City Charter, the procurement of the equipment and/or service is recommended.

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

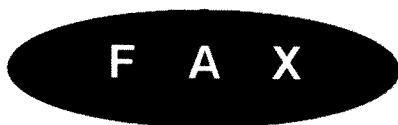
MWBOO SET GOALS OF 17% MBE AND 9% WBE.

MBE: Sabra Wang & Assocs. 17%

WBE: Applied Technology Services, Inc. 9%

MWBOO FOUND VENDOR IN COMPLIANCE.

A PROTEST WAS RECEIVED FROM THE MARYLAND MINORITY CONTRACTORS ASSOCIATION.



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Microsoft

To: <410-685-4416>

Fax number: 410-685-4416

From:

Fax number:

Business phone:

Home phone:

Date & Time: 4/2/2013 9:21:59 AM

Pages: 3

Re: Bid Protest

MMCA- Maryland Minority Contractors Association, Inc.
A Chapter of the American Minority Contractors and Businesses Association, Inc.-AMCBA
Baltimore, Maryland 21210
443-413-3011 Phone
410-323-0932 Fax

April 2, 2013

Via Facsimile 410-685-4416

Honorable Bernard "Jack" Young
President, Baltimore City Board of Estimates
City Hall-Room 204
Baltimore, MD 21202
ATTN: Ms. Bernice Taylor, Esquire, Clerk to the Board

Dear Mr. President:

I represent the Maryland Minority Contractors Association ("MMCA"), its members, clients and constituents.

We wish to respectfully protest the following described proposed City Bureau of Purchases' contract modifications, dollar increases and ratification as stated in item No. 10, page 6, of Your Honorable Board's 04/03/2013 public meeting agenda, which is a proposed \$600,000.00 increase to City Solicitation No. B500002025 with Rudolph's Office & Computer Supply, inc., for OEM & Remanufactured Toner & Inkjet Cartridges.

Moreover, this protest includes Item no 11, page 7, which is a proposed \$350,000.00 contract ratification, along with a proposed \$250,000.00 price increase to City Solicitation No. D60007, with the firm, Location Age, LLC, for certain "Geographic Information Systems Staff Augmentation Support."

Our protests are based on the fact that both of these proposed contract actions are flagrant violations of the City's "mandatory" competitive bidding charter provision found in Article VI, § 11 et seq. MMCA and its members would suffer cognizable injury if the Board were to approve the above proposed items.

CONCLUSION

For the above stated reasons, your Honorable Board must reject the Bureau of Purchases proposed contract actions described herein above.

Respectfully Submitted,

Arnold M. Jolivet

Arnold M. Jolivet
Managing Director

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 - Solicitation No. 06000 - cont'd		
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President: "The second item on the non-routine agenda can be found on Page 7, item 11, Bureau of Purchases Geographic Information Systems Staff Augmentation Support."

Mr. Tim Krus, City Purchasing Agent: "This is a ratification and increase for these services \$350,000.00 goes toward ratification of spending and a \$250,000.00 increase on this contract which expires June 1, 2013 for Geographic Information Systems Staffing Services provided for the Department of Public Works Transportation and other agencies."

President: "And then it goes back out for bid again."

Mr. Krus: "That would be the goal. We're hoping to try to get City staff in place to provide these services um -- to avoid having to do that."

President: "Okay."

Mr. Krus: "But, it's still a work in progress."

MINUTES

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Bureau of Purchases - Solicitation No. 06000 - cont'd

President: "Mr. Jolivet."

Mr. Arnold M. Jolivet, MMCA: "I just want to I still believe very strongly based on ah -- solid very solid Court of Special Appeals -- Court of Appeals decisions, and I'd like the City Solicitor - their asking the City of this Board to ratify a proposed contract that it looks like was never publicly bid pursuant to the Charter. That's what it looks like. It's not clear but assuming that is the case, the City Solicitor is uniquely aware that the Board, this Board or any Board cannot ratify a contract that wasn't awarded pursuant to law. Hornbook law has been the law for years so what I'm saying to you, I asked the City Solicitor to look at Tuxedo Cheverly Volunteer Fire Company v. Prince Georges County. I asked him to look at that because ah -- it clearly showed the court in that case where the court was asked to ratify a contract that had never been bid pursuant to the law, and the court said that a contract executed in derogation of a mandatory competitive bidding Charter provision is void and un-enforceable. So, what the

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Bureau of Purchases - Solicitation No. 06000 - cont'd

Purchasing Bureau is asking the Board is for you to ratify a contract that is already void and un-enforceable. So, I'm just-- I'm just appalled how the Board could agree with the Purchasing Bureau when the Purchasing Bureau is so fundamentally wrong."

Mr. Krus: "Mr. President if I could just define something?"

Mr. Jolivet: "No you can't. I thought I had the floor."

President: "Come on Mr. Jolivet."

Mr. Jolivet: "Please, let me finish after being so rudely interrupted. I would like to simply say that everything that the Purchasing Bureau has asked this Board this morning does not comport with the competitive bidding requirements of the Charter, and this Board, I don't need to tell this Board but the Board knows that it has an obligation to award these contracts pursuant to the law. If there's a competitive bidding requirement and I raised these arguments largely because I represent a group of small fledging minority firms, African American they would like to bid a job like this. But they never

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<u>Bureau of Purchases - Solicitation No. 06000</u>	- cont'd	
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get opportunities to bid and to show how competitive they are if the Board is going to just surreptitiously embrace what Mr. Krus has brought to you this morning. There's a pattern here Mr. President there's a pattern where all of these non-bid contracts come before the Board and they are wrong but the Board doesn't send a message to Mr. Krus that they're not going to put their stamp of approval on something that is wrong. The Board has failed the minority contracting community and the contracting community as a whole because the Board is approving contracts that they know is wrong. Thank you Mr. President."

Comptroller: "This item was not bid it was done as a selected source?"

Mr. Krus: "No, it was bid. It was awarded on May 30, 2007."

City Solicitor: "By the Board of Estimates?"

Mr. Krus: "By the Board of Estimates, correct, and the first amount you see on the contract value summary was an award in the

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Bureau of Purchases - Solicitation No. 06000 - cont'd

amount of \$850,628.70 for a two year contract to begin on July 1, 2007 with three 1-year renewals, which you see further executed on this contract value summary. So it was competitively bid. It was competitively bid with MBE/WBE participation and that participation has been compliant throughout the term of the contract. So, any increases or renewals, those MBE's and WBE's would benefit from a percentage increase in those amounts."

Comptroller: "Ms. Taylor would you like to respond?"

Deputy Comptroller: "Certainly. Currently on the Board Agenda is Solicitation 06000. Can you explain that why it appears that way that is the question as why it appears as selected source?"

Mr. Krus: "06000 I think may have appeared on the memo because of the ratification of spending. The contract as always, has been enforced and will be enforced through June. Um as you know in any large government or organization it's possible to have the invoices that are submitted to the City for work that

MINUTES

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Bureau of Purchases - Solicitation No. 06000 - cont'd

occurred prior to the release of the purchase order. We release interim purchase orders on these requirements contracts over time and in this case there were invoices that appeared prior to those releases off of this blanket contract. So I think that's how that ended up in the subject."

Deputy Comptroller: "That might be --"

Mr. Krus: "I don't understand where that would be."

Deputy Comptroller: "That might be because it appears that it's selected source and that is the basis of Mr. Jolivet's protest also. One of the bases."

Mr. Jolivet: "Mr. President one final comment."

President: "Yes."

Mr. Jolivet: "If I for any reason gave the Board the impression that I was contesting the MBE/WBE that is not my issue. I have to applaud Mr. Corey, he made sure that there is MBE/WBE but I have not made that argument and it's good that there is MBE here. But my larger argument is that the increase and the

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Bureau of Purchases - Solicitation No. 06000 - cont'd

ratified amount simply does not comport with the Charter and that is really the gist of my argument Mr. President. Thank you for allowing me to be here."

President: "Thank you."

Mr. Krus: "Tim Krus, if I may Ms. Taylor? I've discovered why that subject changed and that is fact that we had an extension approved by the Board on May 6th. So whenever we would extend a contract it would become a selected source even though initially this competitively bid contract."

President: "I'll entertain a Motion."

City Solicitor: "Move approval of the recommendation of the Bureau of Purchases and rejection of the bid protest."

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

Comptroller: "NAY."

MINUTES

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Bureau of Purchases - Solicitation No. 06000 - cont'd

President: "Please Note that Comptroller Pratt votes **NO**. The Motion carries."

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UPON MOTION duly made and seconded, the Board approved the informal awards, renewals, increases to contracts, extensions, and the ratification. The President **ABSTAINED** on item nos. 7-9.

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 a land disposition agreement with Baltimore Green Space, a land trust for community managed open spaces, developer, for the sale of the property located at 1816 Brentwood Avenue.

AMOUNT OF MONEY AND SOURCE:

\$1.00 - Purchase Price

BACKGROUND/EXPLANATION:

The DHCD's Land Resources Division strategically acquires and manages vacant or abandoned properties, ultimately enabling these properties to be returned to productive use and improving Baltimore's neighborhoods. The Mayor's Cleaner Greener Initiative, as well as the new Sustainability Plan, calls on the City to develop and support a land trust to help communities retain control of appropriate open space upon their commitment to maintain the space.

The transfer of 1816 Brentwood Avenue, which has been used by the Greenmount West Community for the past five years as a community garden, into a land trust is cost-effective. The transfer will provide the neighborhood with amenities such as community gardens and other beautification and recreational spaces. Through their own labor and investments, as well as outside funding, the residents will increase property values while creating social and environmental benefits.

The property was journalized on October 18, 2012.

MINUTES

DHCD - cont'd

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

The assessed value of the vacant lot is \$17,200.00. Sale of the property to a land trust, whose sole purpose is to ensure the preservation of the community managed open space, below the assessed value is reflective of the City's understanding that community managed open spaces serve a specific benefit to the immediate community. The community gardens provide a specific benefit by elimination of blight.

MBE/WBE PARTICIPATION:

N/A

UPON MOTION duly made and seconded, the Board approved and authorized execution of the land disposition agreement with Baltimore Green Space, a land trust for community managed open spaces, developer, for the sale of the property located at 1816 Brentwood Avenue.

MINUTES

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

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of amendment no. 1 to land disposition and development agreement (LDDA) with Poppleton Development I, LLC, Developer, for the Poppleton Redevelopment Project.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

In 2005, the City awarded a development site in the Poppleton neighborhood to La Cite Development, LLC, which formed the entity Poppleton Development I, LLC. On September 27, 2006, a LDDA was approved by the Board. The LDDA called upon the City to acquire the remaining privately owned properties in the development site, clear the site of structures, and convey the property to the Developer. The Developer committed to develop approximately 1,650 units of new housing and 100,000 square feet of new commercial retail space over 4 phases of the Project. An impasse was reached in 2012 between the City and the developer over the obligations of each party under the terms of the agreement. The Amendment No. 1 (Amendment) will make the necessary revisions to the LDDA to allow the Developer to proceed with implementation of the development plan, and for the City to comply with its obligations under the Amended LDDA. The Amendment will serve to resolve pending litigation between the City and Developer.

The Amendment to the LDDA will revise the list of properties to be conveyed, clarify the purchase price for the properties to be conveyed, and revise the timetable and certain terms for the development of the Project.

MINUTES

DHCD - cont'd

The following properties will be removed from the Project through the Amendment:

329 N. Carey Street	1044 W. Fayette Street
222 N. Carrollton Avenue	1046 W. Fayette Street
1040 W. Fayette Street	1228 Rankin Place
1042 W. Fayette Street	914 W. Saratoga Street

The following properties will be added to the Project through the Amendment:

1016 W. Fayette Street	1043 W. Fayette Street
1018 W. Fayette Street	1517 W. Lexington Street
	1521 W. Lexington Street

The 2006 LDDA set the purchase price of the property as \$1.00 per property plus a Reimbursement Amount. For the Property in any phases or sub-phases of the Project that includes all market-rate housing or commercial space, the Amendment sets the reimbursement amount at the appraised value of \$16.00 per square foot. For the property in any phase or sub-phase of the Project in which at least 20% of the housing units are offered at affordable rental or sales prices, the Amendment sets the reimbursement amount at \$1.50 per square foot. A reduced reimbursement amount for affordable housing was included in the 2006 Agreement to allow for the provision of affordable housing units in an otherwise market-rate project. The Amendment simplifies the calculation of the Reimbursement Amount by replacing a set of Affordable Housing Credits with a specific dollar amount per square foot. The Purchase Price plus the Reimbursement Amount will be paid by the Developer from private funding sources at the time of settlement.

MINUTES

DHCD - cont'd

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

The Property is to be conveyed from the City to the Developer for below the appraised value to allow for 20% of all housing units developed to be affordable. The Project calls for the construction of approximately 330 units of affordable housing, of which 90 will be affordable rental units and 220 will be affordable homeownership units. This sale will provide the following benefits:

- The community will receive the benefit of the development of 90 affordable rental units. These units will be affordable to households earning 80% or less of the Area Median Income, with many of the units affordable to households at 50% or less of the Area Median Income, and will remain affordable for no less than 15 years. The community will receive the benefit of 220 homeownership units affordable to households earning 100% or less of the Area Median Income, with many of the units affordable to households at 80% or less of the Area Median Income. In addition, attractive new market-rate rental and homeownership units will be constructed, which will revitalize the community.
- The Project will bring approximately 100,000 square feet of new retail space to the neighborhood, including a grocery store.
- This development will eliminate neighborhood blight caused by the City-owned vacant properties and revitalize the Poppleton neighborhood.

The community is in support of this Project.

MINUTES

DHCD - cont'd

MBE/WBE PARTICIPATION:

The developer has signed a commitment to comply with Article 5, Subtitle 28 of the Baltimore City Code and MBE and WBE goals.

PROTESTS WERE RECEIVED FROM THE CONCERNED CITIZENS OF POPPLETON, SCOTT KASHNOW OF THE FRANKLIN SQUARE COMMUNITY ASSOCIATION AND SOUTHWEST PARTNERSHIP, AND MS. LAVANYA MADHUSUDAN.

A PROTEST WAS RECEIVED FROM MS. KIM TRUEHEART.

The Board of Estimates received and reviewed Ms. Trueheart's protest. As Ms. Trueheart does not have a specific interest that is different from that of the general public, the Board will not hear her protest. Her correspondence has been sent to the appropriate agency and/or committee which will respond directly to Ms. Trueheart.

Concerned Citizens of Poppleton
1055 W. Lexington Street
Baltimore, MD 21223

April 2, 2013

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

Dear Honorable President and Members of the Board of Estimates:

We are writing today as members of a newly formed resident group in Poppleton, **Concerned Citizens of Poppleton**.

We are writing in reference to a hearing on April 3, 2013 for the Poppleton Redevelopment project to be done by La Cite Development, LLC.

Ten residents of Poppleton met on March 16th, 2013 at Morningstar Baptist Church. We are unaware of any plans to redevelop the neighborhood, and thus, when we came to know of the hearing that is scheduled to discuss plans to redevelop our neighborhood, we were concerned that we were not given any notice about the hearing, nor of the plans to redevelop the neighborhood where we live.

We do not support the City moving forth with approving the Amendment to the LDDA since residents of Poppleton have had no input in the process thus far. We are requesting that the City postpone the decision regarding the Amendment to allow time for the community to be involved in the process.

We request the City to clearly state what changes are being made to the original LDDA, and to promote a process going forward where the community is included in plans to redevelop Poppleton.

Respectfully,

Concerned Citizens of Poppleton

Dianna Allen, 1055 West Lexington St.
Attean Bryant, 126 N. Poppleton St.
Clementine Burke, 110 N. Poppleton St.
Rev. Dr. Ethel D'umelolu, 1048 Vine St.
Deborah Davis, 910 C W. Fayette St.

Scott Kashnow
10 North Calhoun St
Baltimore, MD 21223
April 1, 2013

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

Dear Honorable President and Members of the Board of Estimates:

I am writing today in reference to the hearing for the Poppleton redevelopment, which was promised to the community over 10 years ago and is still not started. We are living with City imposed blight and our efforts to improve our neighborhoods are being stifled by the lack of progress on the proposed Poppleton project. It is time to move forward or move on. Either way the community should not be made to live with unkempt land any longer we should find a way to beautify the properties immediately while we address a more permanent solution. If in this time of tight pockets it is too difficult to get financing for such a large project then perhaps we should make a nice park (there is already a ball field, a pool, and a soon to be unused building that would make a nice rec center) and raise spirits and the value of the surrounding houses.

The time is now! The neighborhoods of Southwest Baltimore have organized into a coalition – and **the SouthWest Partnership** is working on an implementable plan for revitalization. The businesses on Baltimore Street have recently formed an association as well and are also involved in the planning process with us. The University of Maryland, Bon Secours, and University of Maryland Biopark are all together at the table, yet I just heard of the plan to give LaCite more land this evening. Why do you think that the decision makers from the City have once again made choices without informing the communities affected? We do not want to delay development, in fact we want to accelerate it but we need to be kept informed of it. And maybe there is something important the communities have to tell the decision makers. I am concerned that the people making decisions for my neighborhood have little idea of what is occurring here.

Over the last two and a half years the Franklin Square Community Association, together with our partners, have revitalized **220 N Carey St** (one of the properties proposed to be added to the La Cite agreement) and the 5 adjoining properties into a neighborhood park with two murals, a grand entrance, a rain garden, seating, decorative flags made by neighborhood children, more than 20 new trees, and a 50 foot wide wood chip pathway. Overlooking our efforts, including **over \$34,000 that we have raised in grants** to construct this park, is extremely disturbing and indicates a monumental lack of clarity on the part of the decision makers. Perhaps they have no idea what the reality on the ground has become in the last ten years while Southwest Baltimore has waited for the La Cite development to move forward. Perhaps they don't care. Either way I find it appalling. Perhaps these decision makers should join us at our monthly meetings and find out what the citizens of Baltimore are already doing to revitalize their neighborhoods.

Those of us that live here and love our neighborhood don't have time to wait. Our children are growing up now. We are taking action now. We are moving forward now. We are taking action

COMPT/BOE APR 2 '13 AM 8:54

Board of Estimates

April 1, 2013

Page 2

for ourselves, our families and our neighbors. I suggest that the parties to this agreement communicate with the SouthWest Partnership and the broader community regarding their plans so that our efforts can be coordinated and we can get the neighborhoods of Southwest moving in the right direction finally and quickly.

Thank you for your support.

Sincerely,

Scott Kashnow

Scott Kashnow

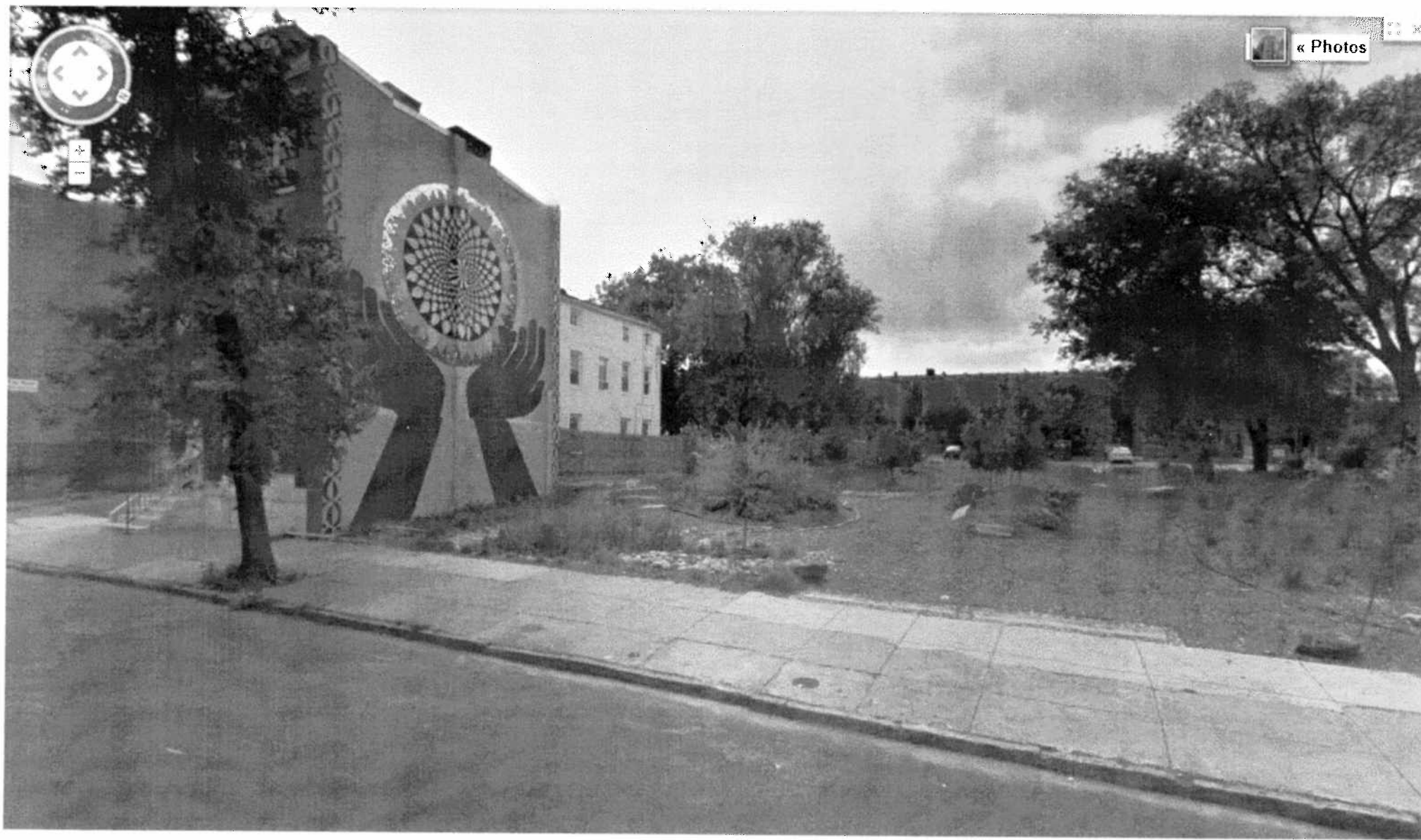
Vice President of Franklin Square Community Association

Founding member of the SouthWest Partnership

301-674-1432

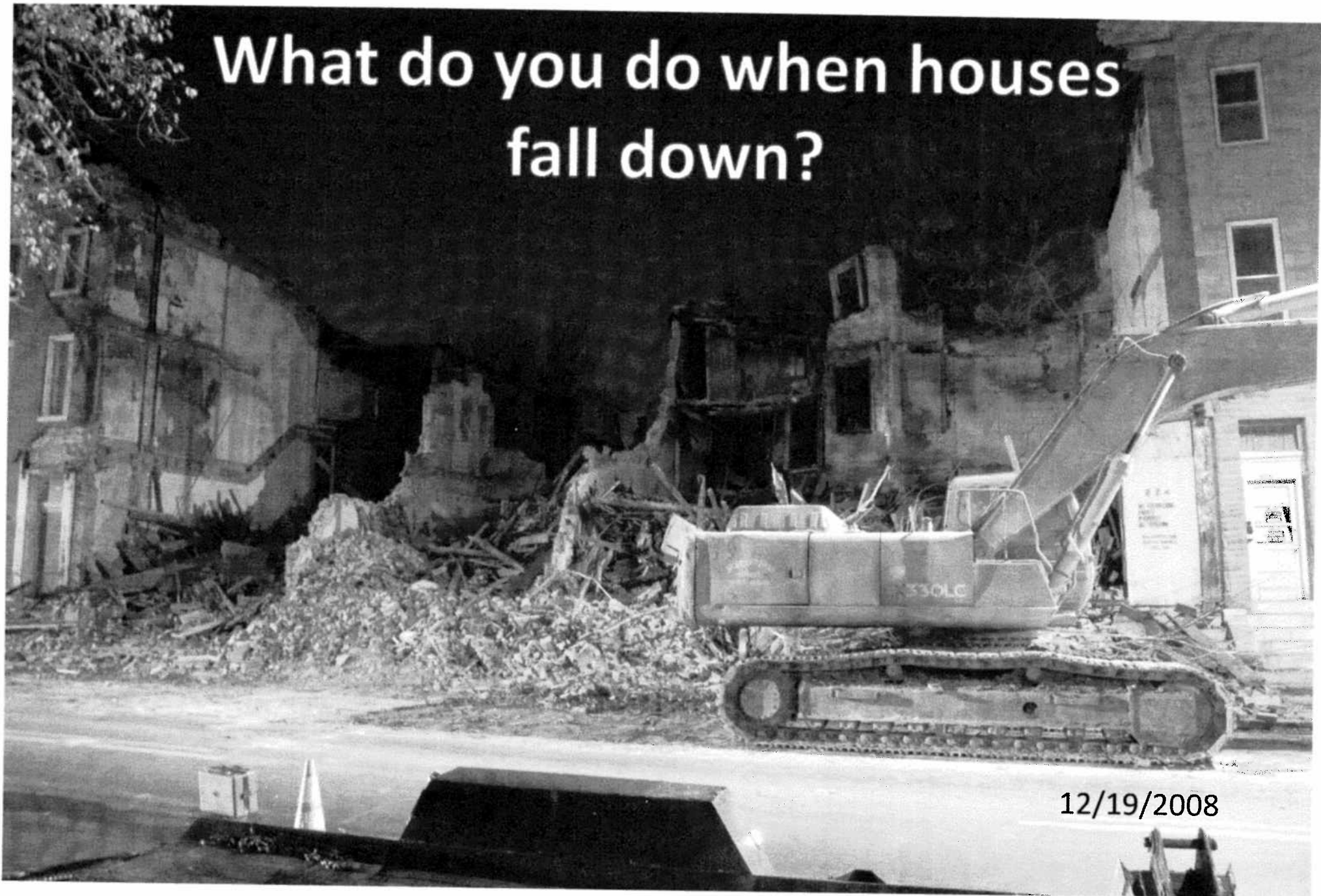
ScottKashnow@Gmail.Com





Monday, April 01, 2013 10:02:28 PM

What do you do when houses
fall down?





and leave a Big Hole



DREAM!

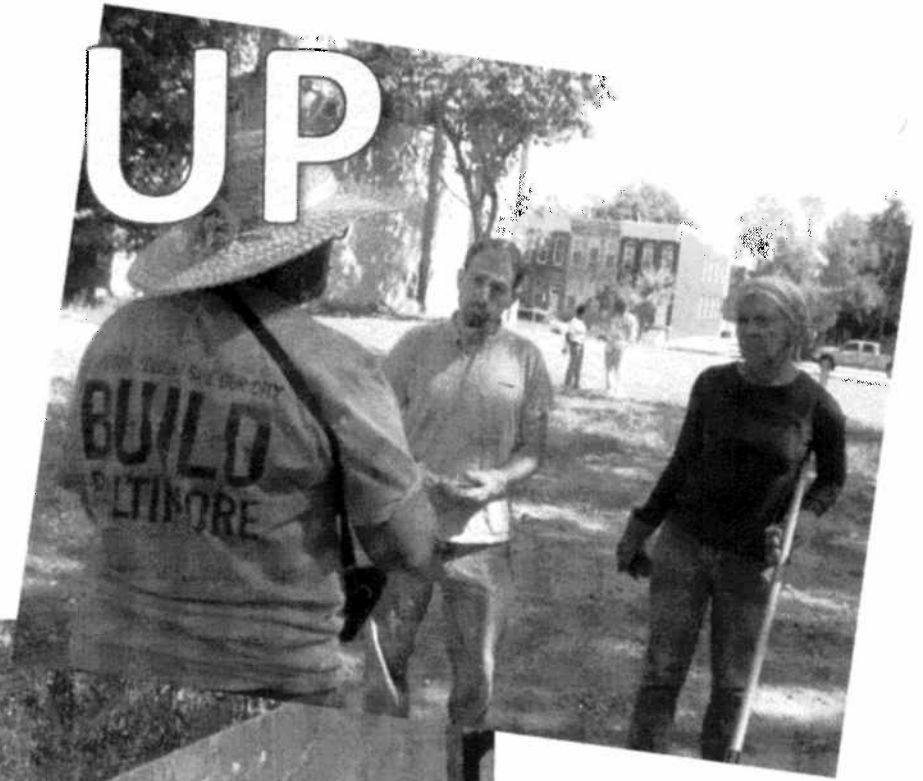
It can be ANYTHING!

It is

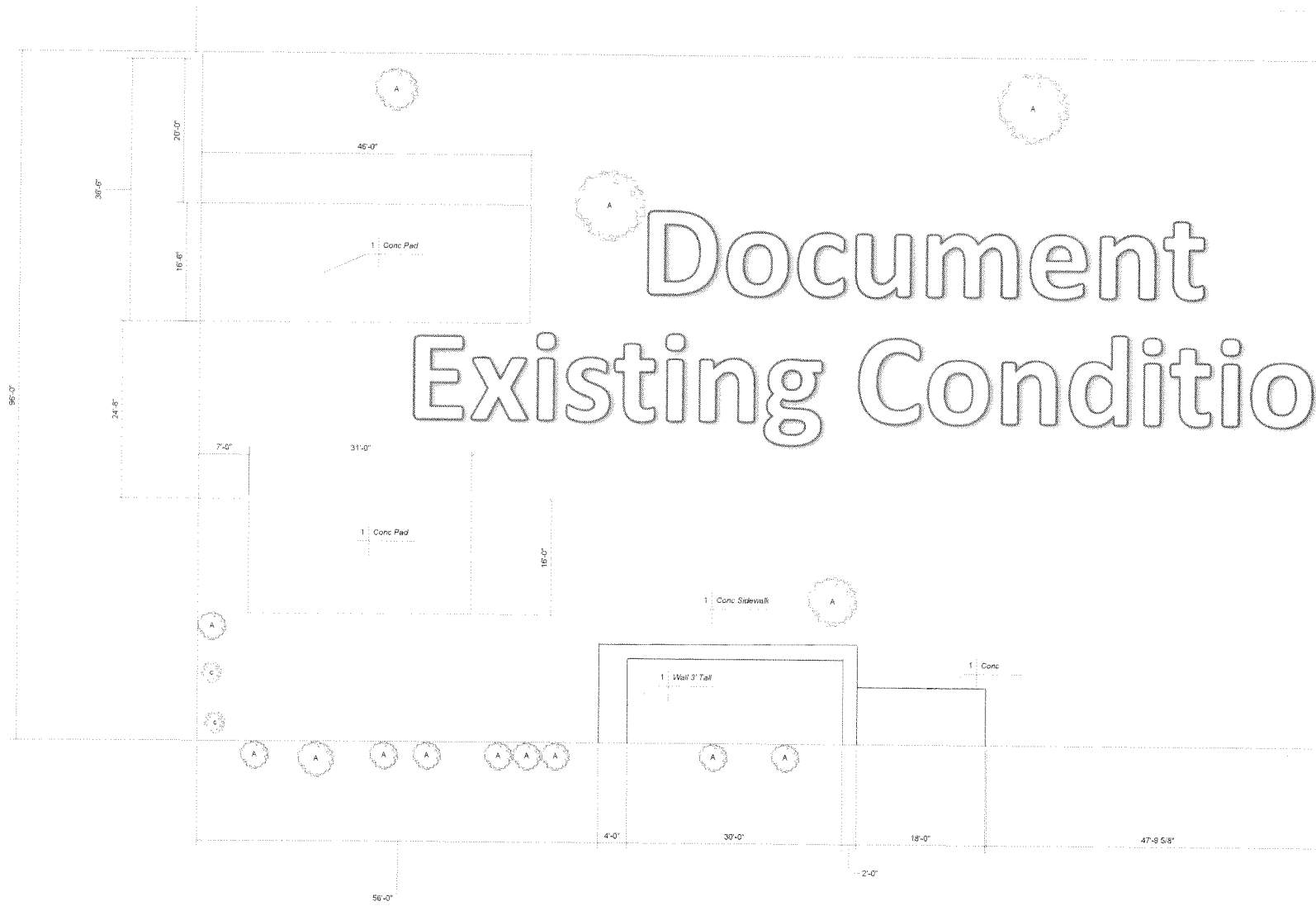
The Blank Lot!



CLEAN UP

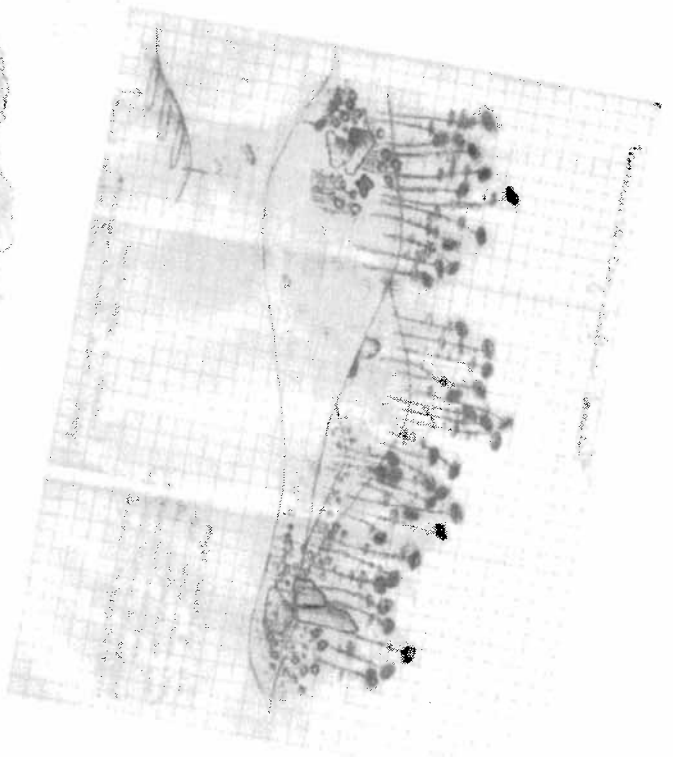
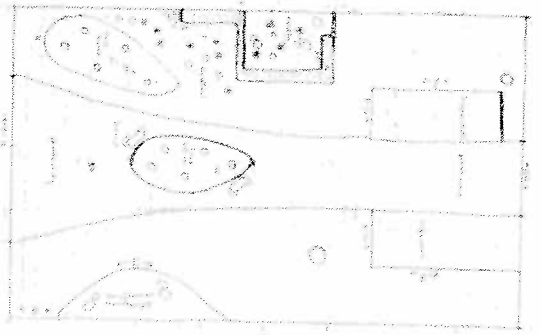


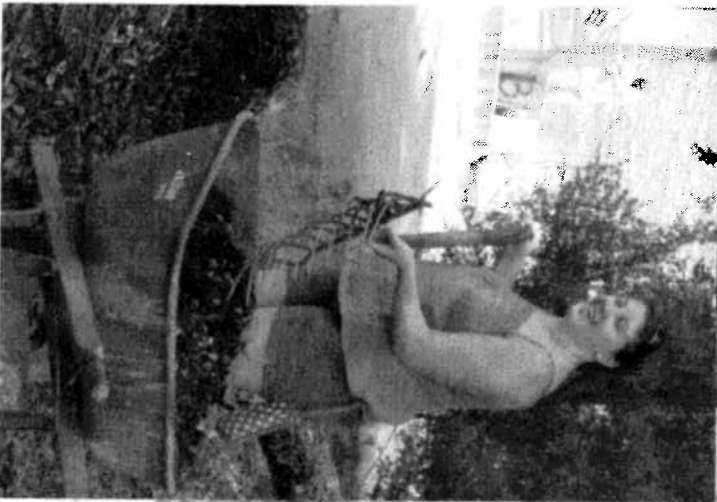
Document Existing Conditions



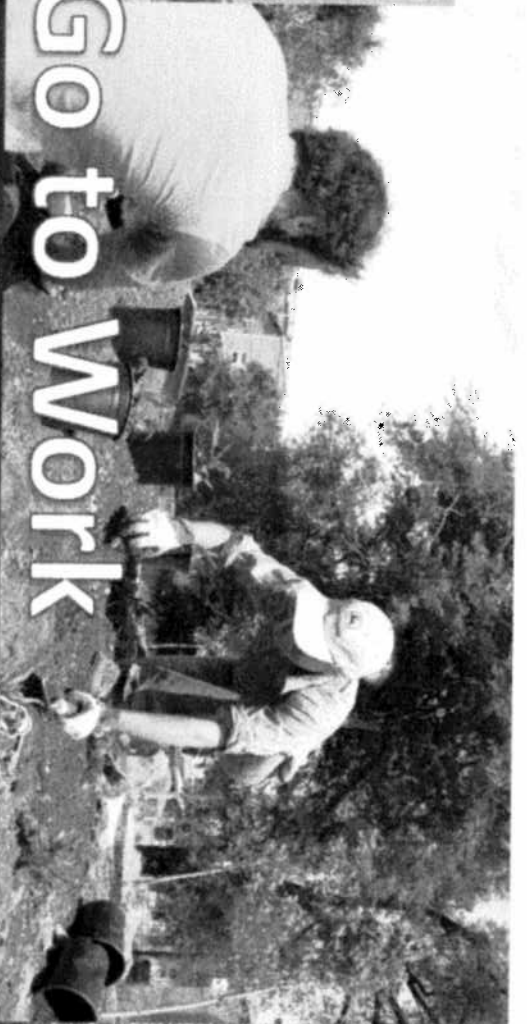


Plan

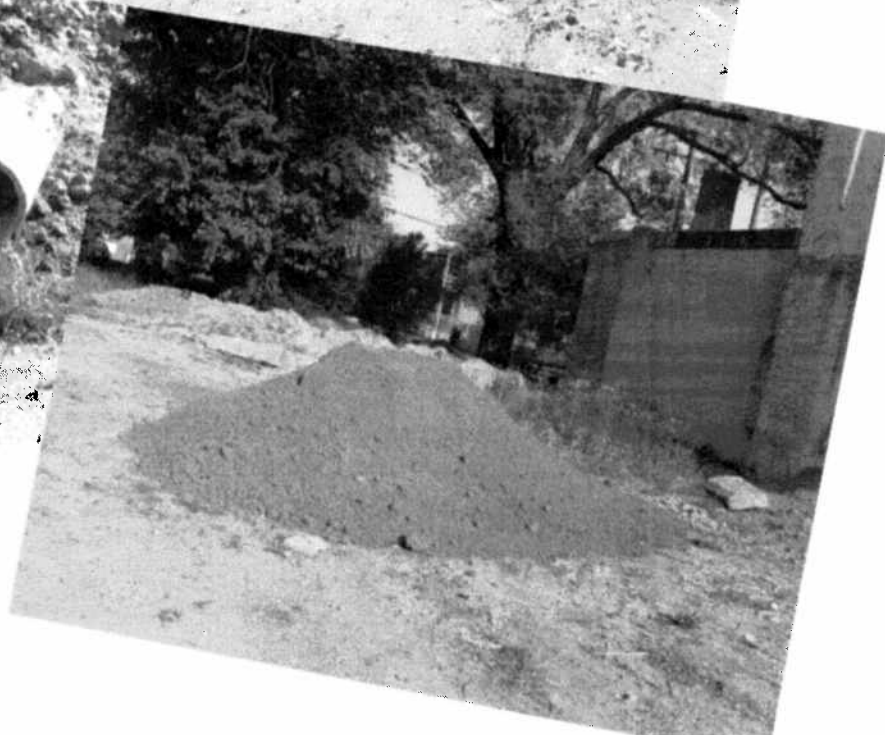
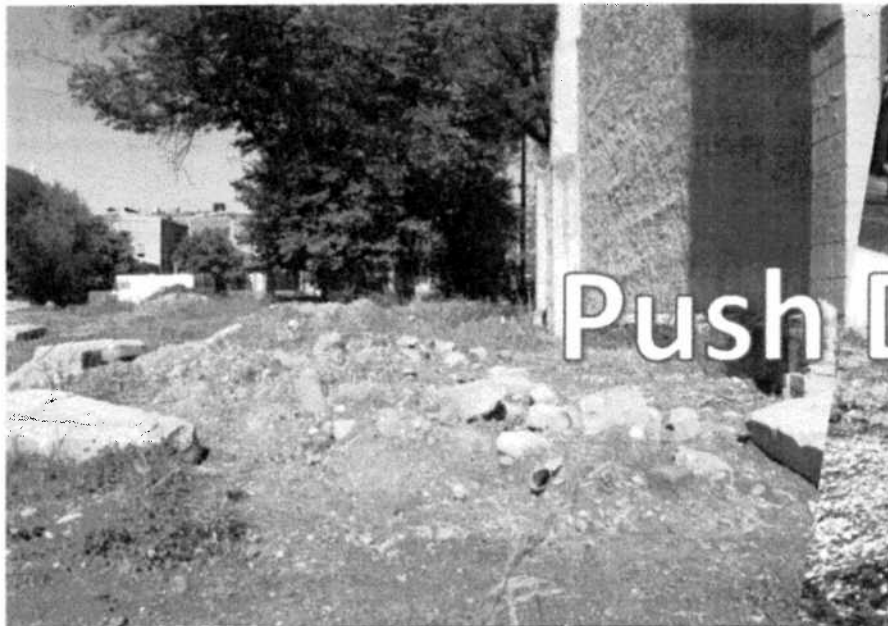




Go to Work



Push Dirt





Plant Trees

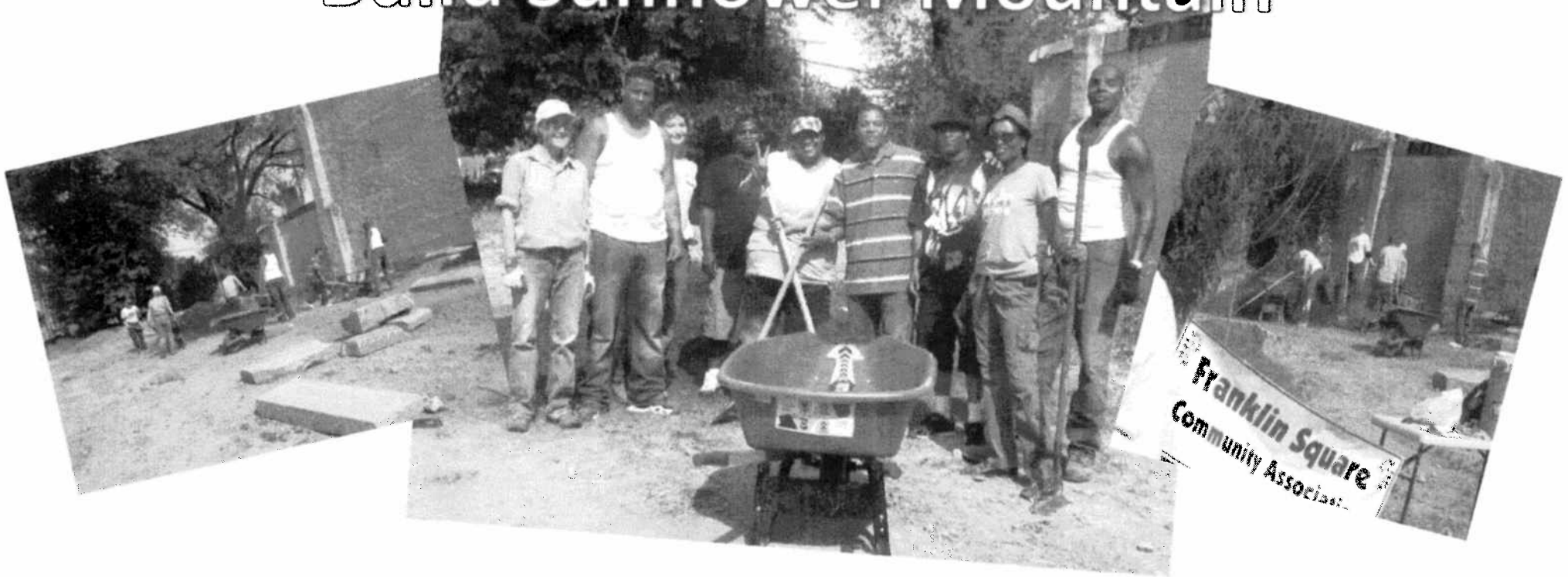


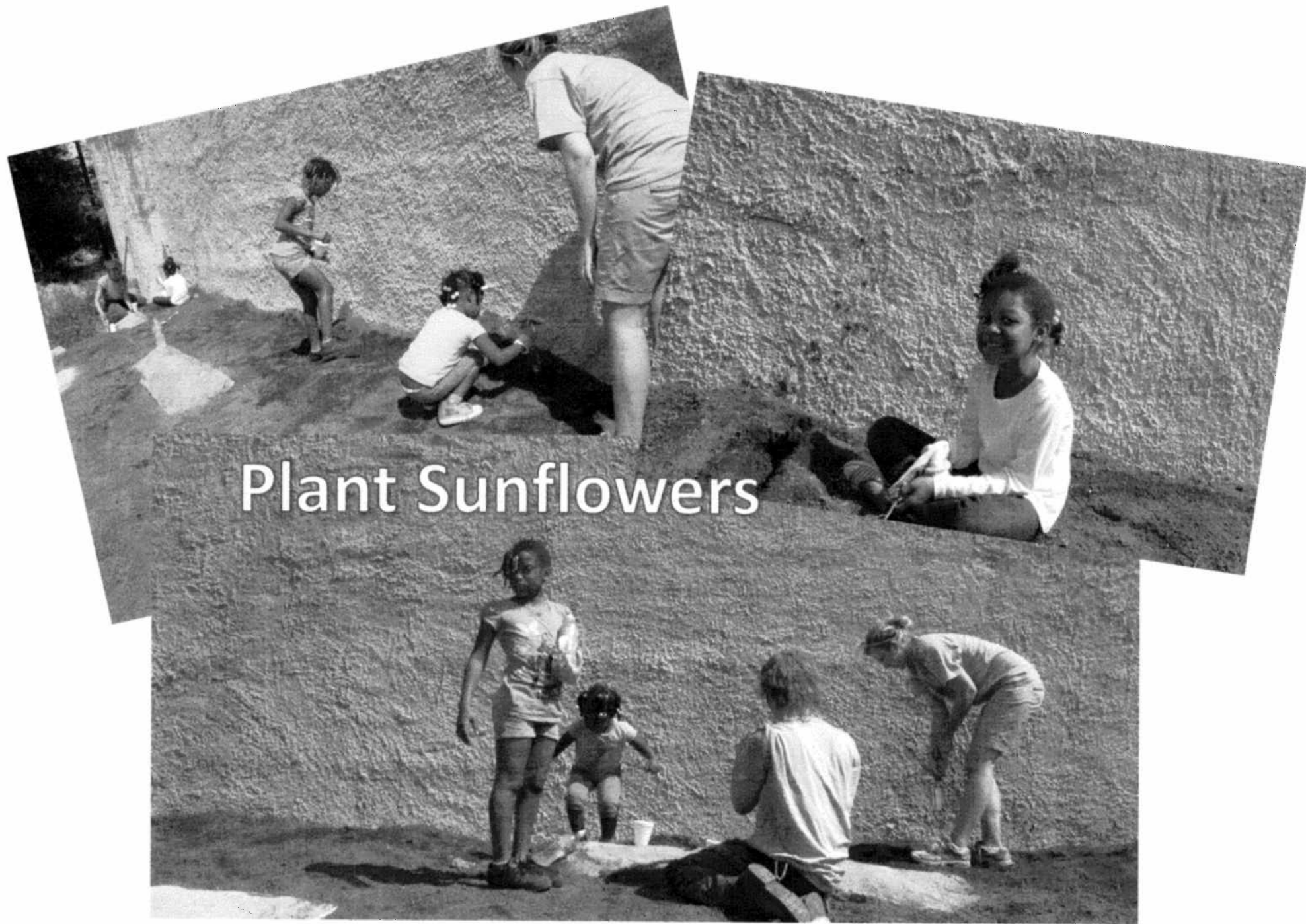
Arbor Day, 2011



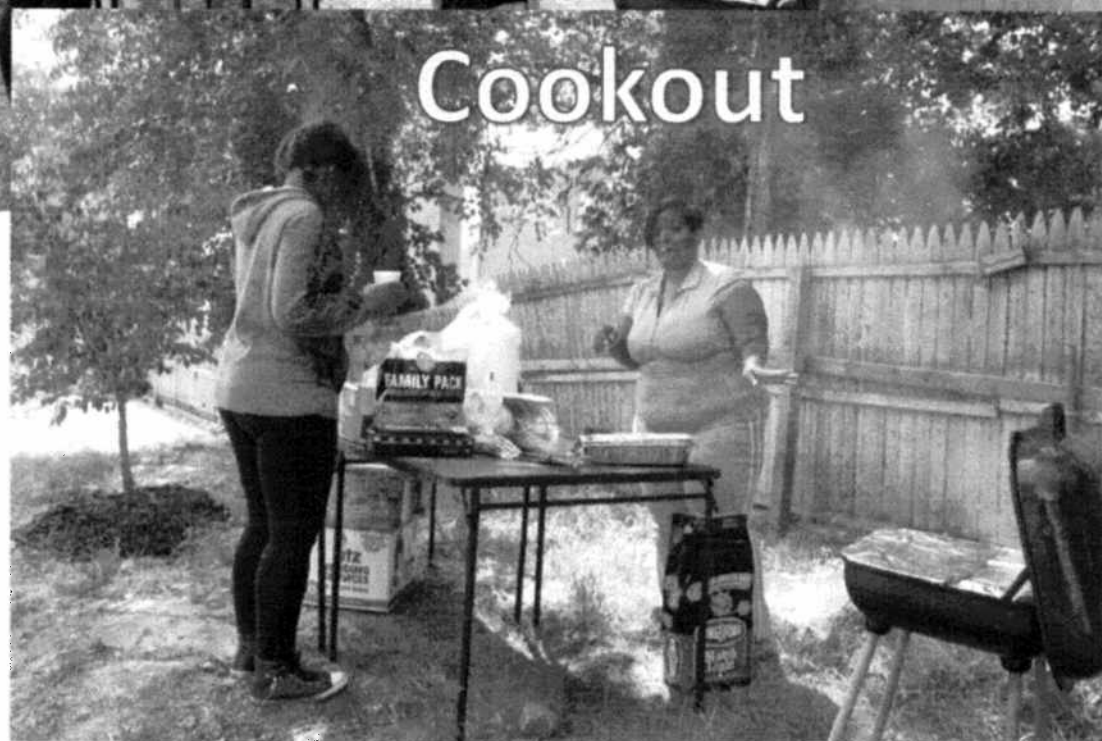
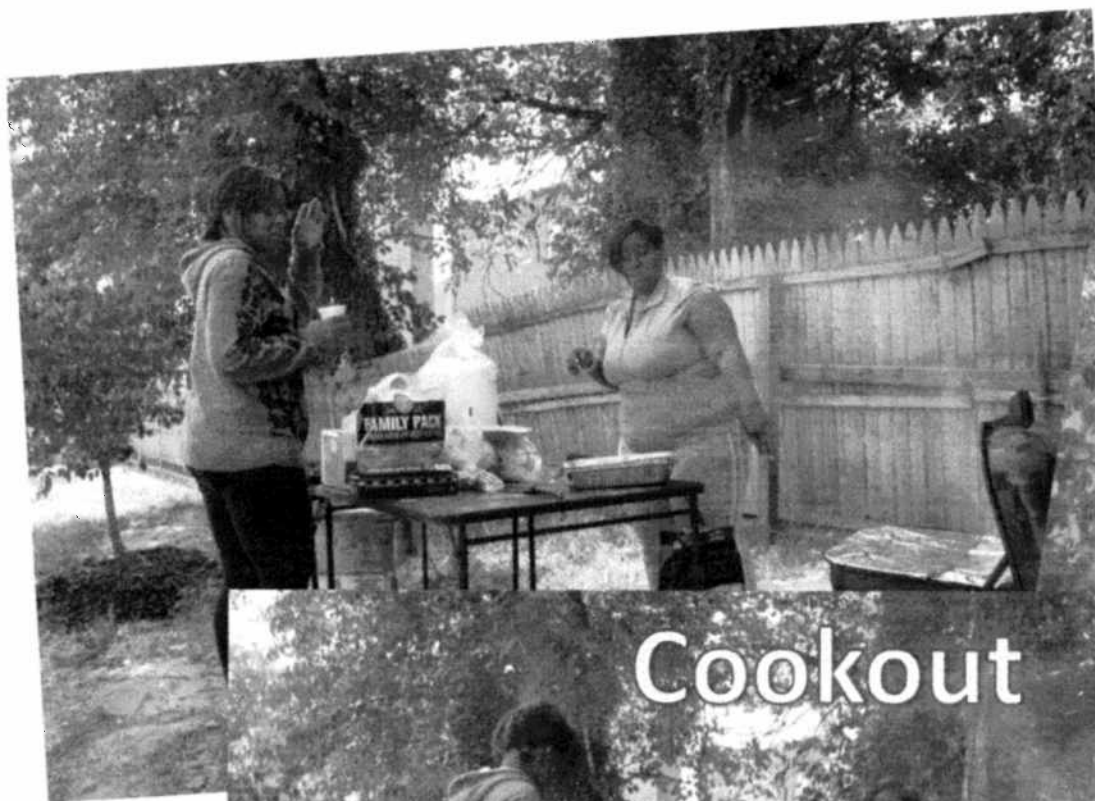


Build Sunflower Mountain





Plant Sunflowers

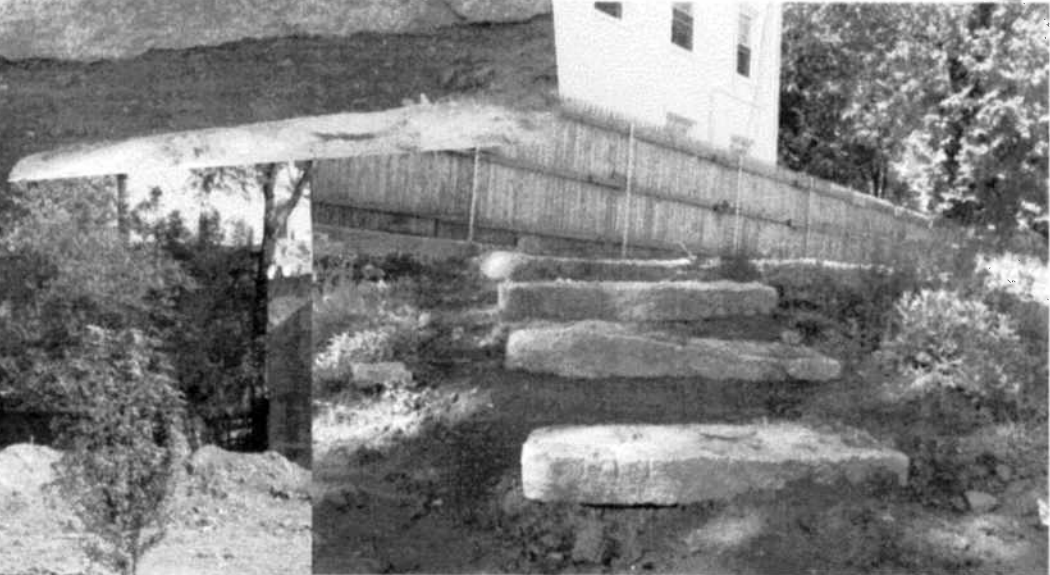




50 foot wide path



Steps and Woodchips





1st sunflower August 4th



Rain Garden



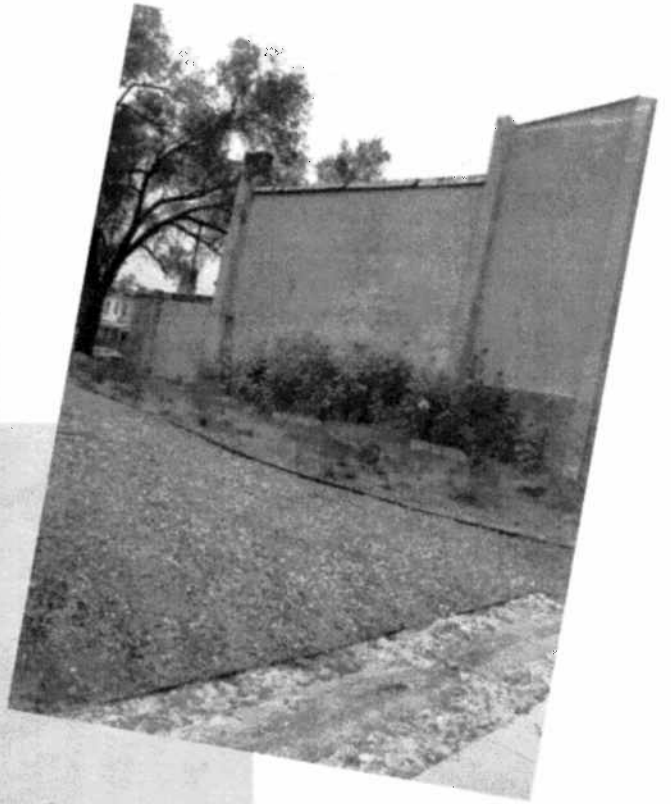
August 6, 2011



Baltimore Heritage Tour Stop

Keep Working

September 2, 2011





January, 2012

Be Proud





Ask PNC Bank to fund our dream
The transformation of the Blank Lot on Carey
St from a big hole in our neighborhood into a
work of art



They said YES!
OK now what?





Build Scaffold



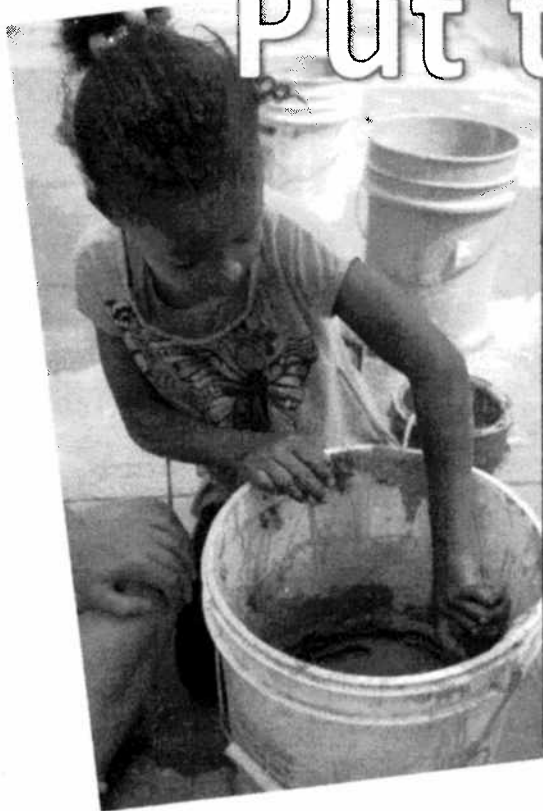
Add a little Paint



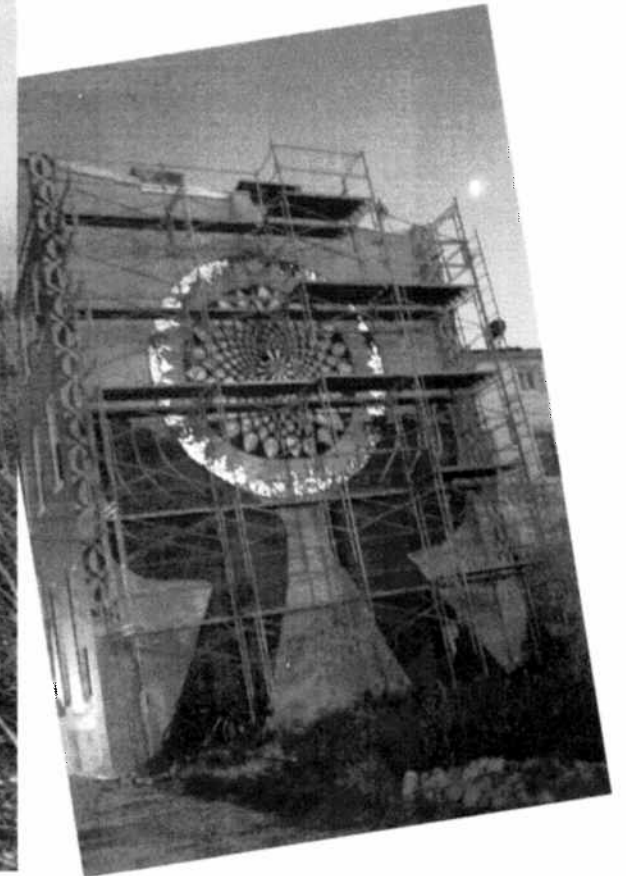
Play with Glass



Put the kids to work



Nice



Celebrate



What else can we do?

Make Flags





Set Posts



Earn a couple awards



UNIVERSITY OF
MARYLAND
EXTENSION
Solutions in your community

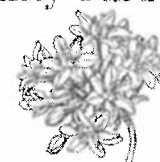


*Baltimore City Master Gardeners
of the University of Maryland Extension Recognize*
SUNFLOWER VILLAGE

*On this 28th day of July 2012
As this year's*

Best Ornamental Community Garden

Presented by: **Patricia Foster**
President Baltimore City Master Gardeners



Let's Have a Party

Join us

Saturday, June 1, 2013

from 12-9 PM

and celebrate the
amazing work we have
done together.

Thank you

PNC Bank

Baltimore Office of Promotion and the Arts

Civic Works Community Lot Team

Parks and People Foundation

Baltimore Community Foundation

Flanigan Construction

JHU Fellowship of Christian Athletes

Bill Adler and SOWEBO Arts

The Salvation Army Franklin Square Boys and Girls Club

Friends of West Baltimore Squares

Baltimore Heritage

Baltimore City

Can Collective

St Lukes Church

WORK Printing

and all the residents, friends, and neighbors that contributed and enjoyed this project with us.

Kim A. Trueheart

April 2, 2013

Board of Estimates
Attn: Clerk
City Hall, Room 204
100 N. Holliday Street,
Baltimore, Maryland 21202

Dear Ms. Taylor:

Herein is my written protest on behalf of the underserved and disparately treated citizens of the Baltimore City who appear to be victims of questionable management and administration by the Department of Housing and Community Development (DHCD).

The following details are provided to initiate this action as required by the Board of Estimates:

1. Whom you represent: Self.
2. What the issues are:
 - a. Page 10, Department of Housing and Community Development (DHCD) – Amendment No. 1 to Land Disposition and Development Agreement, if approved:
 1. Please provide access to the attendant documents for inspection, specifically the “development plan”;
 2. It is NOT clear whether the proposed reduced reimbursement amount for affordable housing is more advantageous to the City than the protocol outlined in the existing Inclusionary Housing Law and Regulation.;
 3. The BACKGROUND/EXPLANATION states “The Amendment will serve to resolve pending litigation between the City and Developer.”, however there is NO discussion of dissolution of the pending litigation as a result of the Board’s approval of this item;
 - a. Please clarify.
3. How the protestant will be harmed by the proposed Board of Estimates’ action: As a citizen I have witnessed questionable management and stewardship of municipal funds by this Mayoral administration and DCHD/HABC. I seek the dissolution of DHCD and HABC in their current form and the establishment of a new single entity under the direct auspicious of the municipal government of Baltimore City, thus allowing for appropriate levels of oversight and scrutiny by the citizens of Baltimore City and our duly elected representatives.

I look forward to the opportunity to address this matter in person at your upcoming meeting of the Board of Estimates on April 3, 2013.

If you have any questions regarding this request, please telephone me at (410) 205-5114.

Sincerely,
Kim Trueheart, Citizen & Resident

Email: ktrueheart@whatfits.net
5519 Belleville Ave
Baltimore, MD 21207

Lavanya Madhusudan
2637 Guilford Avenue
Baltimore, MD 21218
April 2, 2013

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

Dear Honorable President and Members of the Board of Estimates:

I am writing today in reference to a hearing on April 3, 2013 for the Poppleton Redevelopment project to be done by La Cite Development, LLC.

I am a student at the University of Maryland School of Social Work who has been working to organize residents of Poppleton since October, 2012. I have been meeting with residents of Poppleton over the past 6 months, and helped the Concerned Citizens of Poppleton organize their first meeting on March 16th, 2013, where 10 residents of diverse areas of Poppleton attended. **None of the residents who attended this meeting were aware of the Poppleton Redevelopment Project.**

Development plans have not been communicated to residents of Poppleton. Moreover, community members have been entirely excluded decisions regarding the redevelopment of the neighborhood in which they live. The community will not be in support of the project because they have been entirely excluded.

Changes in properties to be included in the project, as stated in Amendment No. 1 to the Land Disposition and Development Agreement have not been discussed with residents, who have the right to have input into how their community will be changed.

While the City's interest in revitalizing Poppleton is appreciated, a project that ignores the community and does not make any effort to consider what current residents of Poppleton want and need will not be successful, and will not be supported by the community.

Residents of Poppleton are requesting that the City postpone a decision regarding the Amendment to the LDDA, due to the fact that the community has not been informed of the changes is therefore is not in support of them. If the City wishes this project to be successful, efforts should be made to include residents going forward.

Thank you,

Lavanya Madhusudan
Community Organizing Intern

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DHCD - Poppleton Redevelopment Project - cont'd

President: "The third item on the non-routine routine agenda can be found on Page 10, Department of Housing and Community Development, Amendment No. 1 to Land Disposition and Development Agreement. Will the parties please come forward Okay?"

Mr. Engel: "Good morning my name is Peter Engel I'm the Deputy Commissioner for Project Finance Development the Department of Housing and Community Development. The item before the Board is the first amendment to a Land Disposition and Development Agreement that was approved by the Board and signed in 2006. Ah -- the agreement covers something over 13 acres of the Poppleton Community. Ah -- a little background, um the City was required on the agreement to acquire a large number of parcels in the Poppleton area, that work was ah -- undertaken in 2010. The City gave notice to the developer that it had acquired all the parcels necessary to move ahead with the first phase of the project. The developer then had 18 months to essentially close on the property ah -- and show that it had financing. Um -- in 2012 the City gave notice to the developer that it had not

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DHCD - Poppleton Redevelopment Project - cont'd

complied and had not uh -- closed on that financing uh -- and sent a termination notice under the agreement and the developer contested that notice, sued the City back claiming the City had not filled all of its obligations nor to allow that contract to move forward uh -- and uh -- after the resulting litigation the parties entered into discussions to try to resolve the matter. The agreement before the Board, the amendment is the result of those negotiations um and settles -- would settle the uh -- litigation. If approved, the litigation will be dismissed with prejudice we would get a full release for the City and this would provide a real opportunity for the developer to demonstrate that it can actually perform, that it can move this project forward. It gives them 18 months to close on the first phase and three months more to start construction uh and if the developer can't perform it will allow the City to take other look at other opportunities to make something happen in the Poppleton community which really is our overall objective actually to both us and the developer and I would guess for most

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of the community as well to really see something happen there. Um I want to emphasize that the litigation has put constraints on us, we've been in confidential negotiations with the developer up until literally 15 minutes before the Board deadline we get this item into the Agenda um -- and we have a deadline of tomorrow to report back to the Court which is why we really wanted it to be at this meeting today in order to have the action taken. Um -- the protests received largely deal with the fact that we have not gone out to brief the community and I think that's a legitimate point um -- and in a perfect world we would have done that given the constraints of the litigation we didn't feel that was possible. We're happy to sit down with the community now in going forward on a continuing basis to talk about this development, what the community is doing in the area and how we can all improve this together. A second piece of the important part of the protest was that one of the parcels included in the amendment to the LDDA was 220 N. Carey Street, that parcel is part of several other parcels which the community

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DHCD - Poppleton Redevelopment Project - cont'd

has gone out on their own initiative, gotten funding and created a park and several of the other parcels in that park were actually part of the 2006 LDDA are already going to be part of the development but this new parcel is being added. We've talked to the developer they're willing and we're willing to remove that parcel for now to indicate that we really do want to have a discussion with the community about that park. So, we are asking to amend the motion before the Board to take out 220 N. Carey Street and we will sit down and talk about the park. The fact that that's been created there is a real plus and could be a real amenity for the development going forward. It's possible that when that site would be developed in another five to ten years that it might be better to have housing on that site or something else and that there might be another place for the park. But, in the meantime we will sit down and talk to them um -- and I want to mention that ah -- also that um -- it's while that is important the agreement signed by the community under the park for the Adopt A Lot Program is year to year and does

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allow the City to terminate the use -- their use to the lots with a 30 day notice. Now we have no intention to do that. We do want to sit down and talk about the future of the park but I thought that was important to mention. Thank you."

President: "Thank you. You have to pull the mic down and talk into the mic."

Mr. Kashnow: "Scott Kashnow, I live in the Franklin Square neighborhood. The first thing that I want to do is thank you all for a quick response and for taking 220 N. Carey out of the contract. This -- can I just give this (business card) to you? That's what you protected yesterday. That's what the neighborhood has been working on for the last 2½ years with many partners, and it's been a great source of pride and it's been a fantastic project that's really about the community getting together. I think it's really getting us on the right track. That's one of the things that is our interest today I think is what is really good for the neighborhood. What are we actually

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DHCD - Poppleton Redevelopment Project - cont'd

going to accomplish and we understand totally the contract that we signed. That it's the Adopt A Lot agreement. It can be pulled out at any time at the City's discretion to do whatever it is that the City wants to do with it. We understand that, and we took the chance on that with doing this because in the interim period, we recognize that this is better for our neighborhood than a vacant lot. That's one of the discussions that I'd like to have with Housing and with the developer is that the Poppleton Development at this point and for the last 6½ years is a vacant -- is vacant. It's empty there's nothing there and it's not a benefit to the neighborhood in the way that it is right now and as I understand the project going forward, the schedule as if it's approved today the way that it's going to go is that the best case I'll skip the interim things but, the best case is that in four years from now we will have two potential buildings at the corner of Lexington and Schroder, and that's as far as the project goes at this point from what I understand.

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DHCD - Poppleton Redevelopment Project - cont'd

That's if financing can be established. So, there's a much larger project that's going to go on in that area that it's still going to be just a vacant plot of land because nothing happening on it and I don't see that really in that perspective being good for the neighborhood and really redeveloping the neighborhood the way that we would really like to see it happen. The other piece of this is that uh -- the lot at 220 N. Carey Street being included in this contract and the fact also that there's two lots that I understand now are also included in the contract that we had no idea about maybe it would have changed the way the community went about what we did and where we did it if we had known that is a clear indication that there's a communication breakdown there's a clear communication breakdown some place in the Department of Housing between two pieces of housing with a Adopt-A-Lot and the other group that created this agreement, and also between Housing and the community and what Housing is doing in the community and what the community is doing in the community and we're not aligned on that, and I

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think we need to figure out how to go about being aligned on it. I understand that there are stipulations that maybe they can't say everything because of the legal thing and all that, but I think and the reason I'm here today is to ask you how we can do that. How can we go forward? How can we take this mess that we are in now and turn it into an opportunity going forward to eliminate this from happening again so that we all are on the same page. I have one quick suggestion about how to do that. I understand there's a lot of community associations in the area, but what we had done is we've come together and created the Southwest Partnership which is multiple communities together that includes a Bio Park, the University of Maryland, Bon Secours is there. We are inviting the developer and the Department of Housing, the Department of Planning is already working with us on this and we have a monthly meeting and maybe the suggestion is that Housing comes to that monthly meeting and if we can do that, then maybe we would have an ongoing conversation with somebody in Housing that knows what's going on

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in Housing could tell us, we could tell them, we could work together then we could figure out what's the best thing that everybody should be doing for our neighborhood. So, that's what I'm going to ask you guys to include in here. And one other quick point that I want to make to Housing is this, um -- you mentioned that you would come out and brief the community and I don't know if it was your choice of words that you meant but I think that we want to have a discussion with the community. I think you should be talking with the community. The community should be talking to you and we should come to more of an agreement rather than a one sided briefing and I don't know if that was on purpose but I'd like to put that in there also. So that is what I have to say and that is what I am asking you to do. I hope can you commit to that today? Can we have Housing come to the group or do you need to work on that?"

Mayor: "I think they've already committed to that and that hasn't I mean Peter -- Mr. Engel is very clear the reason why

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the discussions haven't happened was because of the legal requirements. I think that up to that point I think you would make your suggestion that this was a briefing and not a collaborative work. It -- It I think does not represent the history. The reason why the law suit was filed was because of my frustration, our frustration with the lack of progress. So, you are both missing -- the thought that we're not on the same page and working for the same goal I think is not an honest representation of the history of my administration because I have been pushing very hard for this project to move forward. I was just as frustrated or you know we shared in the frustration when the court ruled as it did and made for an extension of the vacant lot in the community because we were pushing very hard for there to be progress. So, you know I don't I know you are frustrated, we're frustrated and I'm not the problem. My administration, the Housing Department, has been working and Peter Engel just committed to sitting down and discussing and working on plans moving forward."

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DHCD - Poppleton Redevelopment Project - cont'd

City Solicitor: "And I think it's absolutely the intention of Peter and the Mayor and the entire administration that this is a conversation it's not a one way briefing, and it will start as soon as it can. Not today perhaps but maybe when all of this is filed and the deal is done in court which we hope will be by tomorrow so, you know immediately after that, subject to scheduling constraints the conversation will begin or resume in earnest."

Mr. Kashnow: "That's fantastic for this particular piece of the issue that we're talking to today. As far as the conversation ongoing between the community and Housing it has not been I have not had the experience that Housing has been helpful. That they have been forthcoming with information and that they're forthcoming with a plan and that we are working together and just very quickly the 1600 block of Fayette Street is in Franklin Square and it's basically vacant. Basically empty north and south and there's a Vincent Street Park to the north it's a small City park that's hidden by houses on Fayette

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DHCD - Poppleton Redevelopment Project - cont'd

Street. Last year I got a call from Housing because they had to call us because they got federal funding to potentially take down certain houses. They are talking about the north side of Fayette Street and five houses and my question to them these are historic houses in a historic neighborhood that's why they have to call and address this and my question was we don't want to lose our historic houses, we want to save them but we recognize that you can't always save all of them and sometimes it's better for the neighborhood to lose some in the interest of moving forward and making progress. But my question is what is the overall plan for that area and let's just talk about just that block. There's a park behind it, there are houses that are across the street that are also vacant are you just taking down five houses or do we have a plan for how we're going to redevelop the houses that are across the street and maybe bring that park into a bigger park and create something there that is an amenity to the community. Well, the answer that I got from

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DHCD - Poppleton Redevelopment Project - cont'd

Housing was we have money to take down the houses and that's what we can do, and that was it. And that's my frustration with my conversation that I'm having with housing ongoing and what leads me to this conversation that I'm having today which is it's not a two way conversation. We're not working together and we need to figure out how to do that so that we're all are creating a plan for the neighborhood that's going to work. Not just on this project but for the overall area and that's why we've created the Southwest Partnership also so that our communities are doing the same thing and we're all working together with the Bio Park University. Everybody all on the same page going forward, and that's what I'm asking you guys to commit to is can you have housing come work with us on all the issues that we're working on. This issue and everything else on a regular basis with a regular conversation and we won't have a mistake like this happen again where the community has created something that is good for the community and I can only imagine

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DHCD - Poppleton Redevelopment Project - cont'd

that Housing didn't know that it was there. That's my best case I hope that that's the case that they didn't recognize that it was there and they wouldn't have stuck it in there thinking because that is already good for the community. We have tons of other vacant lots that would have been better suited for redevelopment than this one."

Mayor: "Did --."

President: "I think --."

Mayor: "I'm sorry."

President: "I think the Mayor made it clear that her agencies will be meeting with you all. Coming to the community to have that dialogue and that discussion and um -- for my understanding of seeing what they planned is - is -- Phase I, Phase 2; it's a couple of phase's right?"

Mr. Engel: "There are four phases."

President: "There are four phases. So it's not like the community is going to be left with all of these vacant lots. The developer is given the opportunity and I supported the

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DHCD - Poppleton Redevelopment Project - cont'd

developer and supported the extension. But the Mayor didn't her agency didn't. They went to court and so there was some disagreement because I didn't want to see this delayed and waiting for another developer to come and then you have to wait longer like we did over in East Baltimore. So, I think the Mayor was very clear in saying that her agencies will be in dialogue with the community to come up with you know some suggestions from you all on how to move this project you know forward. Is that correct Madam Mayor?"

Mayor: "That is correct and my continued commitment is you know I don't for a second think that there haven't been missteps -- uh -- but the goal has been clear and my focus has been clear to move this forward for the community. So, just as we've done in the past we'll continue to uh -- work in partnership with the community to make sure that we get projects not just one project but projects that are fitting for the community and really move this community forward."

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DHCD - Poppleton Redevelopment Project - cont'd

Mr. Kashnow: "Well, I thank you for your commitment to work with us. Thank you."

Ms. Carey: "Jobie Carey, President of the Hollins Roundhome-- Roundhouse Neighborhood Association. Part of Hollins Roundhouse is also included in the Poppleton Urban Renewal Plan which was amended to include the La Cite project. In the urban renewal plan, it says any changes must be approved by a Poppleton Project Area Committee. I don't know which one, which legal thing trumps what but, um there has been no legal meeting with the community as you know. The other is Housing and Planning aren't talking to each other. We have been-- planning as part of our committee. Planning has come to us for the last two years asking about who in Poppleton can they get in touch with to try to reform the association, and that is and that is a progress in work which Lavanya will talk about. But you know my concern is, even your own writing for the right in the write up for today, says the community supports this. What community? I mean where's the community on the support side of this because

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DHCD - Poppleton Redevelopment Project - cont'd

we haven't been involved. And we've been trying very hard to partner with the City to take the Mayor's direction that says, we need communities to step up to the plate and partner with us. But partnership is the dialogue and I-- and I hear the words that we will now dialogue but again actions speak louder than words when you can put in writing that the community supports something and you're not even abiding by your own urban renewal plan you know I don't understand that, so I don't understand why you know why the um -- there couldn't be communications with given the lawsuit. The lawsuit asks you to come up with an agreement and come back. The community is part of that. If we had to hire the community law center to represent us, we would have because the community should have been included. Again, your own urban renewal plan says any changes have to be approved."

City Solicitor: "Yeah, I would just ask all of you to understand and appreciate two things; number one there is no change in the

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DHCD - Poppleton Redevelopment Project - cont'd

Urban Renewal Plan by today's action. It's a change in the particulars of the agreement between the City and the developer for the purposes identified earlier by Mr. Engel and secondly please also understand that everything has been in a state of limbo for the last year. Not because we wished that to be so, but because our effort to terminate got caught up in federal litigation which restrained us and prevented us from doing that so we've been in this litigation land with hands tied and uncertainties arising out of that litigation which we hope we are now emerging from."

Ms. Carey: "Which brings another question up, when does the 18 months start? Does the 18 months start from the court date when the court gave them 18 months or does the 18 months start from today? Because again, we have -- been waiting --"

City Solicitor: "It starts from today."

Ms. Carey: "Okay -- six and half years and this and Mr. Blythewood told us two years ago that he was breaking ground that fall. So, I mean you know it is very frustrating but we really do want to be involved and I think --."

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DHCD - Poppleton Redevelopment Project - cont'd

City Solicitor: "We totally --."

Ms. Carey: "The bottom line is you know --."

City Solicitor: "We totally share your frustration."

Ms. Waters: "Um -- My name is Elizabeth Waters and I'm really repeating everything else, so I'm not going to talk for long but I was a Poppleton Board member and I know we approved this many, many years ago, but the reality is nobody is involved now. There is no review committee. As a Board we haven't met for six years. So, you guys are going to have to reestablish a whole another Poppleton group to deal with these changes. Because you can't just move forward without getting some kind of agreement. So, as far as I know there is no Poppleton Development Corporation anymore, um -- and so we need to address who will be the group that represents them."

Ms. Madhusudan: "Good morning. My name is Lavanya Madhusudan I'm a Master's of Social Work student at the University of Maryland. I've been working um with several residents in Poppleton to organize a new neighborhood association. We're in the progress of doing this and we really hope that going forward

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DHCD - Poppleton Redevelopment Project - cont'd

you would please reach out to us, especially Housing um -- because there's a lot of vacancies in Poppleton and with the plan to redevelopment the residents have not been included. We had our first meeting in March. Ten people came out, none of them knew anything about the plans for redevelopment and they've been living in Poppleton for an average of 20 years and um -- we just don't think that's acceptable. The community -- the residents are most affected by redevelopment and they have every right to be included in the process as equal partners and we really hope that and we appreciate your statements today and your statements of commitment and we really hope that the actions will follow. I am here representing the group in Poppleton, Concerned Citizens of Poppleton. Mr. Sterling Walker is here he wasn't able to sign up to speak but I was wondering if you might request, if you might give us permission for him to make a brief statement as well, he's a resident of the community."

President: "Sure."

Ms. Madhusudan: "Thank you."

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DHCD - Poppleton Redevelopment Project - cont'd

Mr. Walker: "Good morning everybody. I'm a retired Corrections Officer."

President: "State your name."

Mr. Walker: "Sterling Walker, I'm a retired Correction Officer after 40 years over City Jail, um -- Vietnam Vet. When I first got out the service I moved out into Baltimore County and in '86 I'd seen something in the paper where the City was building some houses over there on ten hundred block of Vine and Lexington Street and it was a good deal so I'm like I'm going to move there because I come from that neighborhood. I come out of the 900 block of Saratoga Street in the Poe Home projects. I was born and raised there, so I moved back into the neighborhood which was a good deal for me. But when I moved a lot of friends and all thought I was crazy. So, I stayed with all the trouble we had, drugs and everything, been about maybe five or six years ago, they came up with the plan where they were going to build. They had a meeting over the school and the whole neighborhood turned out, but after that, we wasn't hearing anything else other than rumors, and the rumors was the University of Maryland

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DHCD - Poppleton Redevelopment Project - cont'd

was buying up everything. The University of Maryland was going to buy the houses. So nobody really knows what's going on and the Neighborhood Association that we did have just started breaking up. Now when you come back, they don't really want to get involved because they got to the point where they really don't believe what's going on. You know it's like we just go on with what we hear about rumors. Like the rumor now is they supposed to tear the Poe Homes down, stuff like that. So, we really don't know what's going on and we'd really like to know what's going on. Now, I just finished paying for my house and I really ain't trying to go nowhere. You know."

Mayor: "Congratulations."

Mr. Walker: "So, I need to know what's going on. Because I mean, I fixed my house up nice and the development was there in '86, good deal, \$500.00 dollars down you know move in the mortgage \$521.00 a month. Hey came right back --."

President: "Good deal."

Mr. Walker: "You know, so I'd like to stay there but I also like to know what's going on with my neighborhood. You know,

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DHCD - Poppleton Redevelopment Project - cont'd

because I could go back and if I could bring something back to them, show them the brand and see what's going on, they'd come. But, their thing right now is why keep going to meetings and then after two or three months there's no more meetings and then you got to go on rumors like the grocery store or you know ah Starbucks stuff like this. This is all we're getting. So we really need to go, if it wasn't for them coming to us about three weeks ago to get a community organization going we wouldn't be here right now knowing all what's going on."

Mayor: "How do they feel about the Starbucks?"

Mr. Walker: "Right now they're a little nervous because they feel as though once you move Starbucks in you're going to move them out."

Mayor: "I'm teasing. I just like Starbucks."

Mr. Walker: "Well I was one of them saying if Starbucks come they going to move us out."

Mayor: "So what you -- you seem like you were probably at Poe Homes around the time of my father spent there."

Mr. Walker: "Yeah I grew up with your father."

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DHCD - Poppleton Redevelopment Project - cont'd

Mayor: "Okay."

Mr. Walker: "Right there where the Power Plant was yeah."

Mayor: "Okay."

Mr. Walker: "Thank you."

Mayor: "I didn't get your last name."

Mr. Walker: "Walker."

Mayor: "Mr. Walker, as I said before you know we've worked and Councilman Welch is here I know that the Council President planned on recognizing him so I didn't mean to step on your toes there but, I know that previous to his work um -- when his mother represented the district um -- worked very hard to get community involvement and one of the problems that you know and everyone here knows that you have when you have a community that has been impacted negatively by blight is it breaks down not just the physical neighborhood but the -- the people infrastructure of the neighborhood when it comes to community association in capacity building and all of those things. So, I know that's it been difficult and it's been a struggle to make sure that everyone is in the loop. Their struggle has been made

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DHCD - Poppleton Redevelopment Project - cont'd

more complicated by the restrictions of the lawsuit, but we're not done and the commitment that I made in front of all of you is that we will work together and make sure that this is a project that speaks to the needs of the community. Again, I want you to know that I share your frustration about the lack of progress and that's why we went forward and you know we're in our attempt with the lawsuit to push to force the hand and get something going there because I know that community deserves more than what's there and we will you know now that this settlement will shortly be resolved be in a position to bring the plans and then talk about how we can expand the plans that we have."

Mr. Walker: "Well, I mean the community welcomes the new development, they have no problem with it. They just don't know what's going on."

Mayor: "I hear you. Thank you sir."

Mr. Walker: "Thank you."

Mr. Engel: "If I may?"

President: "Councilman."

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DHCD - Poppleton Redevelopment Project - cont'd

Mr. Engel: "State for the record, there are no plans ah -- the Housing Authority has to do any demolition at Poe Homes. So my --."

President: "We always hear those kind--."

Mayor: "Made an announcement about--."

President: "We always hear those kinds of rumors anyway, Councilman Welch."

Councilman Welch: "Good morning Board. I'm Councilman William Pete Welch, representing the 9th District. I had to leave we had a voting session and I came back, but before I left I spoke with Peter Engel about community involvement and Peter promised that going forward he would have more involvement with the community, more information and I personally will work on improving communication with this particular project not just this one but other projects as well so the community stays totally involved, and sometimes it's not a matter of just speaking to community organizations but developing other channels of communication so the information directly impacts a larger populous."

President: "Okay, thank you."

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DHCD - Poppleton Redevelopment Project - cont'd

Councilman Welch: "Thank you."

President: "Finished? Okay."

Councilman Welch: "I just wanted to say thank you."

President: "Thank you. Alright call for the vote."

City Solicitor: "Move approval of the submission the recommendation of the Department of Housing and Community Development and denial of the bid protest with the understanding that we all reached today about ongoing communications."

Comptroller: "Second."

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

* * * * *

UPON MOTION duly made and seconded, the Board approved and authorized execution of the amendment no. 1 to land disposition and development agreement with Poppleton Development I, LLC, Developer, for the Poppleton Redevelopment Project.

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MAYOR'S COMMENTS

President: "Madam Mayor."

Mayor: "Thank you very much, and I thank you Mr. President. Last night the House of Delegates gave final approval - ah to the billion dollar school construction and renovation plan for Baltimore City Schools and by passing this landmark legislation, the General Assembly renewed its commitment to Baltimore City School students. Just, so we note that the members ARE here know that the meeting isn't over. Alright, I'll start again. Last night the House of Delegates gave final approval to a billion dollar school construction renovation plans for Baltimore City Public Schools and by passing this landmark legislation the General Assembly renewed its commitment to Baltimore City Public School students. I want to thank Governor O'Malley, Senate President Miller, House Speaker Bush all of them for their support of this landmark City State partnership to rebuild our school buildings for Baltimore children. Their commitment shows a deep concern for the well being of Baltimore City students. Together we will ensure that every City student will sit in a clean, modern and safe school building. This was a team effort

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MAYOR's Comments - cont'd

and I really want to thank my legislative team that worked so hard keeping all the buzz up in the air and making sure that we connected the dots ah -- to push this forward. I want to thank the City Council for supporting the Bottle Tax which was a significant part of the commitment to the plan. It was a difficult decision but proved to the legislators in Annapolis that we were willing to make the tough decisions to put resources on the table so we could make this happen for Baltimore schools. I want to thank Dr. Alonzo, Dr. Alonzo excuse me and the members of the school board for developing the ten year facilities plan. This plan helped us as well. It helped guide -- it will help guide us as we build 15 new schools and renovate 35 others but it also showed the legislators that we understood that we had to be the stewards of the buildings that we have but also plan for the future and in right-size, our school system. I want to particularly thank City Council President Young who joined us in Annapolis to show his support and his commitment to our schools. Thank you very much Mr. President. Public education is a cornerstone for a growing City.

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Mayor's Comments - cont'd

fundamental right to access a good education and quality school buildings and providing more opportunities for families to send their children to good public schools will help get Baltimore growing again. It was these principles that my father fought for - ah - in the 90's he knew and always told us that the only reason he was able to move from Poe Homes to be in the legislature and to be the Chairman of the Appropriations Committee was because of his education and he credited the education that he got in the Baltimore City Public Schools and made it clear to us how important it was for us personally but also for our community and that is one of the reasons I fought so hard to make sure that we were able to get this done. He knew it was about making sure that we had resources but we also had to have responsibility and accountability to improve the students outcomes and that City State partnership has made a significant -- the one in 1997 -- has made a significant difference in student achievement and really set the path for the positive trajectory of the Baltimore City Schools. Last night with the House vote the State again is renewing its

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Mayor's Comments - cont'd

Commitment to Baltimore's 85,000 students with resources, flexibility, and shared accountability to rebuild our schools. I know that we will be able to grow Baltimore by 10,000 families, but it will be because of things like this, where we are improving our schools and sending a clear message to current Baltimore families and future Baltimore families that their children will have the same chances to have a quality education in quality schools as anyone throughout our State. Again, my belief that Baltimore's best days ahead of us are renewed by what was done by the legislature last night and after the vote I think things will look even brighter. So I want again thank you Mr. President for all of your support and I'm very, very pleased at where we are today. Thank you."

President: "Thank you. I second that."

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MINUTES

Department of Housing and - Agreements
Community Development

The Board is requested to approve and authorize execution of the various agreements. The period of the agreement is July 1, 2012 through June 30, 2013.

1. **SOUTH BALTIMORE LEARNING CORPORATION, \$ 51,370.00**
INC.

Account: 2089-208913-5930-438034-603051

The organization will provide Adult Basic Education, Pre-GED, GED tutoring and career counseling service to low and moderate-income adults that reside in the City that have dropped out of high school. The organization will utilize the funds to subsidize a portion of the operating costs.

FOR THE FY 2013 MBE AND WBE PARTICIPATION GOALS FOR THE ORGANIZATION WERE SET ON THE AMOUNT OF \$32,229.00, AS FOLLOWS:

MBE: \$8,701.00

WBE: \$3,222.00

2. **CASA DE MARYLAND, INC. \$124,500.00**

Account: 2089-208913-5930-426426-603051

The organization will provide a variety of public services to day laborers. Services will include educational programs, information and referral services, legal services, representation, and workshops. Services will be provided through the Baltimore Welcome Center located at 2224 E. Fayette Street.

MINUTES

DHCD - cont'd

FOR THE FY 2013 MBE AND WBE PARTICIPATION GOALS FOR THE ORGANIZATION WERE SET ON THE AMOUNT OF \$37,307.00, AS FOLLOWS:

MBE: \$10,073.00

WBE: \$ 3,731.00

On May 2, 2012 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 2012 Annual Action Plan for the following formula programs:

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

The DHCD began negotiating and processing the CDBG agreements effective July 1, 2012 and beyond, as outlined in the Plan, pending approval of the Resolution. Consequently, the agreements were delayed due to final negotiations and processing.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

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

MINUTESHealth Department - Agreements**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the listed agreements. The period of the agreement is February 1, 2013 through June 30, 2013, unless otherwise noted.

INTERGOVERNMENTAL AGREEMENT

- | | |
|--|--------|
| 1. STATE OF MARYLAND DEPARTMENT
OF HUMAN RESOURCES | \$0.00 |
| 2. COPPIN STATE UNIVERSITY/
REHABILITATION COUNSELING PROGRAM | \$0.00 |

These organizations will serve as Volunteer Stations for the Retired & Senior Volunteers Program (RSVP). A grant from the Corporation for National and Community Services, funds the RSVP. The grant pays 100% of the cost of the Senior Volunteer to volunteer and assist special needs clients who want to remain in their homes. While the Senior Volunteers are on duty, the grant provides for their life insurance, transportation, and other benefits.

The agreements are late because of delays in completion of required documentation.

LICENSING SERVICE AGREEMENT

3. BALTIMORE ANIMAL AND RESCUE AND
CARE SHELTER, INC. (BARCS)

Currently, Baltimore City residents can apply for and purchase licenses for their dogs and cats at Animal Organizations (veterinarian, animal clinics, Humane Society, and commercial establishments) as defined in Title 10 of the Health Article of the Baltimore City Revised

MINUTESHealth Department - cont'd

Code. BARCS will continue to be the primary administrator of the issuance of dog and cat licenses within Baltimore and increase the number of locations where City residents can purchase and renew licenses including an online censing option. In addition BARCS will continue to raise awareness of the need to license cats and dogs.

The agreement provides funding to BARCS by allowing BARCS to retain the fees collected each year during the term of the agreement.

BARCS will provide reports as requested by the Commissioner of Health, including but not limited to the issuance of licenses, the collection of fees, and the services provided under this agreement. The period of the licensing service agreement is July 1, 2012 through June 30, 2017.

The licensing agreement is late because additional time was necessary to reach a comprehensive understanding that was agreeable by all parties.

APPROVED FOR FUNDS BY FINANCE

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

MINUTESHealth Department - Request for Applications**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize the Request for Applications (RFA) for the FY 2014 and 2015 Family Planning - Title X Program.

AMOUNT OF MONEY AND SOURCE:

\$230,000.00 - FY 2014

\$230,000.00 - FY 2015

Account: 4000-422714-3030-279200-404001

BACKGROUND/EXPLANATION:

Sub-grantees may apply for up to two years within Fiscal Year 2014 and 2015, defined as July 1 through June 30; second year funding will be contingent upon performance measures and the availability of funds. Total awards to subgrantees may range from \$10,000.00 to \$45,000.00.

Title X categorical funds are allocated by the Federal Government to states for the provision of reproductive health services to the uninsured and underinsured. Title X exists specifically because of the contribution of family planning in addressing birth outcomes. Equal access to reproductive health services is one approach in reducing the infant mortality rate in the U.S.A. and targets the disparities that exist for low-income and minority women.

The Maryland Department of Health and Mental Hygiene (DHMH) is the grantee for the Maryland Title X funds. The mission of DHMH focuses on reducing unintended pregnancies through equal access to reproductive health services, and its mission is reflected through the DHMH and other sub-grantees of the Title X funds through the State.

MINUTESHealth Department - cont'd

The Department in conjunction with the DHMH will establish the application process and ensure fair and equitable distribution of funds to the receiving organizations. The organizations will submit proposals and bids for funding to provide services.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved the Request for Applications (RFA) for the FY 2014 and 2015 Family Planning - Title X Program.

MINUTES

TRANSFERS OF FUNDS

* * * * *

UPON MOTION duly made and seconded,

the Board approved

the Transfers of Funds

listed on the following pages:

1168 - 1169

SUBJECT to receipt of favorable reports

from the Planning Commission,

the Director of Finance having

reported favorably thereon,

as required by the provisions of the

City Charter.

MINUTES

TRANSFERS OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Department of Transportation</u>		
1. \$ 87,853.68	9950-904078-9512	
Federal	New Traffic	
	Signals	
21,963.42	9950-904078-9512	
<u>MVR</u>	I.T.S.	
\$109,817.10	-----	9950-908083-9512
		Design Engineering
		Services, Traffic
		Signals & VMS Signs
		Design, Citywide

This transfer will fund the cost associated with "On-Call Traffic Signals & I.T.S. and Traffic Engineering On-Call Consulting Services" on FAP No. STP-000A (943)E; SHA No. BC319-019-815; Project No. 1142; Task 6, for work assigned to Sabra, Wang & Associates, Inc. related with services in connection with Traffic Signal and VMS Signs Design, Citywide.

Department of Housing and Community Development

2. \$194,608.34	9910-911004-9608	
20th Econ.	Preston Gardens -	
Dev. Bonds.	Reserve	
475,000.00	" "	
28 th Com. Dev.		
<u>Bonds</u>		
\$669,608.34	-----	9910-914009-9607
		Downtown Preston
		Gardens

MINUTES

TRANSFERS OF FUNDSDHCD - cont'd

This transfer will provide funds to manage the implementation of designed improvements to Preston Gardens in coordinated efforts between the Department of Transportation and Department of Recreation and Parks.

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

The Board is requested to approve and authorize execution of a license agreement with Civic Works, Inc., licensee, for the use of the property known as Hilltop House located at 2445 Rose Street in Clifton Park containing approximately 3,500 sq. ft. and a 900 ft. garage. The period of the agreement is effective upon Board approval for two years with no further option renewals.

AMOUNT OF MONEY AND SOURCE:

\$1.00 if demanded.

BACKGROUND/EXPLANATION:

The premises will be used as office space and storage for the Civic Works Program. The licensor is responsible for any capital improvements, exterior maintenance and cutting of grass.

The licensee will accept the premises "as is" and keep it clean and free of trash and debris. The licensee will be responsible for the utilities, telephone service, security, shovel the walk to the driveway only, janitorial services, maintenance and repairs, one-time painting of the interior, plaster and drywall repair in the interior, replacement of damaged pieces of oak flooring, and liability insurance.

The Space Utilization Committee approved this license agreement on March 26, 2013.

MINUTES

Space Utilization - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of the license agreement with Civic Works, Inc., licensee, for the use of the property known as Hilltop House located at 2445 Rose Street in Clifton Park containing approximately 3,500 sq. ft. and a 900 ft. garage.

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

The Board is requested to approve and authorize execution of a lease agreement with Mr. Mark Fuller and Ms. Carrie Fuller, tenants, for the rental of the property known as 4809 Bucks Schoolhouse Road, Baltimore County. The period of the lease agreement is March 1, 2013 to February 28, 2014, with the option to renew for two 1-year terms.

AMOUNT OF MONEY AND SOURCE:

<u>Annual Amount</u>	<u>Monthly Amount</u>
\$7,325.76	\$610.48

BACKGROUND/EXPLANATION:

The property will be used primarily for agricultural use. The tenant will be responsible for maintenance and repairs, payment of utilities, trash and snow removal, real estate taxes and liability insurance.

The landlord will carry adequate fire insurance on the leased premises under the City's self-insurance program.

The Space Utilization Committee approved this Lease Agreement on March 26, 2013.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the lease agreement with Mr. Mark Fuller and Ms. Carrie Fuller, tenants, for the rental of the property known as 4809 Bucks Schoolhouse Road, Baltimore County.

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

The Board is requested to approve and authorize execution of an interdepartmental lease agreement between the Department of Public Works (DPW), landlord, and the Police Department (BPD), tenant, for the rental of the property located at 529 Island Point Road, Baltimore County consisting of approximately 9,077 sq. ft. of land with useable building space of 1,788 sq. ft. The period of the interdepartmental lease agreement is effective upon Board approval for five years with one 5-year renewal option.

AMOUNT OF MONEY AND SOURCE:

	<u>Annual Amount</u>	<u>Monthly Amount</u>
Year 1	\$13,278.24	\$1,106.52
Year 2	\$13,676.64	\$1,139.72
Year 3	\$14,086.92	\$1,173.91
Year 4	\$14,509.44	\$1,209.12
Year 5	\$14,944.80	\$1,245.40

Account No. 1001-000000-2002-195500-603013

BACKGROUND/EXPLANATION:

The leased premises will be used as administrative offices for the BPD.

The landlord will be responsible for maintaining the interior and exterior of the building, to include the heating and ventilation system, water, electrical and plumbing supply lines. The landlord will furnish utilities to the leased premises. The landlord will also provide pest control, grass cutting, and keep the entrances reasonably clear of ice, snow and debris.

The tenant will be responsible for telephone, computer services, payment of utilities, janitorial, and security.

MINUTES

Space Utilization Committee - cont'd

The Space Utilization Committee approved this License Agreement on March 26, 2013.

APPROVED FOR FUNDS BY FINANCE**A PROTEST WAS RECEIVED FROM MS. KIM TRUEHEART.**

The Board of Estimates received and reviewed Ms. Trueheart's protest. As Ms. Trueheart does not have a specific interest that is different from that of the general public, the Board will not hear her protest. Her correspondence has been sent to the appropriate agency and/or committee which will respond directly to Ms. Trueheart.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the interdepartmental lease agreement between the Department of Public Works, landlord, and the Police Department (BPD), tenant, for the rental of the property located at 529 Island Point Road, Baltimore County consisting of approximately 9,077 sq. ft. of land with useable building space of 1,788 sq. ft.

Kim A. Trueheart

April 2, 2013

Board of Estimates
Attn: Clerk
City Hall, Room 204
100 N. Holliday Street,
Baltimore, Maryland 21202

Dear Ms. Taylor:

Herein is my written protest on behalf of the underserved and disparately treated citizens of the Baltimore City who appear to be victims of questionable management and administration by the Baltimore City Police Department (BCPD).

The following details are provided to initiate this action as required by the Board of Estimates:

1. Whom you represent: Self.
2. What the issues are:
 - a. Pages 22, Baltimore City Police Department (BCPD) – Interdepartmental Lease Agreement, if approved:
 - i. Please provide access to the lease agreement for inspection;
 - ii. The BACKGROUND/EXPLANATION states “The leased premises will be used as administrative offices for the BPD”;
 1. Please provide the administrative functions for the BPD which will be located in these Baltimore County offices;
 2. Will additional transportation funding be required as a result of this out-side of Baltimore City location?
3. How the protestant will be harmed by the proposed Board of Estimates’ action: As a citizen I have witnessed questionable management and stewardship of municipal funds by this Mayoral administration and BCPD. I seek a reasonable amount of results-oriented stewardship of scarce tax-payers funds which currently does not appear to exist. Smart money management seems to elude this Mayoral administration and the lack of checks and balances in oversight and auditing of municipal expenditures harms rather than serves the public good.

I look forward to the opportunity to address this matter in person at your upcoming meeting of the Board of Estimates on April 3, 2013.

If you have any questions regarding this request, please telephone me at (410) 205-5114.

Sincerely,
Kim Trueheart, Citizen & Resident

Email: ktrueheart@whatfits.net
5519 Belleville Ave
Baltimore, MD 21207

MINUTES

Department of Transportation - Escrow Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an escrow agreement between the Mayor and City Council, Parks & People Foundation, Inc. (PPF), a Maryland non-profit corporation, and Residential Title and Escrow Company. The period of the agreement is effective upon Board approval until the City executes a written release of the escrow account.

AMOUNT OF MONEY AND SOURCE:

\$610,000.00 - Account no. 9950-905621-9508-000000-490375

BACKGROUND/EXPLANATION:

On December 9, 2009, PPF entered into a Funding Agreement pursuant to which the City agreed to perform certain infrastructure work in connection with the PPF's development of certain property located along Liberty Heights Avenue.

Under the terms of the Funding Agreement, the PPF is required to prefund certain fees and expenses before the City will undertake its obligations under the Funding Agreement. The PPF and the City now desire to establish an escrow account to hold a portion of the funds required to be advanced by the PPF pursuant to the Funding Agreement.

The Residential Title and Escrow Company has agreed to serve as an Escrow Agent for the City and the PPF. The Escrow Agent agrees to maintain the escrow account, to receive, hold, and disburse the funds deposited therein from time to time according to the terms outlined in the escrow agreement.

APPROVED FOR FUNDS BY FINANCE

MINUTESDepartment of Transportation - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of the escrow agreement between the Mayor and City Council, Parks & People Foundation, Inc. (PPF), a Maryland non-profit corporation, and Residential Title and Escrow Company. The Mayor **ABSTAINED**.

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>			
1. Chelsea Properties, 2760 Tivoly Ave. LLC (Previous Owner)		L/H	\$15,750.00

On March 14, 2012, the Board approved a condemnation to acquire the leasehold interest in 2760 Tivoly Avenue for the amount of \$19,250.00. However, the previous property owner valued the property interest at \$72,000.00. The parties agreed to settle the action for the amount of \$35,000.00. Therefore, the Board is requested to approve an additional \$15,750.00 in settlement of this case.

Funds are available in State Funds, account no. 9910-904326-9588-900000-704040, Coldstream-Montebello-Homestead Project.

2. Maarufu T. Allston 2787 Tivoly Ave. (Previous Owner)		L/H	\$19,800.00
--	--	-----	-------------

On May 02, 2012, the Board approved a condemnation to acquire the leasehold interest in 2787 Tivoly Avenue for \$20,200.00. However, the previous property owner valued the property interest at \$70,000.00. The parties agreed to settle the action for the amount of \$40,000.00. Therefore, the Board is requested to approve an additional \$19,800.00 in settlement of this case.

Funds are available in State Funds, account no. 9910-904326-9588-900000-704040, Coldstream-Montebello-Homestead 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 Settlement</u>			
3. D.O.C., LLC (Previous Owner)	2206 Boone St.	F/S	\$ 7,000.00

On June 27, 2012, the Board approved a condemnation to acquire the fee simple interest in 2206 Boone St. for \$27,000.00 based upon the City's independent appraiser's fair market valuation of the property. However, the previous property owner offered an appraisal valuation of the property interest at \$50,000.00. The parties agreed to settle the action for the amount of \$34,000.00. Therefore, the Board is requested to approve an additional \$7,000.00 in settlement of this case.

Funds are available in State Funds, account no. 9910-904713-9588-900000-704040, Barclay Project.

UPON MOTION duly made and seconded, the Board approved the payments of settlements.

MINUTES

Department of Planning - Agreement and Report on Previously
Approved Transfers of FundsAGREEMENT1. **TUFTS UNIVERSITY** **\$22,007.00**

Account: 6000-609413-1873-187400

The Board is requested to approve and authorize execution of an agreement with the Tufts University. The period of the agreement is upon Board approval through December 31, 2013.

On March 13, 2013, the Board approved the acceptance of a \$50,000.00 grant from The Abell Foundation for the Decision Modeling Tool for Vacant Structure Demolition and Redevelopment Project.

The purpose of the project is to develop strategies to reposition chronically vacant lands and structures for primarily non-residential and greening uses in weaker markets. The project proposes to build local environment amenities on the sites of vacant and abandoned parcels, as well as holding select properties for future development. The project will build upon the Housing Market Typology (HMT) and pursue new approaches and tools for neighborhood economic development.

The Department will be the lead agency and work in partnership with Baltimore Housing, the Sustainability Office and the University of Massachusetts and Tufts University as contractors. The project will be guided by a Decision Modeling Advisory Group which will include members from the Department, Growing Green Initiative and Baltimore Housing. The group will make recommendations for data analysis and test the applicability of the model to impact decisions around vacant, distressed lots.

MINUTES

Department of Planning - cont'd

The model, which will be delivered in Microsoft Excel, will include multiple objectives reflecting social impacts, economic efficiency and social equity. The deliverables for the project include a narrative and mathematical model of Baltimore City's vacant lot repositioning problem within the context of the Growing Green Initiative. The Tufts University, as one of two subcontractors, will conduct the analysis and develop the model for the project.

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 Tufts University.

MINUTES

Department of Planning - cont'd

2. Report on Previously Approved Transfers of Funds

At previous meetings, the Board of Estimates approved Transfers of Funds 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. Today, the Board is requested to **NOTE 18** favorable reports on Transfers of Funds approved by the Board of Estimates at its meetings on March 6, 13, and 20, 2013.

The Board **NOTED 18** favorable reports on Transfers of Funds approved by the Board of Estimates at its meetings on March 6, 13, and 20, 2013.

MINUTES

Mayor's Office of Human Services - Grant Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a grant agreement with Harford County. The period of the agreement is July 1, 2012 through June 30, 2015.

AMOUNT OF MONEY AND SOURCE:

\$184,122.00 - 4000-490913-3573-333676-603051

BACKGROUND/EXPLANATION:

Harford County will provide housing assistance to eligible Harford County residents living in the Baltimore Metropolitan Statistical Area. Harford County will be responsible for administering tenant-based rental assistance, and contracting with individual property owners to participate in the Housing Opportunities for People With AIDS program for 20 eligible participants.

The grant agreement is late because of the delays at the administrative level in receiving signatures from Harford County.

MWBOO GRANTED A WAIVER.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved and authorized execution of the grant agreement with Harford County.

MINUTES

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

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a right-of-entry agreement with Stantec, Inc., grantee. The period of the agreement is effective upon Board approval for two weeks.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

This right-of-entry agreement will allow Stantec, Inc. to enter certain areas of Gwynn's Falls Park and Gwynn's Falls Trail to conduct an archaeological survey, pursuant to Stantec Inc.'s engineering contract with the Department of Transportation, under Project No. 889, for the replacement of the Edmondson Avenue Bridge. The survey findings will be forwarded to the Maryland Historical Trust, which reviews all proposed federally funded projects to determine whether such areas have been investigated for archaeological sites.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved and authorized execution of the right-of-entry agreement with Stantec, Inc., grantee.

MINUTES

EXTRA WORK ORDERS AND TRANSFER OF FUNDS

* * * * *

UPON MOTION duly made and seconded,

the Board approved the

Extra Work Orders and Transfer of Funds

listed on the following pages:

1185 - 1187

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.

The President **ABSTAINED** on item nos. 1 and 2.

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>

Bureau of Water and Wastewater

- | | | | | |
|----|---|------------|-----------------------------|--------------|
| 1. | EWO #002, \$ 0.00 - S.W.C. 7763, Drainage Repair and
Improvements at Various Locations | | | |
| | \$1,178,378.00 | \$5,449.75 | Allied Contractors,
Inc. | 365 -
CCD |

This contract currently expires on June 21, 2013. The Surface Water Management Division has requested a 365 day non-compensable time extension while awaiting the award of a replacement contract. The requested new expiration date is June 21, 2014.

- | | | | | |
|----|--|----------------|--------------------------------|------|
| 2. | EWO #038, \$ 81,169.57 - S.C. 852R, Denitrification Filters
& Related Work for the Enhanced Nutrient Removal Facilities
at Patapsco Wastewater Treatment Plant | | | |
| | \$115,688,000.00 | \$1,874,386.52 | Fru-Con Construc-
tion, LLC | 0 57 |

Department of General Services

- | | | | | |
|----|---|--------------|--|-------|
| 3. | EWO #003, (\$ 81,000.00) - GS 11830, Greyhound Station
Demolition - Corner of Howard & Fayette Streets | | | |
| | \$1,227,000.00 | \$50,062.00 | Potts & Callahan,
Inc. | - 100 |
| 4. | EWO #004 \$245,136.41 - Project 617, 2000 Race Street -
Environmental Remediation | | | |
| | \$307,717.00 | \$107,079.00 | Environmental
Resources
Management | - - |

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 General Services - cont'd

5. TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$320,000.00	9916-901840-9194	9916-904842-9197
General Fund	Race Street Envi-	2000 Race Street
	ronmental	Environmental
Reserve	Active	

The property at 2000 Race Street was acquired by the City from Allied Signal, Inc. (now Honeywell International) for construction of an elevated portion of Interstate 95. The MD Department of the Environment (MDE) has mandated a comprehensive hydro geological environmental investigation on the site, and development of plans to remediate any contaminated soil indentified by the investigation. On May 23, 2007, the MDE issued a Consent Order to the City establishing deadlines for certain work to be completed at the Race Street site. The Environmental Resources Management services are required to ensure that work being done by Honeywell on the City's property is responsive to the Consent Order and does not present a liability to the City.

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

6.	EWO #002 \$ 0.00 -	TR 08046, Rehabilitation of Broening Highway from Holabird Avenue to Colgate Creek		
	\$14,700,000.00 \$6,200.48	American Infra- structure-MD, Inc.	-	-

THE OVERRUNS AND UNDERRUNS CANCEL EACH OTHER OUT.

MINUTES

Department of Human Resources - Personnel Matters

The Board is requested to approve the listed Personnel matters below:

Department of Finance

	<u>Hourly Rate</u>	<u>Amount</u>
1. JAMES WAYLAND	\$47.41	\$15,076.38
2. JOE GLENN	\$47.41	\$15,076.38

Account: 1001-000000-1472-165800-601009

Mr. Wayland and Mr. Glenn, retirees, will each continue to work as a Senior Systems Analyst in the Mayor's Office of Information Technology. Mr. Wayland will provide analysis and programming support for the real property tax system with special focus in getting the real property tax bill produced for the Fiscal 2014. Mr. Glenn will provide analysis and programming support for the Water & Wastewater billing system with a focus on billing issues. The period of the agreement is effective upon Board approval through August 7, 2013.

THE DEPARTMENT OF FINANCE IS REQUESTING A WAIVER OF THE SALARY CAP AS OUTLINED IN THE ADMINISTRATIVE MANUAL 212-1, PART I.

THE PERSONNEL MATTERS HAVE BEEN APPROVED BY THE EXPENDITURE CONTROL COMMITTEE.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the above personnel matters.

MINUTES

TRAVEL REQUESTS

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>Baltimore City Board of Elections</u>			
1. Frankie Powell*	MD Association of	General	\$1,429.60
Tara Andrews	Elected Officials	Funds	
Eleanor Wang	Annual Conference		
Cory McCray	University of MD		
Ann MacNeille	University College		
Lawrence C.	June 16 - 17, 2013*		
Cager, Sr.*	June 17, 2013		
	(Reg. Fee \$150.00 ea.)		
<p>The above attendees are Board members that are mandated to attend the conference on Monday, June 17, 2013. The Department is requesting subsistence for one night for Mr. Powell and Mr. Cager because they will be speakers on Sunday, June 16, 2013.</p>			
2. Armstead B.C.	MD Association of	General	\$9,503.36
Jones, Sr.	Elected Officials	Funds	
Abigail Goldman	Annual Conference		
Terri	University of MD,		
Marciszewski	University College		
Hakima Shaulis	June 16 - 19, 2013		
Rochelle Lucas	(Reg. Fee \$285.00 ea.)		
Lisa Stanley			
Catherine Brown			
Aureilia Jones			

MINUTES**TRAVEL REQUESTS**

<u>Name</u>	<u>To Attend</u>	<u>Funds</u>	<u>Amount</u>
<u>Mayor's office of Employment Development</u>			
3. Karen Sitnick	Workforce Development Council (WDC) Board Meeting Seattle, WA April 24, - 26, 2013 (Reg. Fee \$500.00)	Admin- istrative Cost Pool	\$1,377.00

The subsistence rate for this location is \$208.00 per day. The hotel cost is \$209.00 per night not including occupancy taxes in the amount of \$32.60 per night for a total of \$69.20 and a tourism tax of \$2.00 per night for a total of \$4.00. The Department is requesting additional subsistence of \$1.00 per night for a total of \$2.00 to cover the cost of the hotel and \$80.00 to cover the cost of the WDC Board networking dinner meeting.

Police Department

4. Scott A. Steven	Shotgun Breaching Instructors Course Kansas City, MO April 7 - 10, 2013 (Reg. Fee \$625.00)	Homeland Security FY10 Fund	\$1,455.09
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UPON MOTION duly made and seconded, the Board approved the foregoing travel requests.

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 a Land Disposition agreement with Adopt-A-Block, Inc., developer, for the sale of the property located at 1718 Holbrook Street.

AMOUNT OF MONEY AND SOURCE:

\$2,000.00 - Purchase Price

BACKGROUND/EXPLANATION:

The project will be funded using private as well as public funds. The Developer proposes to rehab the vacant property into a single family homeownership unit. The developer plans to invest approximately \$56,000.00 into the project. Once the vacant property is rehabbed, it will then be given away to a family in need. For the last 10 years, Adopt-A-Block, Inc. has rehabbed and given away a house per year to a deserving family. With the rehabilitation of the property, this will complete the block. The organization continues to work with the City to eliminate blight.

STATEMENT OF RATIONALE FOR THE SALE BELOW THE WAIVER VALUATION PRICE:

In accordance with the City's appraisal policy, the Waiver Valuation Process was used in lieu of an appraisal. The property was valued at \$4,150.00 and will be sold for \$2,000.00.

The property will be sold to Adopt-A-Block, Inc. for the price of \$2,000.00. It will be sold below the price determined by the waiver valuation process because of the following factors:

- 1) the sale and rehabilitation will help to promote a specific benefit to the community,

MINUTES

DHCD - cont'd

- 2) the sale and rehabilitation will eliminate blight,
- 3) the sale and rehabilitation will promote economic development through the placement of the subject property on the tax rolls, and
- 4) the sale and rehabilitation will increase homeownership in the City.

MBE/WBE PARTICIPATION:

It should be noted that the property is not subject to Article 5, Subtitle 28, of the Baltimore City Code, because the property is being sold for less than \$49,999.00.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Land Disposition agreement with Adopt-A-Block, Inc., developer, for the sale of the property located at 1718 Holbrook Street.

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 a land disposition agreement (LDA) with Mr. LaRoyce L. Johnson, developer, for the sale of the property located at 1420 Mosher Street.

AMOUNT OF MONEY AND SOURCE:

\$1,000.00 - Purchase Price

BACKGROUND/EXPLANATION:

The City will convey all of its rights, title, and interest to the property to Mr. Johnson. Mr. Johnson will use private funds for acquisition and rehabilitation of the property as his home.

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

The property is being sold for \$1,000.00. The waiver valuation process was used in lieu of an appraisal and determined the value of the property to be \$5,000.00. The property is being sold to Mr. Johnson for less because:

- 1) the renovation will be a specific benefit to the community,
- 2) this transaction will eliminate blight from the block, and thus eliminate blight from the neighborhood,

MINUTES

DHCD - cont'd

- 3) the sale and rehabilitation will return the vacant property to the tax rolls, and
- 4) the property is being sold for less than the waiver determined value because of the condition of the property which will require extensive and immediate remediation.

MBE/WBE PARTICIPATION:

The property is valued at less than \$49,999.99, therefore, MBE/WBE is not applicable.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the land disposition agreement (LDA) with Mr. LaRoyce L. Johnson, developer, for the sale of the property located at 1420 Mosher Street.

MINUTES

Department of Housing and - Land Disposition Agreement
Community Development

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a land disposition agreement with Reverend Terrance L. Brown, developer, for the sale of the property known as 804 E. North Avenue (Block 4002, Lot 003).

AMOUNT OF MONEY AND SOURCE:

\$2,000.00 - Purchase Price

BACKGROUND/EXPLANATION:

The property is a vacant house that the developer plans to stabilize for storage usage.

STATEMENT OF PURPOSE AND RATIONALE FOR SALE BELOW THE VALUE DETERMINED BY THE WAIVER VALUATION PROCESS:

In accordance with the City's appraisal policy, the waiver valuation process was used in lieu of an appraisal for the property, 804 E. North Avenue (Block 4002/Lot 003). The property was priced at \$5,967.00 and will be sold for \$2,000.00.

The comparables used to substantiate the price were 336 21st Street, which sold for \$4,900.00; 2462 Greenmount Avenue, which sold for \$5,000.00; and, 618 Dumbarton Avenue, which sold for \$8,000.00. In determining to sell the property below \$5,967.00 the following factors were considered:

1. the sale and construction of new housing units promotes specific benefit to the community,
2. elimination of blight,

MINUTES

DHCD - cont'd

3. the sale of this property will promote economic development by returning the property to the City's tax rolls, and
4. the sale will eliminate the City's current cost to maintain the property.

MBE/WBE PARTICIPATION:

MBE/WBE participation is not required for this project because it is being sold below \$49,999.99.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the land disposition agreement with Reverend Terrance L. Brown, developer, for the sale of the property known as 804 E. North Avenue (Block 4002, Lot 003).

MINUTES

Department of Housing and - Land Disposition Agreement
Community Development

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a land disposition agreement with Mr. Ibrahim Abou-Taleb, developer, for the sale of the property located at 722 Lennox Street (Block 3443, Lot 011).

AMOUNT OF MONEY AND SOURCE:

\$16,000.00 - Purchase Price

BACKGROUND/EXPLANATION:

The project will consist of the conversion of the vacant property, to be sold as a single-family unit. The purchaser plans to invest approximately \$30,000.00 into this project.

The sale of this property once developed could generate an estimate of \$1,000.00 in real estate property taxes to the City. Once transferred and redeveloped the property will be active on the tax rolls of Baltimore City, thereby preventing tax abandonment.

The property will be sold at market value.

MBE/WBE PARTICIPATION:

MBE/WBE participation is not required for this project because it is being sold below \$49,999.99.

MINUTES

DHCD - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of the land disposition agreement with Mr. Ibrahim Abou-Taleb, developer, for the sale of the property located at 722 Lennox Street (Block 3443, Lot 011).

MINUTES

Department of Housing and - Land Disposition Agreement
Community Development

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a land disposition agreement with R & G Group, LLC, developer, for the sale of the City-owned vacant lot located at 1214 Union Avenue (Block 3551, Lot 008).

AMOUNT OF MONEY AND SOURCE:

\$8,000.00 - Purchase price

BACKGROUND/EXPLANATION:

The property is a vacant lot on which new construction will be built and it will be used as a for-sale single family home.

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

An appraisal was obtained for the property located at 1214 Union Avenue and it was valued at \$10,550.00. The sale price is justified because of the following factors:

1. the sale and construction of new housing units promotes specific benefit to the community,
2. elimination of blight,
3. the sale of this property will promote economic development by returning the property to the City's tax rolls, and
4. the sale of this property will eliminate the City's current cost to maintain the lot.

MINUTES

DHCD - cont'd

The City is authorized to sell the property by virtue of Article II, Section 15 of the Baltimore City Charter, 1996 Edition (the Charter Provision), Article 13 of the Baltimore City Code - 2000 Edition (the City Code), which established the Department pursuant to the Charter provision, and the provisions of the Renewal Plan.

MBE/WBE PARTICIPATION:

The property is not subject to Article 5, Subtitle 28 of the Baltimore City Code of the Minority and Women's Business Enterprise Program of Baltimore City because the property will be sold for less than \$49,999.99. Therefore, MBE/WBE is not applicable.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the land disposition agreement with R & G Group, LLC, developer, for the sale of the City-owned vacant lot located at 1214 Union Avenue (Block 3551, Lot 008).

MINUTES

Department of Housing and - Operating Expense Loan
Community Development (DHCD)

ACTION REQUESTED OF B/E:

The Board is requested to approve a HOME Investment Partnerships Program Community Housing Development Organization (CHDO) Operating Expense Loan to Episcopal Housing Community Development Corporation in its capacity as a certified CHDO. The Board is further requested to authorize the Commissioner of the Department of Housing and Community Development (DHCD) to execute any and all documents necessary to effectuate this transaction subject to review and approval for form and legal sufficiency by the Department of Law.

AMOUNT OF MONEY AND SOURCE:

\$25,000.00 - 9910-921994-9610

BACKGROUND/EXPLANATION:

The Cranston-Gonzalez National Affordable Housing Act of 1990 created the federally funded HOME Investment Partnerships Program. The HOME Program created the non-profit entity called a CHDO with the specific purpose of carrying out elements of the participating jurisdiction's housing strategy.

The Episcopal Housing Community Development Corporation was certified as a CHDO on January 15, 2013.

The policy of the City's HOME Program stipulates that CHDO operating expense loans must be tied to a specific housing development project which will assist in defraying the additional costs to the organization. The Episcopal Housing Community Development Corporation agrees by the acceptance of the CHDO Operating Expense Loan that at a minimum it will continue to develop a viable HOME project known as Ashburton Apartments. The 24 unit substantial rehabilitation project is located in the Central Forest Park neighborhood and must be

MINUTES

DHCD - cont'd

completed within 24 months of loan closing. If the borrower does not commence a HOME project within the 24 months, the operating expense loan funds advanced will become a fully amortizing loan to be repaid in equal monthly installments over a two year period commencing at the end of the 24 month period, with interest equal to the prime rate of interest declared by the United States Treasury plus four percent.

LOAN TERMS AND REPAYMENT

A. Interest Rate

During the Operating Loan Period the interest rate will be 0% per annum on sums advanced.

B. Term

The Operating Loan will not exceed 24 months.

C. Repayment

Episcopal Housing Community Development Corporation has begun the development of Ashburton Apartments, 24 Units of rehabilitated rental units. This project is tied to this Operating Expense Loan such that the HOME requirement of having a HOME project being developed within 24 months of closing on the Operating Expense Loan (the "Closing Window") is met. The outstanding principal balance of the Operating Expense Loan will be forgiven at project completion.

MBE/WBE PARTICIPATION:

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

THE DIRECTOR OF FINANCE REVIEWED AND RECOMMENDED APPROVAL.

MINUTES

DHCD - cont'd

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S)</u>
\$ 25,000.00	9910-902985-9587	9910-921991-9610
Federal HOME	Housing	Episcopal Housing
FY2009	Development	CDC - CHDO
	Reserve	

This transfer will provide Federal HOME funds to Episcopal Housing Community Development Corporation to use the funding as a CHDO Operating Expense Loan for the development of Ashburton Apartments.

UPON MOTION duly made and seconded, the Board approved the HOME Investment Partnerships Program Community Housing Development Organization Operating Expense Loan to Episcopal Housing Community Development Corporation in its capacity as a certified CHDO. The Board further authorized the Commissioner of the Department of Housing and Community Development to execute any and all documents necessary to effectuate this transaction subject to review and approval for form and legal sufficiency by the Department of Law. The Transfer of Funds was approved, SUBJECT to the receipt of a favorable report from the Planning Commission, the Director of Finance having reported favorably thereon, in accordance with the provisions of the City Charter.

MINUTES

PROPOSALS AND SPECIFICATIONS

- | | |
|---|---|
| 1. <u>Department of Public Works/
Dept. of Recreation & Parks</u> | RP 12820, Baltimore Playground
Project - FY'12
<u>BIDS TO BE RECV'D: 05/08/2013</u>
<u>BIDS TO BE OPENED: 05/08/2013</u> |
| 2. <u>Department of Transportation</u> | TR 13006, Resurfacing Highways
at Various Locations Citywide
Emergency JOC IV
<u>BIDS TO BE RECV'D: 05/01/2013</u>
<u>BIDS TO BE OPENED: 05/01/2013</u> |
| 3. <u>Department of General
Services</u> | GS 11867, Oliver Multipurpose
Center - Partial Renovations of
Second Floor
<u>BIDS TO BE RECV'D: 04/24/2013</u>
<u>BIDS TO BE OPENED: 04/24/2013</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 date indicated.

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

MINUTES

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

BIDS, PROPOSALS AND CONTRACT AWARDS

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

Bureau of Water and Wastewater - WC 1240, Meter Setting Installations and Main Replacements at Various Locations, West Baltimore
BIDS TO BE RECV'D: 4/10/2013
BIDS TO BE OPENED: 4/10/2013

Bureau of Water and Wastewater - WC 1255, Meter Setting Installations and Main Replacements at Various Locations, East Baltimore And Locust Point
BIDS TO BE RECV'D: 4/10/2013
BIDS TO BE OPENED: 4/10/2013

MINUTES

Bureau of Water and Wastewater - WC 1256, Meter Setting
Installations and Main
Replacements at Various
Locations, Patterson Park
Vicinity
BIDS TO BE RECV'D: 4/10/2013
BIDS TO BE OPENED: 4/10/2013

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 Purchases - B50002868, Pnuematic Tire Forklift Trucks

Doosan Infracore
Vince's Sales and Service, Inc.
Maryland Industrial Trucks, Inc.

Bureau Of Purchases - B50002870, Provide Bus-Van Transportation for Children with Disabilities

American Limousines, Inc.
Just 4U Transit, LLC

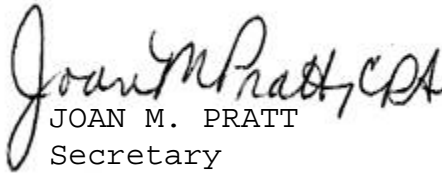
Department of Recreation and Parks - RP 12815, Skate Park of Baltimore

Adira Construction, Inc.

MINUTES

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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, April 10, 2013.


JOAN M. PRATT
Secretary