

MINUTES

REGULAR MEETING

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

The meeting was called to order by the President.

President: "I will direct the Board members attention to the memorandum from my office dated May 05, 2014, identifying matters to be considered as routine agenda items, together with any corrections and additions that have been noted by the Deputy Comptroller. I will entertain a motion to approve all of the items contained on the routine agenda."

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

Comptroller: "Second."

President: "All those in favor say AYE. Those opposed NAY. The routine agenda has been adopted. In the interest of promoting the order and efficiency of these hearings persons who are disruptive to the hearings will be asked to leave the hearing room immediately."

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MINUTES**BOARDS AND COMMISSIONS**1. 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:

A-Connection, Inc.	\$ 1,500,000.00
Bensky Construction Co., LLC	\$ 4,455,000.00
Iacoboni Site Specialists, Inc.	\$ 37,755,000.00
Masonry Resurfacing and Construction, Co., Inc.	\$ 1,500,000.00
MSI Controls	\$ 5,544,000.00
SAK Construction, LLC	\$190,062,000.00
Santos Construction Company, Inc.	\$ 3,978,000.00
T.E. Jeff, Inc.	\$ 1,500,000.00

MINUTES**BOARDS AND COMMISSIONS** - cont'd2. Prequalification of Architects and Engineers

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

Albrecht Engineering, Inc.	Engineer
CDM Smith, Inc.	Landscape Architect Engineer
JDG Incorporated	Engineer
Kim Engineering, Inc.	Landscape Architect Engineer Land Survey
Melville Thomas Architects, Inc.	Architect
Setty& Associates International, PLLC	Architect Engineer
Stevens Architectural Consulting, LLC	Architect
Tank Industry Consultants	Engineer
Waldon Studio Architects & Planners	Architect

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

MINUTES**CITY COUNCIL BILLS:**

14-0329 - An ordinance concerning the sale of property - Former Beds of Certain Streets and Alleys Bounded by Guilford Avenue, East 21st Street, Barclay Street, and East 20th Street for the purpose of authorizing the Mayor and City Council of Baltimore to sell, at either public or private sale, all its interest in certain parcels of land known as the former beds of certain streets and alleys bounded by Guilford Avenue, East 21st Street, Barclay Street, and East 20th Street (Ward 12, Section 12, Block 3806) and no longer needed for public use; and providing for a special effective date.

THE DEPARTMENT OF GENERAL SERVICES SUPPORTS PASSAGE OF CITY COUNCIL BILL 14-0329 PROVIDED THE OPENING AND CLOSING ORDINANCES ARE APPROVED BY THE COUNCIL.

ALL REPORTS RECEIVED WERE FAVORABLE.

14-0331 - An ordinance concerning the sale of property - Former Beds of Certain Streets and Alleys Bounded by East 21st Street, Greenmount Avenue, East 20th Street, and Barclay Street for the purpose of authorizing the Mayor and City Council of Baltimore to sell, at either public or private sale, all its interest in certain parcels of land known as the former beds of certain streets and alleys bounded by East 21st Street, Greenmount Avenue, East 20th Street, and Barclay Street (Ward 12, Section 12, Block 3805) and no longer needed for public use; and providing for a special effective date.

THE DEPARTMENT OF GENERAL SERVICES SUPPORTS PASSAGE OF CITY COUNCIL BILL 14-0331 PROVIDED THE OPENING AND CLOSING ORDINANCES ARE APPROVED BY THE COUNCIL.

ALL REPORTS RECEIVED WERE FAVORABLE.

MINUTES**CITY COUNCIL BILLS** - cont'd

UPON MOTION duly made and seconded, the Board approved City Council Bill No. 14-0329 and Council Bill No. 14-0331 and directed that the bills be returned to the City Council with the recommendation that the bills also be approved and passed by that Honorable Body. The President **ABSTAINED**.

MINUTES

TRANSFERS OF FUNDS

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UPON MOTION duly made and seconded,

the Board approved

the Transfers of Funds

listed on the following page:

1656

SUBJECT to receipt of favorable reports

from the Planning Commission,

the Director of Finance having

reported favorably thereon,

as required by the provisions of the

City Charter.

MINUTES**TRANSFER OF FUNDS**

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Department Of General Services</u>		
1. \$585,000.00 5 th Public Building Loan	9916-904845-9194 Capital Constr. & Maintenance - Reserve	9916-902955-9197 Northwestern District Police Station Improv. - Active
2. \$585,000.00 5 th Public Building Loan	9916-904845-9194 Capital Constr. & Maintenance - Reserve	9916-902952-9197 Western District Police Station Improv. - Active

The roofs are leaking at the Northwestern and Western District Police Stations. The facilities have been repaired numerous times, but the roofs have exceeded their useful life. The poor conditions of the bathroom fixtures, HVACs, and plumbing systems require immediate improvements so they can adequately serve the Police Department until a study of the Police facilities is completed. An air handler needs to be replaced and a generator is required to provide immediate electrical service to the Northwestern and Western District Police Stations during events when electrical outages occur.

MINUTESDepartment of General Services - Minor Privilege Permit Applications

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

	<u>LOCATION</u>	<u>APPLICANT</u>	<u>PRIVILEGE/SIZE</u>
1.	4503 Pennington Avenue	Raymond Makarovich, Jr.	Retain awning 25' x 5', single face electric sign 3' x 1½', flat sign 2' x 1½'
	Annual charge: \$561.40		
2.	2929 O'Donnell Street	Donald Dewar, III	Outdoor seating 10' x 2'
	Annual charge: \$337.50		
3.	2322 Boston Street	MA & ME, LLC	Retain double face electric sign 8' x 1½', egress stairway 14' x 3'9"
	Annual charge: \$304.70		
4.	2400 Boston Street	The Can Company, LLC	Trash bin enclosure 259 sq. ft.
	Annual charge: \$903.00		
5.	2200 N. Fulton Ave.	James H. Lee	Retain awning w/signage 14' x 1', four fluorescent tubes
	Annual charge: \$246.20		

MINUTES

Dept. of General Services - cont'd

	<u>LOCATION</u>	<u>APPLICANT</u>	<u>PRIVILEGE/SIZE</u>
6.	900 S. Ellwood Avenue	Charmaine A. Barnes	Retain three awnings w/signage one @ 5' x 3', one @ 5'6" x 3', one @ 12' x 3', one double face electric sign 15' x 2'
	Annual charge: \$ 356.90		
7.	3405 Greenmount Avenue	Sheung C. Lai	Retain single face electric sign 12' x 2'
	Annual charge: \$ 70.30		
8.	5423 Harford Road	JHM, LLC	Retain single face electric sign 15' x 3'
	Annual charge: \$ 140.60		
9.	547-549 E. Fort Avenue	549 Fort Avenue, LLC	Retain areaway 13'9" x 4', handi-cap ramp 19' x 4' egress stairway 14' x 2'9"
	Annual charge: \$1,850.10		
10.	2250 Reisterstown Road	HMC, LLC	Retain four single face electric signs two @ 4' x 2½', one @ 6' x 3', one @ 5' x 2½'
	Annual charge: \$ 281.20		

MINUTES

Dept. of General Services - cont'd

	<u>LOCATION</u>	<u>APPLICANT</u>	<u>PRIVILEGE/SIZE</u>
11.	1900 N. Howard Street	How Now Limited Partnership	Retain two awnings w/signage one @ 14' X 4', one @ 78' x 4'

Annual charge: \$772.80

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

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

MINUTES

OPTIONS/CONDEMNATION/QUICK-TAKES:

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>Dept. of Housing and Community Development (DHCD) - Condemnation</u>			
1. James M. Stein and Eutaw Place, LLC	1010 N. Stricker St.	G/R \$75.00	\$ 625.00

Funds are available in account no. 9910-905507-9588-900000-704040, AG Demolition Project.

DHCD - Option

2. Anthony Laws	1010 N. Stricker St.	L/H	\$30,112.50
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Funds are available in account no. 9910-905507-9588-900000-704040, AG Demolition Project.

Rescission & Approval of Option

3. Jeffrey I. Silberman	1016 N. Stricker St.	G/R \$75.00	\$ 688.00
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On March 19, 2014, the Board approved the condemnation of the ground rent interest in 1016 N. Stricker Street for the amount of \$625.00. Since the original approval, the owner has agreed to proceed with a voluntary settlement. Therefore, the Board is requested to rescind its prior approval of acquisition of the ground rent by condemnation and approve an option to purchase the ground rent interest in 1016 N. Stricker Street.

Funds are available in account no. 9910-905507-9588-900000-704040, AG Demolition Project.

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

MINUTES**OPTIONS/CONDEMNATION/QUICK-TAKES** - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized the condemnation, option, and the rescission and approval of option.

MINUTES

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

1. ALBAN TRACTOR CO., INC. \$37,689.00 Low Bid
Solicitation No. B50003451 - Milling Machine Teeth - Department of Transportation - Req. No. Various

The period of the award is May 7, 2014 through May 6, 2015, with four 1-year renewal options remaining.

2. DAZSER-BAL CORP. DBA
JANI-KING OF BALTIMORE \$ 6,720.00 Renewal
Solicitation No. B50001942 - Janitorial Services (EPFL #23) - Enoch Pratt Free Library - Req. No. R571303

On June 8, 2011, the City Purchasing Agent approved the initial award in the amount of \$6,720.00. The award contained three 1-year renewal options. On March 8, 2012, the City Purchasing Agent approved the first renewal in the amount of \$6,720.00. On March 19, 2013, the City Purchasing Agent approved the second renewal in the amount of \$6,720.00. This final renewal in the amount of \$6,720.00 is for the period June 1, 2014 through May 31, 2015.

3. PRICE BROTHERS CO. DBA
HANSON PIPE AND PRECAST \$29,795.00 Low Bid
Solicitation No. B50003444 - Provide Concrete Pipe Adapters and Accessories - Department of Public Works - Req. No. R656108

The period of the award is May 14, 2014 through May 13, 2015, with two 1-year renewal options remaining.

4. CHILD SAFETY SOLUTIONS, INC. \$28,017.41 Sole Source
Solicitation No. 08000 - Safety Books - Department of Transportation - Req. No. R658582

The vendor is the sole provider of the merchandise.

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

- | | | |
|------------------------------|-------------|---------|
| 5. AMERICAN LIMOUSINES, INC. | \$92,500.00 | Renewal |
|------------------------------|-------------|---------|
- Contract No. B50002958 - Provide Bus/Van Transportation for Children with Disabilities to Camp Variety - Department of Recreation and Parks - Req. No. R661535

On June 12, 2013, the Board approved the initial award in the amount of \$92,500.00. The award contained one 1-year renewal option. This renewal in the amount of \$92,500.00 is for the period June 23, 2014 through June 22, 2015. The above amount is the City's estimated requirement.

MWBOO GRANTED A WAIVER.

- | | | |
|---|---------|---------|
| 6. ENVIRONMENTAL QUALITY RESOURCES, LLC | \$ 0.00 | Renewal |
|---|---------|---------|
- Contract No. B50001898 - Debris Cleanup in Middle Branch, Canton and Fells Point - Department of Public Works, Bureau of Solid Waste - P.O. No. P517182

On May 25, 2011, the Board approved the initial award in the amount of \$144,450.00. The award contained four 1-year renewal options. Subsequent renewals have been approved. This renewal in the amount of \$0.00 is for the period June 13, 2014 through June 12, 2015, with one 1-year renewal option remaining. The above amount is the City's estimated requirement.

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

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

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.

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

9. ASSOCIATED BUILDING	\$ 29,354.64	Ratification
MAINTENANCE CO., INC.	6,645.36	Renewal
	\$36,000.00	

Contract No. B50002936 - Light Maintenance Man for Animal Control - Department of General Services - P.O. No. P523844

On June 19, 2013, the City Purchasing Agent approved the initial award in the amount of \$23,251.20. The award contained one 1-year renewal option. The agency initially thought services would be required for six months of service, and that thereafter services would be performed by agency personnel. However, that was not possible due to the need to have dedicated personnel available for that location, throughout the day. The Board is requested to approve ratification of the six-month renewal term, which is required to continue to provide maintenance services at BARCS for the remainder of the six-month term, while a new annual contract is advertised. The period of the ratification is December 21, 2013 through May 6, 2014. The period of the renewal is May 7, 2014 through June 30, 2014, with no renewal options.

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.

MINUTES**INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS**

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

MBE/WBE PARTICIPATION:

The initial award amount was below the threshold for MWBOO; therefore, goals were not requested for this contract.

UPON MOTION duly made and seconded, the Board approved the Informal Awards, Renewals, Increases to Contracts and Extensions.

Kim A. Trueheart

May 6, 2014

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 Baltimore City, of which I am a member, in good standing.

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: Page 11, Item 6 - Bureau of Purchases - ENVIRONMENTAL QUALITY RESOURCES, LLC and Page 12, Item 8 – Bureau of Purchases - ADSYTECH, Inc., if, approved:
 - a. These solicitations set the minority and women business participation goals at MBE = 0% at WBE = 0%;
 - b. When MWBOO goals are set at 0% it is intended that this practice informs the market-place that minority and women owned businesses are under-represented in this particular business segment and thus an opportunity exist for entry;
3. How the protestant will be harmed by the proposed Board of Estimates' action: As a citizen I am experiencing a significant financial burden with annual tax increases, sewer and water service increases, user fee increases, parking meter rate increases and significantly reduce services as a resident. This onerous burden can only be relieved when the economic outcomes for the underserved residents improve and the staggering 10% unemployment rate in Baltimore City is reduced. These awards fail to accomplish that end and will be more costly to the citizens of Baltimore and myself who have to bare the heavy tax and fee burden.
4. The Remedy I Seek: This award should NOT be approved until the MWBOO along with the MWBD offices present a plan to recruit and certify new minority and/or women businesses into the city's minority/women's business participation program.

I look forward to opportunity to address this matter in person at the BOE on May 7, 2014. If you have any questions regarding this request, please telephone me at (410) 205-5114.

Sincerely,
Kim Trueheart, Citizen

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

MINUTES

Department of Real Estate - Rescission of Agreement of Sale and Agreement of Sale

ACTION REQUESTED OF B/E:

The Board is requested to rescind the Agreement of Sale approved by the Board on November 17, 2010 with the MDTA. The Board is also requested to approve and authorize execution of a new Agreement of Sale with the Maryland Department of Transportation Authority (MDTA), Purchaser.

AMOUNT OF MONEY AND SOURCE:

\$8,400.00

BACKGROUND/EXPLANATION:

The authority to sell this property was approved by the City Council Ordinance No. 10-281 approved on May 21, 2010. The property known as NS Eastern Avenue 402-9 feet East of Kane Street (Block 6345D, Lot 9) and contains 9.385 acres of land.

The purchaser intends to use the property as a rail yard. It is adjacent to the Canton railroad mainline track which is owned and operated by MDTA. The site is a long, narrow irregularly shaped vacant parcel with no road frontage with exception by railroad.

STATEMENT AND PURPOSE AND RATIONAL FOR SALE BELOW THE APPRAISED VALUE:

The property appraised for \$84,000.00 and is being sold for \$8,400.00. The City purchased the Property with Federal funds and is authorized to sell the Property in accordance with 23 CFR 710.403 (d) (1-5) and 23 CFR 710.409. Pursuant to 23 CRF 710.409(d), Federal Highway Administration granted a waiver on September 24, 2012, to reduce the purchase price by 90% because the property will be used for transportation purposes. The deed conveying the Property will provide for reversion of the Property to the City for failure by the MDTA to continue public ownership and use for transportation purposes.

MINUTESDepartment of Real Estate - cont'd

The original agreement of Sale was approved by the Board of Estimates on November 17, 2010. The State did not seek the State Board of Public Works approval because the State held off until all of the financing was in place via the State and Federal governments. In addition, because the property had contaminants, the Maryland Department of the Environment made it mandatory that nine acres of the property be clean and capped, which was done at the State's expense.

UPON MOTION duly made and seconded, the Board approved and authorized the rescission of the Agreement of Sale approved by the Board on November 17, 2010 with the MDTA. The Board also approved and authorized execution of a new Agreement of Sale with the Maryland Department of Transportation Authority.

MINUTESBaltimore Development Corporation - Office Lease Agreement**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a Lease Agreement with BMW Cleaning Solutions, LLC tenant, for the rental of a portion of the property known as the Business Center @ Park Circle, located at 2901 Druid Hill Park Drive, consisting of 1,732 square feet of space, Suites A7, A13 and A48 with 644 sq. ft. of space and Suite B107 with 1,088 sq. ft. of warehouse space. The period of the Lease Agreement is effective upon Board approval for one year with one 1-year renewal option.

AMOUNT OF MONEY AND SOURCE:

<u>Year</u>	<u>Annual Rent</u>	<u>Monthly Installments</u>
1	\$17,735.68	\$1,477.97

After year one, the base rent will escalate at a rate of 4% annually.

BACKGROUND/EXPLANATION:

The tenant is a full-service cleaning company that services residential and commercial properties, including carpet cleaning and mold remediation. The company relocated their headquarters into the building in 2009. The company is now downsizing to 644 sq. ft. versus 850 sq. ft. of office space. The company will retain 1,088 sq. ft. of warehouse space. The company has approximately 17, full-time employees and hires part-time staff as needed.

The space is leased on an "As Is" basis and does not require the landlord to make any modifications. The tenant will be responsible for any additional improvements or build-out of the premises. All other landlord services such as utilities, limited janitorial services, maintenance, and repairs to the premises are included in the base rent.

MINUTES

BDC - cont'd

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

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Lease Agreement with BMW Cleaning Solutions, LLC for the rental of a portion of the property known as the Business Center @ Park Circle, located at 2901 Druid Hill Park Drive.

MINUTESBaltimore Development Corporation - Office Lease Agreement**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a Lease Agreement with The T.A.R.A. Center, LLC, tenant, for the office rental of a portion of the property known as the Business Center @ Park Circle located at 2901 Druid Hill Park Drive, Suite C200, consisting of 368 square feet of space. The period of the Lease Agreement is effective upon Board approval for one year with one 1-year renewal option.

AMOUNT OF MONEY AND SOURCE:

<u>Year</u>	<u>Annual Rent</u>	<u>Monthly Installments</u>
1	\$6,624.00	\$552.00

BACKGROUND/EXPLANATION:

The T.A.R.A. Center, LLC was established in 2010 for the purpose of providing training, assessments, resources and advocacy support services to individuals and organizations to enhance their ability to navigate systems with Child Welfare/Foster Care, mental health and human services. The T.A.R.A. Center, LLC, conducts workshops for organizations to assist them in providing services to children, families, and adults. The leased premises will be used for general office purposes.

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

MINUTES

BDC - cont'd

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

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

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Lease Agreement with The T.A.R.A. Center, LLC, for the office rental of a portion of the property known as the Business Center @ Park Circle located at 2901 Druid Hill Park Drive, Suite C200.

MINUTES

Department of Housing and - Community Bond Fund Loan
Community Development (DHCD)

ACTION REQUESTED OF B/E:

The Board is requested to approve a Community Bond Fund Loan (the Bond Loan) to the Baltimore Community Development, LLC. The Board is further requested to authorize the Commissioner of the Department of Housing and Community Development to execute any and all documents to effectuate this transaction subject to review and approval for form and legal sufficiency by the Department of Law.

AMOUNT OF MONEY AND SOURCE:

Colombo Bank	\$352,000.00	Acquisition	\$ 98,580.00
City Bond Loan	266,000.00	Construction	550,000.00
Developer Equity	65,690.00	Soft Costs	32,500.00
Deferred Developer	87,610.00	Financing Fees	65,310.00
Fee		Carrying Costs	22,300.00
Deferred GC Fee	110,000.00	Reserves	25,000.00
	<u>\$881,300.00</u>	Sponsor Con-	87,610.00
		tingency	<u>\$881,300.00</u>

Account: 9910-907775-9588

BACKGROUND/EXPLANATION:

The proceeds of the Bond Loan will be used to assist with a portion of the hard costs for the rehabilitation of 1106 W. Lafayette Avenue, which will be converted into seven rental units of affordable housing.

Poverni Ventures, LLC, is a growing Baltimore-based real estate company that is focused on value-added rehabilitation and the adaptive reuse of historic and distressed structures. The company's vision is to create quality housing that makes a difference in how people live. The DHCD has received a proposal for the redevelopment of a vacant and boarded structure, which will contribute to the stabilization of the Lafayette Square community. The Community Development Bond funds in the amount of \$266,000.00 will be used to assist with a portion of the rehabilitation of the building.

MINUTES

DHCD - cont'd

Upon completion, the building will have an estimated above grade gross building area of 3,870 square feet plus a finished basement of 1,290 square feet and will consist of seven units of rental housing that are to be affordable housing to households with incomes at or below 60% of the Area Median Income (the AMI). In consideration of the making of the Bond Loan, the Borrower has agreed to provide one unit (which is at least five percent of the total units) to meet the UFAS/Section 504 standards and one additional unit (which is at least two percent of the total units) to be designated for persons with sight and hearing impairments.

The building has been vacant for some time and is in need of substantial renovation and code compliance. Vandalism and illegal occupants have caused damage to the property, which continues to deteriorate. Upon completion, the building will be put back to productive use. The rehabilitation of the building will address a vacant structure on a major thoroughfare, improve the lives of families through the provision of affordable housing, and provide a visible major redevelopment in an area of the Lafayette Square neighborhood.

Page Appraisal Company, Inc. prepared a summary appraisal for the first lender, Colombo Bank that indicates a "Market Value as Completed and Stabilized" of \$525,000.00. An appraised value below the total cost of the completed project is common in transactions involving production of affordable housing such as this. Without the grant funds and public financing used for construction, projects with restricted rents could not be financed, since the reduced rents decrease the appraised value. The combined mandatory debt is supported by the appraisal. The DHCD is comfortable recommending the Bond Loan under these circumstances.

PARTICIPATING PARTIES:

A. Developer/Owner

BCD SPVI, LLC, a Maryland Limited Liability Company, or a related entity (the Borrower) will be the owner/developer of record. Baltimore Community Development, LLC, whose sole members are Eugene Poverni and Jacob Wittenberg, controls the Borrower.

MINUTES

DHCD - cont'd

B. General Contractor

Harbor Development, Inc. will act as the general contractor and will post a letter of credit or another surety approved by the DHCD.

C. Participating Lenders

Colombo Bank of Maryland (Colombo Bank) - 1st Lien Position

Colombo Bank will provide a construction/permanent loan for \$352,000.00 (the Colombo Loan). The Colombo Loan will have a renovation term of not less than 15 months (the Renovation Term). Following the Renovation Term, the Colombo Loan will convert to a permanent term of 60 months (the Permanent Term), which may be extended at the option of the Borrower for an additional term of 60 months. During the Renovation Term, the Borrower will pay interest only on the loan proceeds advanced and outstanding at the floating rate of interest equal to the greater of (i) the Prime Rate plus 3.25% or (ii) 6% per annum, such interest rate to be calculated daily. During the Permanent Term, interest will accrue at the fixed rate of interest of five percent. Upon commencement of the Permanent Term, monthly payments of principal and interest amortized on a 25-year basis will be paid on the full loan amount advanced.

Baltimore City Bond Loan - 2nd Lien Position:

The Bond Loan will have a construction term of not less than 15 months (the Construction Loan Period). During the Construction Loan Period, interest will accrue at the rate of 0% per annum on sums advanced. The permanent loan will not exceed ten years commencing at the end of the Construction Loan Period (the Permanent Loan Period). During the Permanent Loan Period, simple interest will accrue at a rate of two percent per annum. The last day of the Permanent Loan Period will constitute the maturity date.

MINUTES

DHCD - cont'd

During the Permanent Loan Period, the City will require annual payments of principal and interest sufficient to fully amortize the Bond Loan during its term. Such payments will be made from 50% of the Surplus Cash generated by the project. The Surplus Cash will be defined in accordance with the terms of the documents to be negotiated by the parties but generally will be determined by cash available after payment of all project expenses, including debt payments on all superior loans. In the event that Surplus Cash is insufficient to fully pay the City's required debt service payment, any unpaid amounts will be deferred and added to the outstanding principal of the loan.

Should an event of default occur under the loan documents and continue without being cured, interest will accrue both from the date of the default at the prime rate of interest declared by the Wall Street Journal from time to time, plus four percent. The entire principal and any interest will be due and payable in the event of a refinancing, sale, transfer, conveyance or any encumbrance of the Project or portion thereof without prior written consent of the DHCD. The City's Bond Loan will be long-term subordinate, non-recourse debt.

MBE/WBE PARTICIPATION:

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

MINUTESDHCD - cont'd**TRANSFER OF FUNDS**

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$266,000.00	9910-902985-9587	9910-907775-9588
31 st CDB	Housing Development	1106 West Lafayette Apartments

This transfer will provide City Bond funds to the Baltimore Community Development, LLC to support the construction costs for the rehabilitation of 1106 West Lafayette Apartments.

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 the Community Bond Fund Loan to the Baltimore Community Development, LLC. The Board further authorized the Commissioner of the Department of Housing and Community Development to execute any and all documents 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 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.

Kim A. Trueheart

May 6, 2014

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 20, Department of Housing and Community Development (DHCD) – Community Bond Fund Loan , if approved:
 1. The property listed as 1106 W. Lafayette Street is not a valid Baltimore City address in the Lafayette Square community;
 2. The following statement is NOT factual:
 - a. “An appraised value below the total cost of the completed project is common in transactions involving production of affordable housing such as this. Without the grant funds and public financing used for construction, projects with restricted rents could not be financed, since the reduced rents decrease the appraised value.”
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 specifically. This action serves to demonstrate the Community Bond Funds Loans are deemed a viable method to construct desperately needed affordable housing. While the terms of the loan are extremely generous, it is clearly evident that DCHD does not expect the debt will be paid at the end of the “Permanent Loan Period”. I am appreciative that this arrangement provides 7 affordable rental units, but concerned that it also saddles the tax-payers of Baltimore City with this debt.
4. The remedy I seek: The loan should be restructured to include profit sharing and repayment terms that produce actual revenue back to the tax-payers of Baltimore City at the end of the “Permanent Loan Period”. Again, 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

Email: ktrueheart@whatfits.net

5519 Belleville Ave
Baltimore, MD 21207

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 May 6, 2014.

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

Sincerely, Kim Trueheart, Citizen & Resident

5519 Belleville Ave
Baltimore, MD 21207

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

* * * * *

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

1679

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

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONSBureau of Purchases

- | | | |
|---|------------------------------------|----------------|
| 1. B50003447, OEM Parts
and Service for Ford
Vehicles | Al Packer White
Marsh Ford, LLC | \$4,000,000.00 |
|---|------------------------------------|----------------|

(Dept. of General Services, Fleet Mgmt.)

MWBOO GRANTED A WAIVER.Bureau of Water & Wastewater

- | | |
|--|--|
| 2. WC 1247, E. Fort Ave. Bridge Over
CSX 20" Water Main Replacement | <p>REJECTION: On April 02,
2014, the Board opened one
bid for WC 1247. The bid
price was \$853,300.00
which was over 114.67%
above the engineer's
estimate of \$397,500.00.
The Dept. of Public Works,
Bureau of Water and
Wastewater is recommending
rejection of the bid as
being in the best interest
of the City.</p> |
|--|--|

MINUTES

Bureau of Purchases - Acceptance of the Technical Proposal
and Opening of the Price Proposal

ACTION REQUESTED OF B/E:

The Board is requested to approve acceptance of the technical proposal for B50003294, Water Billing Customer Information System (CIS) Selection and Implementation from the following vendor that achieved the minimum technical score, and open the price proposal submitted by:

Itineris NA, Inc.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

On February 05, 2014, the Board opened the one technical proposal received for B50003294. The technical evaluation committee, consisting of members from both Baltimore City and Baltimore County, found that the proposal submitted by Itineris NA, Inc. was responsive and met the City's minimum technical criteria.

UPON MOTION duly made and seconded, the Board approved acceptance of the technical proposal for B50003294, Water Billing Customer Information System Selection and Implementation from Itineris NA, Inc. that achieved the minimum technical score, and open the price proposal submitted by Itineris NA, Inc.

MINUTES

PROPOSAL AND SPECIFICATIONS

1. Department of General Services - GS 13807R, MECU Building Window Replacement
BIDS TO BE RECV'D: 06/11/2014
BIDS TO BE OPENED: 06/11/2014

2. Department of Public Works/
Bureau of Water & Wastewater - WC 1245, Westfield Neighborhood Water Main Replacements, Baltimore
BIDS TO BE RECV'D: 06/04/2014
BIDS TO BE OPENED: 06/04/2014

3. Department of Public Works/
Bureau of Water & Wastewater - WC 1262, East Baltimore Midway Neighborhood & Vicinity-Water Main Replacements
BIDS TO BE RECV'D: 06/04/2014
BIDS TO BE OPENED: 06/04/2014

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 the opening of bids on the date indicated.

MINUTES

Health Department - Agreements

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

1. **BON SECOURS SMALLWOOD SUMMIT** **\$ 0.00**
LIMITED PARTNERSHIP

The above-listed organization will serve as a Volunteer Station for the Retired and Senior Volunteer Program (RSVP). The RSVP has been funded since 1982 by the Corporation for National and Community Services, an agency of the executive branch of the federal government. The Department's RSVP Program has been awarded funds to pay administrative staff to arrange volunteer work with other non-profit, private agencies and organizations where services are performed by persons 55 years of age and over. The period of the agreement is July 1, 2013 through June 30, 2014.

The agreement is late because it was recently completed.

2. **ASSOCIATED CATHOLIC CHARITIES, INC.** **\$ 0.00**

The organizations will serve as a Volunteer Station for the Senior Companion Program. A grant from the Corporation for National and Community Service funds this program. The grant pays for 100% of the cost for Senior Companions to volunteer to assist special needs clients who want to remain in their homes instead of moving to costly institutional care. While the Senior Companions are on duty, the grant provides for their life insurance, transportation, and other benefits. The period of the agreement is July 1, 2013 through June 30, 2014.

The agreement is late because it was recently completed.

MINUTES

Health Department - cont'd

3. **MARYLAND COMMUNITY HEALTH RESOURCES** **\$275,000.00**
COMMISSION

Account: 6000-618514-3001-268400-406001

Under the terms of this grant agreement, the funds will allow the Department to implement the project titled Baltimarket Healthy Stores. Baltimarket is a suite of community-based Health Department programs that aim to improve the health and wellness of Baltimore City residents by using food access and food justice as strategies for community transformation. Baltimarket programs include the Virtual Supermarket Program and the Neighborhood Food Advocates Initiative.

The goal of Baltimarket Healthy Stores is to prevent youth obesity by improving access to low-cost healthy foods at stores that already serve food desert communities. The period of the agreement is March 1, 2014 through February 28, 2017.

The grant agreement is late because of delays in the signatory process.

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

4. **BLACK MENTAL HEALTH ALLIANCE** **\$ 11,500.00**
FOR EDUCATION AND CONSULTATION, INC.

Account: 5000-530314-3041-605800-603051

Under the terms of this agreement, the organization will provide cessation services for mental health program clients. These services will include working with the Department to reduce tobacco use among adults, young adults, and women; promoting cessation services, and reducing secondhand smoke exposure in the home or any enclosed space. The period of the agreement is July 1, 2013 through June 30, 2014.

MINUTESHealth Department - cont'd

The Agreement is late because the Department of Health and Mental Hygiene did not approve the grant application until October 2013. The tobacco sub-grants went out to bid in mid-November and were submitted to the Department in early December. The sub-grantees were selected on December 19, 2013.

MBE/WBE PARTICIPATION:

N/A

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED (EXCEPT ITEM NOS. 1 AND 2) AND HAD NO OBJECTION.

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

MINUTES

Health Department - Revised Notice of Award

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize acceptance of a Revised Notice of Award (NoA)/Cooperative Agreement with the Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for HIV, Viral, Hepatitis, STDs, and TB Prevention.

AMOUNT OF MONEY AND SOURCE:

\$837,359.00 - 4000-499014-3023-513200-404001

BACKGROUND/EXPLANATION:

On February 5, 2014, the Board approved the original NoA in the amount of \$1,937,213.00 for the budget period of January 1, 2014 through December 31, 2014.

This revised NoA provides an additional 23% funding for the budget period January 1, 2014 through December 31, 2014, to meet the needs of the Comprehensive HIV Prevention Project. All other terms and conditions remain unchanged.

The NoA is being presented at this time because it was recently received from the grantor.

APPROVED FOR FUNDS BY FINANCE

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

UPON MOTION duly made and seconded, the Board approved and authorized acceptance of a Revised Notice of Award/Cooperative Agreement with the Department of Health and Human Services, Center for Disease Control and Prevention, National Center for HIV, Viral, Hepatitis, STDs, and TB Prevention.

MINUTES

Health Department - Revised Memorandum of Agreement
and Grant Award

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the revised Memorandum of Agreement (MoA) and Grant Award with CareFirst BlueCross BlueShield.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

On August 14, 2013, the Board approved the MoA and grant award in the amount of \$1,750,000.00 to support the B'more for Healthy Babies Initiative for the period July 1, 2013 through June 30, 2015.

On March 26, 2014, Carefirst BlueCross BlueShield revised the Payment Distribution dates and the Progress and Reporting Schedule of the MoA. All other terms and conditions remain unchanged.

AUDITS NOTED THE REVISED GRANT AWARD.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the revised Memorandum of Agreement and Grant Award with CareFirst BlueCross BlueShield.

MINUTES

Mayor's Office of Information - Expenditure of Funds
Technology (MOIT)

ACTION REQUESTED OF B/E:

The Board is requested to approve an expenditure of funds to pay Digicon Corporation.

AMOUNT OF MONEY AND SOURCE:

\$2,355.00 - 1001-000000-1512-167700-603080

BACKGROUND/EXPLANATION:

In FY 12, Digicon Corporation installed three customer-provided ADP 4000 time clocks and one plasma flat panel television for the Unified Communications Center. MOIT has the equipment and it is in use. Per Digicon, the equipment and installation was requested and approved by the former MOIT administration. Therefore, Digicon is due \$2,355.00.

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

UPON MOTION duly made and seconded, the Board approved an expenditure of funds to pay Digicon Corporation.

MINUTES

Mayor's Office of Information - Consultant Agreement
Technology

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a Consultant Agreement with LifeCycle Corporation. The period of the Consultant Agreement is effective upon Board approval through June 30, 2014.

AMOUNT OF MONEY AND SOURCE:

\$44,200.00 - 1001-000000-1512-167800-603018

BACKGROUND/EXPLANATION:

DEFERRED

LifeCycle Corporation, Consultant, will serve under the direction of a Human Resources Business Partner to provide Family Medical Leave quality control compliance services. These services will include, but will not be limited to quality control compliance and activity checks of the Family Medical Leave personnel, administrative documentation of quality control compliance findings of the Family Medical Leave abuse, and video/photographic documentation of quality control compliance of the Family Medical Leave.

MBE/WBE PARTICIPATION:

N/A

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

A LETTER OF PROTEST WAS RECEIVED FROM CITY UNION OF BALTIMORE, LOCAL 800, AFT, AFL-CIO.

UPON MOTION duly made and seconded, the Board deferred the Consultant Agreement with LifeCycle Corporation until its May 28, 2014 meeting.

MINUTES

Bureau of Water and Wastewater - Employee Expense Statement

ACTION REQUESTED OF B/E:

The Board is requested to approve the expense statement for Mr. Michael Ekanem.

AMOUNT OF MONEY AND SOURCE:

\$35.00 - 2071-000000-5521-632401-603020

BACKGROUND/EXPLANATION:

The employee is entitled to reimbursement for attending a seminar. The seminar information was useful for preparation for the operator licensing examination. The employee was notified of the pending seminar on October 15, 2013. A travel request was submitted for traveling this same date. A check in the amount of \$35.00 (Non-Member) had to be forwarded to Chesapeake AWWA immediately for reservation (seminar was limited to first 30 attendees). The seminar was rescheduled for October 31, 2013. However, it was postponed and rescheduled for January 9, 2014. Mr. Ekanem did not get copy of the returned check in a timely matter to the Bureau of Accounting and Payroll Services.

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

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved the expense statement for Mr. Michael Ekanem.

MINUTES

Department of Public Works/
Bureau of Solid Waste

- Settlement Agreement
and Release

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the Settlement Agreement and Release between the City, Northeast Maryland Waste Disposal Authority and Wheelabrator Baltimore, L.P. (Wheelabrator).

AMOUNT OF MONEY AND SOURCE:

\$4,295,851.62 - 1001-000000-1500-505801-401791

BACKGROUND/EXPLANATION:

Under the terms of the proposed settlement, the City will receive a check from Wheelabrator within 14 days of the Board's approval. The settlement, in lieu of entering into a power purchase agreement provides for a financial swap from July 1, 2014 for a period of 18 months. Funding of any amounts due under the financial swap will come from the solid waste surcharge account set up for the proceeds of this settlement.

The City's Law Department has been negotiating over a number of issues with counsel for Wheelabrator since June 2013. The City had reimbursed Wheelabrator for all personal and real property taxes for the fiscal year 2012-2013 in error, claiming that it only owed reimbursement for six months not the entire year. The settlement agreement returns \$303,331.70 of the overpayment to the City. At about the same time as this claim surfaced, it was noted by Finance that the solid waste surcharge received from Wheelabrator, dropped substantially. Bringing Wheelabrator current and addressing a number of constitutional issues and interpretation of the language of the Solid Waste Ordinance to closure, the settlement has Wheelabrator paying the City \$3,992,519.92.

MINUTES

DPW/Law Department - cont'd

In response to the City's claims and during extensive settlement discussions, several other issues were raised and have been resolved by this settlement proposal. The current agreements with Wheelabrator commencing in January 2012 contemplated entering into a power purchase agreement. In light of present market conditions and claims asserted by Wheelabrator, it was determined to execute a financial swap rather than enter into an agreement to purchase energy. This financial swap would commence in July 2014 and last 18 months. Wheelabrator also sought to divert 60,000 tons of ash to Baltimore County where it has a put or pay agreement for that amount of solid waste. Though under the terms of the January 2012 Agreement with the City, Wheelabrator is obligated to bring all its ash to the City's landfill, the Law Department's investigation, with the input of environmental expert opinion from KCI, Inc., determined that diversion of the waste to Baltimore County would lengthen the useful life of the landfill and be financially advantageous, even with reduced income from the tipping fee due if the City had accepted the ash.

The investigation and the KCI expert opinion also revealed the significant financial advantages that the City would gain if the Maryland Department of Environment (MDE) were to change its policy and allow the use of ash as alternative daily cover at the landfill. Wheelabrator, L.P. has agreed to lead the effort with MDE to obtain a return in MDE policy to permitting ash to be used as alternative daily cover. If Wheelabrator's, L.P. effort effectuates the change, Wheelabrator will receive a 35% reduction on the tipping fee for the ash that is used for alternative daily cover for the duration of the 2012 contract through 2021.

The Settlement Committee of the Law Department approved the proposed settlement agreement.

APPROVED FOR FUNDS BY FINANCE

MINUTES

DPW/Law Department - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Settlement Agreement and Release among the City, Northeast Maryland Waste Disposal Authority and Wheelabrator Baltimore, L.P.

MINUTES

Police Department - Expenditure Authorization

ACTION REQUESTED OF B/E:

The Board is requested to approve an Expenditure Authorization to pay the Maryland Medical Legal Foundation, Inc. for the Annual Frances Glessner Lee Homicide Seminar that was held on April 7 - 11, 2014.

AMOUNT OF MONEY AND SOURCE:

\$6,500.00 - 4000-471312-2023-212600-603026

BACKGROUND/EXPLANATION:

The Annual Frances Glessner Lee Homicide Seminar was held on April 7 - 11, 2014 at the Office of the Medical Examiner. The seminar was led by leading experts in the field of death investigations from the Harvard Associates in Police Science at 900 West Baltimore Street. Participants were Detectives Mike Boyd, Monique Brown, Niesha Capel, Jeffrey Converse, Anthony Forbes, Michael Hansen, Steven McDonnell, Hassan Rasheed, Nigel Rose, and Lt. Michael Norris.

The purpose of the seminar was to cover some of the latest techniques in homicide investigation, including DNA fingerprinting, trace evidence analysis, and psychological profiling of suspects. The seminar helped investigators to expand their knowledge in the area of death investigations within the Homicide Unit. This seminar built upon factors used in estimating the time of death, and blood stain interpretation.

The goal of this training is to lower victim homicides and build stronger relationships within the community through positive victim response to the investigative process along with strengthening court cases.

MINUTES

Police Department - cont'd

This request is late because, although the Department makes every attempt to make requests in advance, however, there were unforeseen circumstances with the scheduling of the seminar. The Department apologizes for the delay to the Board.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved an Expenditure Authorization to pay the Maryland Medical Legal Foundation, Inc. for the Annual Frances Glessner Lee Homicide Seminar that was held on April 7 - 11, 2014.

MINUTES

Department of Transportation - Amendment No. 1 to Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of Amendment No. 1 to Funding Agreement with Baltimore Heritage, Inc. The Amendment No. 1 extends the agreement through October 12, 2014.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

On April 13, 2011, the Board approved and authorized execution of a funding agreement with Baltimore Heritage, Inc. for the purpose of documenting historic resources related to the Red Line transit project in the western section of the Route 40 corridor.

The original agreement in the amount of \$158,000.00 expired on April 13, 2014. It is now requested that the Board approve Amendment No. 1 to extend the agreement for six months to allow for all of the contract's deliverables, including web-based and printed material.

The amendment is late because the need to obtain external approvals from outside stakeholders, which resulted in the agreement expiring before the amendment was approved.

AUDITS NOTED THE TIME EXTENSION.

UPON MOTION duly made and seconded, the Board approved and authorized execution of Amendment No. 1 to Funding Agreement with Baltimore Heritage, Inc.

MINUTES

Department of Transportation - Refund of Excess Proceeds
from an Auction

ACTION REQUESTED OF B/E:

The Board is requested to approve payment by Expenditure Authorization of the refund of excess proceeds from a City vehicle auction to the registered owner, The Maryland Bar Foundation.

AMOUNT OF MONEY AND SOURCE:

\$10,761.00 - 1001-000000-1950-505215-401774

BACKGROUND/EXPLANATION:

The refund represents the proceeds beyond the expenses of receiving, storing, and disposing of the vehicle in question at auction. The refund is in accordance with AM 303-1 and Article 31, Section 97 of the Baltimore City Code (2000).

The registered owner and/or lienholder was properly notified that the vehicle was at the Towing Section, and the vehicle remained unclaimed. Therefore, the vehicle was sold at auction and the owner has requested the refund of the excess proceeds from the auction.

MBE/WBE PARTICIPATION:

N/A

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved payment by Expenditure Authorization of the refund of excess proceeds from a City vehicle auction to the registered owner, The Maryland Bar Foundation.

MINUTES

Department of Transportation - Amendment No. 2 to Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of Amendment No. 2 to Agreement with AECOM Technical Services, Inc. for Project 1003 Rehabilitation of Sinclair Lane Bridge over CSXT Railroad. This Amendment No. 2 will extend the period of the agreement through March 14, 2016.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

On March 15, 2006, the Board approved the original agreement in the amount of \$505,057.00 with DMJM Harris, Inc. to provide designated engineering design services for the Rehabilitation of Sinclair Lane Bridge over CSXT Railroad for a four year period. On May 23, 2007, the Board approved Extra Work Order (EWO) No. 1 in the amount of \$124,277.83 for additional engineering required to design the replacement of the substructure concrete.

On May 16, 2007, the City approved EWO No. 2 in the amount of \$10,184.87 to finalize design of the environmental portion of the Loch Raven Drive Bridge. On December 19, 2007, the City approved EWO No. 3 in the amount of \$50,256.40 to include a left turn lane for Edison Highway. On April 28, 2008, the City approved EWO No. 4 in the amount of \$10,088.98 to provide storm water management plans for the Loch Raven Replacement Project.

On August 6, 2008, the City approved EWO No. 5 in the amount of \$5,918.97 to review shop drawings for the modification to the existing operating system for the at grade CSX crossing. On December 23, 2009, the City approved EWO No. 6 in the amount of \$57,773.43 for the right-of-way and acquisition plats for properties adjacent to the Sinclair Lane Bridge.

MINUTES

Department of Transportation - cont'd

On November 3, 2008, DMJM Harris, Inc. changed its name to AECOM USA, Inc. (EWO No. 7 was voided). On March 31, 2010, the Board approved Amendment No. 1 for an additional four years to continue Bio-Retention location. On November 24, 2010, the City approved EWO No. 8 in the amount of \$68,154.20 for survey support, specifications conversion, environmental research for categorical exclusion, and storm water management design. On August 10, 2011, the City approved EWO No. 9 in the amount of \$134,205.38 to review shop drawings, prepare redline revision and drainage plans.

On January 11, 2012, the City approved EWO No. 10 in the amount of \$32,929.73 for design services in connection with the replacement of the Fort Avenue Bridge over the CSXT. On January 11, 2012, the City approved EWO No. 11 in the amount of \$31,635.49 to provide for storm water management design for the Sinclair Lane Bridge. On April 10, 2013, the City approved EWO No. 12, in the amount of \$56,160.70 for the redesign of the bridge's existing masonry located at the north and south abutments, with reinforced cantilever abutment, replacing the existing masonry southeast and southwest wing walls with conventional cast-in-place wing walls and providing pertinent redline revision on the plans.

On February 27, 2014, the City approved EWO No. 13 in the amount of \$21,011.29 for extended services required due to the expanded duration of the construction beyond the initial 600 calendar days. The Amendment No. 1 expired March 14, 2014. The Amendment No. 2 will extend the period of the agreement through March 14, 2016 to provide construction phase services.

This amendment is late because of the delays during routing process prior to submission to the Board.

AUDITS NOTED THE TIME EXTENSION.

MINUTES

Department of Transportation - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of Amendment No. 2 to Agreement with AECOM Technical Services, Inc. for Project 1003 Rehabilitation of Sinclair Lane Bridge over CSXT Railroad.

MINUTES

Bureau of Budget and - Appropriation Adjustment Order
Management Research

ACTION REQUESTED OF B/E:

The Board is requested to approve a Special Fund transfer in the amount of \$98,402.00 from Service 319 Ambulance Service to Service 613, Fire Facilities, and a Special Fund transfer in the total amount of \$79,063.00 from Service 602 Fire Suppression to Service 613 Fire Facilities.

AMOUNT OF MONEY AND SOURCE:

(\$ 98,402.00) - From: 6000-600000-3190/Ambulance Service (319)
(\$ 79,063.00) 6000-601014-2121/Ambulance Service (602)

\$177,465.00 - To: 6000-604200-2142/Fire Facilities (613)

The source of this appropriation will be unspent Special Fund appropriation in the total amount of \$177,465.00 from Services 319, Ambulance Service, and Service 602, Fire Suppression to Service 613, Fire Facilities.

BACKGROUND/EXPLANATION:

On April 13, 2011, the Board approved an agreement with the Baltimore City Foundation, Inc. (Foundation). The Foundation receives and will continue to receive charitable gifts, grants, and similar monies, which are held and will continue to be held by the Foundation and used to advance its charitable mission.

As it has been in the past, the Foundation will continue to review requests to establish accounts on behalf of City agencies. Once the accounts are established, the Foundation will receive charitable gifts, grants, and similar monies on half of the City agencies. The agencies may make requests to draw on those account funds and duly authorized disbursements of such monies will be made by the Foundation.

Pursuant to this Master Agreement, the City has received \$177,456.00 in grant funds. The grant funds will be used for the purpose of kitchen remodels in Fire Stations.

MINUTES

Bureau of Budget and Management Research - cont'd

MBE/WBE PARTICIPATION:

N/A

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved the Special Fund transfer in the amount of \$98,402.00 from Service 319 Ambulance Service to Service 613, Fire Facilities, and a Special Fund transfer in the total amount of \$79,063.00 from Service 602 Fire Suppression to Service 613 Fire Facilities.

MINUTES**TRAVEL REQUESTS**

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>Employees' Retirement System (ERS)</u>			
1. Roselyn Spencer	National Association of Securities Professionals Conference (NASP) San Francisco, CA June 22 - 26, 2014 (Reg. Fee \$125.00)	Special Funds ERS	\$2,775.08

The subsistence rate for this location is \$260.00 per night. The hotel cost is \$279.00 per night, plus occupancy taxes of \$39.24 and \$6.28 Business District Assessment fee per day. The ERS is requesting additional subsistence in the amount of \$19.00 per day to cover the hotel balance and \$40.00 per day for meals and incidentals. The additional subsistence of \$236.00 is included in the total. The registration was paid directly to NASP by the ERS. The amount to be disbursed to the attendee will be \$2,650.08.

Department of Finance

2. Kristin Barcak	108 th Annual Conf.- of Government Finance Officers Association - The Future of Government Finance Minneapolis, MN May 16 - 22, 2014 (Reg. Fee \$425.00)	General Fund	\$1,932.09
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The airfare in the amount of \$337.98 and the registration fee in the amount of \$425.00 were prepaid by City-issued card assigned to Mr. Andrew Kleine. The amount to be disbursed to the attendee will be \$1,169.11.

MINUTES**TRAVEL REQUESTS**

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>Fire Department</u>			
3. Connor Scott Luke Brackett Calvin Bowman	National Urban Area Security Initiative Conference Philadelphia, PA May 19 - 22, 2014 (Reg. Fee \$450.00 ea.)	FY 2013 UASI Funds	\$3,670.94

Mr. Scott and Mr. Brackett will travel together in a City-owned vehicle. Mr. Bowman will use his private vehicle. The registration for each attendee was prepaid by City-issued card assigned to Mr. Connor Scott. The amount to be disbursed to Mr. Scott and Mr. Brackett will be \$735.08 and to Mr. Bowman \$850.78.

Department of Housing and Community Development

4. Micheal O'Leary	Green and Healthy Homes Conference Nashville, TN May 27 - 30, 2014 (Reg. Fee \$400.00)	Customer Invest- ment Fund	\$1,809.47
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The subsistence rate for this location is \$188.00 per night. The hotel cost is \$177.00 per night, not including hotel taxes of \$26.99 per night plus a hotel service tax of \$2.50 per night. The Department is requesting additional subsistence of \$29.00 per day for meals and incidentals.

5. Ken Strong	Green and Healthy Homes Conference Nashville, TN May 27 - 30, 2014 (Reg. Fee \$154.25)	General Fund	\$ 1,287.14
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The subsistence rate for this location is \$188.00 per night.

MINUTES**TRAVEL REQUESTS**

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>DHCD</u> - cont'd			
The hotel cost is \$188.00 per night, not including hotel taxes of \$28.67 per night plus a City tax of \$2.50 per night. The Department is requesting additional subsistence of \$40.00 per day for meals and incidentals.			
6. Sheneka Frasier-Kyer	Green and Healthy Homes Conference Nashville, TN May 27 - 30, 2014 (Reg. Fee \$400.00)	Federal Lead Abatement Grant	\$1,820.40

The subsistence rate for this location is \$188.00 per night. The hotel cost is \$179.00 per night, not including hotel taxes of \$27.30 per night plus a hotel service tax of \$2.50 per night. The Department is requesting additional subsistence of \$31.00 per day for meals and incidentals.

Health Department

7. Nicketta Paige Aisha Darby	National Tuberculosis (TB) Controllers Assn. Annual Conference Atlanta, GA June 10 - 13, 2014 (Reg. Fee \$550.00 each)	TB Federal Funds-Human Resource Award	\$3,029.68
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The airfare fees were paid on City-issued Card assigned to Ms. Jacqueline Duval-Harvey. The registration fees were prepaid on EA 000140144. The amount to be disbursed to each attendee is \$690.80.

MINUTES**TRAVEL REQUESTS**

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>Department of Transportation</u>			
8. Adrienne Barnes	Conference of Minority Trans- portation Officials (COMTO) 2014 COMTO Annual Conference Atlanta, GA July 11 - 16, 2014 (Reg. Fee \$710.00)	General Fund	\$2,391.20

The subsistence rate for this location is \$189.00 per night. The hotel cost is \$189.00 per night, not including hotel taxes of \$30.24 per night. The Department is requesting additional subsistence of \$40.00 per day for meals and incidentals, which is included in the total.

9. LeRoy Anstine	CityWorks Users Conference Salt Lake City, UT May 19 - 23, 2014 (Reg. Fee \$0.00)	General Fund	\$1,413.64
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The subsistence rate for this location is \$164.00 per night. The hotel rate is \$164.00 per night and the occupancy tax is \$20.66 per day. The Department is requesting additional subsistence of \$40.00 per day to cover the costs of food and incidentals, which is included in the total.

MINUTES**TRAVEL REQUESTS**

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>Department of Transportation</u>			
10. Veronica P. McBeth	Conference of Minority Trans- portation Officials (COMTO) 2014 COMTO Annual Conference Atlanta, GA July 12 - 16, 2014 (Reg. \$765.00)	General Funds	\$2,181.21

The subsistence rate for this location is \$189.00 per night. The hotel rate is \$189.00 per night and the occupancy tax is \$30.24 per day. The Department is requesting additional subsistence of \$40.00 per day to cover the costs of food and incidentals, which is included in the total.

Police Department

11. Robert D. Taylor	Tactical Training	FY'11	\$11,056.00
Justin P. Merson	Course	SHSP	
Damon A. Peck	Springdale, AR	Grant	
Clint K. Walker	May 18 - 24, 2014 (Reg. Fee \$1,400.00 each)	Fund	

MINUTES**TRAVEL REQUESTS**

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>Fire and Police Employees' Retirement System (F&P)</u>			
12. N. Anthony Calhoun	National Assn. of Securities Professionals (NASP) - 25 th Annual Pension & Financial Services Conference San Francisco June 21 - 26, 2014 (Reg. Fee \$1,575.00)	Special Funds F&P	\$ 3,584.48

The subsistence rate for this location is \$260.00 per night. The hotel cost is \$239.00 per night not including hotel tax of \$20.91 per night plus occupancy taxes of \$3.59, and \$33.62 Business District Assessments fee per day. The F&P is requesting additional subsistence in the amount \$232.00 per day to cover the hotel and \$19.00 per day for meals and incidentals, which is included in the total. The registration fee was prepaid by the F&P Fund. The amount to be disbursed to the attendee will be \$2,009.48.

Office of the President

13. Carl Stokes	International Council of Shopping Ctrs. Recon Convention Las Vegas, NV May 17 - 21, 2014 (Reg. Fee \$530.00)	Elected Officials Expense	\$2,622.00
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The subsistence rate for this location is \$163.00 per night. The hotel rate is \$245.00 per night and the occupancy tax is \$32.40 per day plus \$25.00 per night for resort fees. The Office of the President is requesting an additional subsistence of \$82.00 per day to cover the costs of the hotel, plus \$25.00 per night for resort fees, and \$40.00 per day to cover the costs of food and incidentals, which is included in the total.

MINUTES**TRAVEL REQUESTS**

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
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Office of the President - cont'd

The registration in the amount of \$530.00 was prepaid on a City-issued procurement card assigned to Mr. Hosea Chew. Therefore, the total disbursement to Mr. Stokes will be \$2,070.60.

Mayor's Office of Human Services

14. Adrienne Breidenstine	Transatlantic Practice Exchange Brighton, UK May 17 - 29, 2014	Nat'l Alliance to End Homelessness	\$ 0.00
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Pursuant to AM 240-3, the Board of Estimates must take action on a Travel Request form if the trip will require travel outside the continental United States regardless of source of funds, cost of trip, or length of absence.

Ms. Breidenstine's travel expenses will be paid for by the National Alliance to End Homelessness using a grant from the Oak Foundation.

Department of Public Works

15. Shonte Eldridge	2014 American Public Works Assoc. (APWA) International Public Works Congress & Expo. Toronto, ON, Canada Aug. 17 - 20, 2014 (Reg. Fee \$785.35)	General Fund	\$1,991.04
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Pursuant to AM 240-5, for travel outside the continental United States, each City representative must include a proposed amount for a daily subsistence allowance on the travel request which the representative believes to be both reasonable and economical.

MINUTES**TRAVEL REQUESTS**

Department of Public Works - cont'd

The Board of Estimates will determine the final monetary amount of the daily subsistence allowance and stipulate the rate in its approval.

The representative has proposed the daily subsistence allowance of \$229.00 for this travel request.

The registration fee was purchased using a City-issued procurement card assigned to Ms. Lyque O'Connor. Therefore, the disbursement amount to Ms. Eldridge will be \$1,205.69.

UPON MOTION duly made and seconded, the Board approved the travel requests. The President **ABSTAINED** on item no. 13. The Comptroller **ABSTAINED** on item no. 1 and item no. 12.

MINUTES

PERSONNEL MATTERS

* * * * *

UPON MOTION duly made and seconded,

the Board approved

all of the Personnel matters

listed on the following pages:

1711 - 1712

All of the Personnel matters have been approved

by the EXPENDITURE CONTROL COMMITTEE.

All of the contracts have been approved

by the Law Department

as to form and legal sufficiency.

MINUTESDepartment of Human Resources1. Create the following three classifications:

a. Class: Recruitment and Talent Acquisition
Specialist I

Code: 33674
Grade: 090 (\$43,112.00 - \$52,398.00)

b. Class: Recruitment and Talent Acquisition
Specialist II

Code: 33678
Grade: 113 (\$47,600.00 - \$66,800.00)

c. Class: Recruitment and Talent Acquisition
Specialist III

Code: 33680
Grade: 116 (\$55,000.00 - \$77,500.00)

Reclassify position number 1603-10016 as follows:

d. From: Class: HR Specialist III

Code: 33630
Grade: 116 (\$55,000.00 - \$77,500.00)

To: Class: Recruitment and Talent Acquisition
Specialist III

Code: 33680
Grade: 116 (\$55,000.00 - \$77,500.00)

Cost: \$ 0.00 - 1001-000000-1603-172500-601001

MINUTES

Personnel Matters - cont'd

Law Department - Office of the Inspector General

	<u>Hourly Rate</u>	<u>Amount</u>
2. LINDSAY COHN COOPER	\$52.30	\$34,518.00

Account: 1001-000000-1081-109300-601009

Ms. Cooper will work as a Contract Specialist II (OIG Agent). She will be responsible for conducting complex and confidential analyses and investigations of potential conflict of interest, mismanagement, embezzlement, fraud, misconduct, identity theft, property and information theft, drug abuse and related civil and criminal cases. The period of the agreement is effective upon Board approval through August 31, 2014.

MINUTES

Department of Law - Resolution

ACTION REQUESTED OF B/E:

The Board is requested to approve and adopt a Resolution that establishes a procedure for the waiver of the attorney-client privilege that protects from public disclosure certain legal memoranda addressed to the Board by lawyers in the Law Department. The memoranda pertain to bids submitted to the Board which may from time-to-time be requested by bidders or their representatives.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

Within recent weeks, attorneys representing bidders have requested copies of Law Department memoranda. The City Solicitor is strongly inclined to release these memoranda, absent of unusual circumstances. The privilege belongs to the Client (the Board) and can only be waived by it.

This Resolution for adoption provides for waiver decisions to be made jointly by agreement between the City Solicitor and the Deputy Comptroller, who will act on behalf of the Board. If they decide not to waive the privilege in a particular situation when requested by a bidder or its representative, they must provide a written report to the Board as to why they declined. That report may in their discretion be confidential.

Waiver requests will only be considered in this process when submitted in writing (including e-mail) by the bidder or someone authorized by a bidder to represent them in the bid consideration process.

MINUTES

Resolution
Of
The Board of Estimates of Baltimore City
Waiver of Attorney-Client Privilege

WHEREAS, the Law Department regularly directs legal memoranda to the Board containing legal advice pertaining to irregularities perceived in bids filed with the Board or pertaining to anticipated or actually filed bid protests; and

WHEREAS, bidders or their representatives sometimes request copies of those memoranda in order to better prepare their arguments to the Board in connection with protests; and

WHEREAS, the Board needs to have a process in place for considering such requests and waiving (or not) the attorney-client privilege that generally protects such legal advice from disclosure.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ESTIMATES OF BALTIMORE CITY, that the following process shall be employed when privileged documents are requested from the Board or the Law Department:

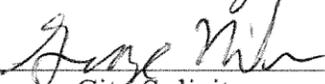
1. All requests received by attorneys in the Law Department or representatives or members of the Board for access to legal memoranda from the Law Department to the Board or any of its members or agents pertaining to a pending or potential bid protest shall be directed to the "Board Designee" hereunder who shall decide on behalf of the Board whether to waive the privilege.
2. The Board Designee shall be the City Solicitor and the Deputy Comptroller, acting by agreement;
3. Ordinarily, the privilege should be waived if the document is requested by an actual bidder or a designated representative of an actual bidder – unless unusual circumstances are presented that indicate that either the full Board should consider the request or the privilege should not be waived;
4. In each instance where the Board Designee declines to waive the privilege, he/she shall file a brief written report (confidential if the Board Designee so elects) with the Board before its next meeting indicating that the privilege was not waived and giving reasons why.

Adopted by the Board of Estimates:

Clerk

Date

Approved as to form and legal sufficiency this
1st day of May, 2014.



City Solicitor

MINUTES

Department of Law - cont'd

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 adopted the Resolution to establish a procedure for the waiver of the attorney-client privilege that protects from public disclosure certain legal memoranda addressed to the Board by lawyers in the Law Department.

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

* * * * *

Kim A. Trueheart

May 6, 2014

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 a lack of vision, poor fiscal and asset management and a self serving, egotistical and contemptible approach to fiduciary stewardship by the Mayor, the President of the City Council and the Comptroller of Baltimore City that morally and ethically erodes their ability to serve in their elected positions on behalf of citizens in a manner that provides benefits to citizens instead of corporations.

1. Whom you represent: Self
2. What the issues are:
 - a. Page 56, Department of Law – Resolution, if approved:
 - i. This Resolution offends all sensibilities of this citizen of Baltimore City;
 - ii. This Resolution appears to partially “abridge” this citizen’s right to petition government as guaranteed in the U.S. Constitution;
 - iii. This Resolution appears to mimic tactics by defenders of slavery when in 1836 the House of Representative imposed a “gag” rule which tabled," or postponed action on all petitions relating to slavery without hearing them;
 - iv. This Resolution appears to represent a step backwards in the ongoing anemic attempts by my home town government for increased transparency;
 - v. This Resolution represents the enactment of a crime of absolute moral turpitude by this board;
 - vi. This Resolution will ensure that the members of this board will go down in history and forever remembered for this contemptible act;
 - vii. This Resolution fails to incorporate the citizen’s right to access information disclosed as a result of this Resolution.
3. How the protestant will be harmed by the proposed Board of Estimates’ action: As a citizen I have witnessed the continued lack of transparency which pervades this administration. This Resolution fundamentally abridges my constitutional rights and is further evidence that transparency, in light of a fervent cry by the citizens of my home town, is generally ignored and rejected by this administration.

Email: ktrueheart@whatfits.net

5519 Belleville Ave
Baltimore, MD 21207

4. Remedy I desire: The BOE reject this Resolution until it is revised to afford citizens the right to make the same request and receive the information once released regardless of who made the request.

I look forward to the opportunity to address this matter in person at your upcoming meeting of the Board of Estimates on May 6, 2014..

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

Sincerely,

Kim Trueheart, Citizen & Resident

5519 Belleville Ave
Baltimore, MD 21207

AGENDA BOARD OF ESTIMATES 05/07/2014 57 Resolution
Of

The Board of Estimates of Baltimore City
Waiver of Attorney-Client Privilege

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2. The Board Designee shall be the City Solicitor and the Deputy Comptroller, acting by agreement;

3. Ordinarily, the privilege should be waived if the document is requested by an actual bidder or a designated representative of an actual bidder – unless unusual circumstances are presented that indicate that either the full Board should consider the request or the privilege should not be waived;

4. In each instance where the Board Designee declines to waive the privilege, he/she shall file a brief written report (confidential if the Board Designee so elects) with the Board before its next meeting indicating that the privilege was not waived and giving reasons why.

Adopted by the Board of Estimates:

Clerk Date

5519 Belleville Ave
Baltimore, MD 21207

MINUTES

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

BIDS, PROPOSALS, AND CONTRACT AWARDS

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

- | | |
|-------------------------------------|---|
| <u>Bureau of Solid Waste</u> | - SWC 13310R, Cell 6 Leachate
Conveyance System Improvements
at the Quarantine Road Landfill
BIDS TO BE RECV'D: 05/14/14
<u>BIDS TO BE OPENED: 05/14/14</u> |
| <u>Department of Transportation</u> | - TR 13305, Resurfacing Highways
at Various Locations Northwest
- Sector II
BIDS TO BE RECV'D: 05/14/14
<u>BIDS TO BE OPENED: 05/14/14</u> |
| <u>Bureau of Purchases</u> | - B50003385, Employee Wellness,
and Health Improvement Program
BIDS TO BE RECV'D: 05/14/14
<u>BIDS TO BE OPENED: 05/14/14</u> |

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:

Department of Recreation & Parks- RP 11864, Rita Church
Community Center Gymnasium

Roy Kirby & Sons, Inc.
Plano-Coudon

Bureau of Purchases - B50003431, Diesel Fuel

Phoenix Petroleum Co.
PAPCO, Inc.
James River Solutions
Petroleum Traders Corporation
Cato Oil Company
Truman Arnold Companies (TAC Energy)*
Space Petroleum & Chemical Co., Inc.

Bureau of Purchases - B50003483, Marine Skimmer
Maintenance, Repair, Parts
& Service

Marcon Engineering Services, Inc.

Bureau of Purchases - B50003294, Water Billing
Customer Information System
(CIS) Selection and
Implementation (Price Opening)

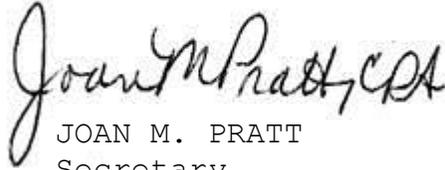
Itineris N.A.

*UPON FURTHER MOTION, the Board found the bids of the Truman Arnold Companies d/b/a TAC Energy **NONRESPONSIVE** since the bid was not accompanied by a bid deposit check or an annual bid bond, as required by the provisions of the City Charter and as set forth in the specifications.

MINUTES

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There being no objections, the Board UPON MOTION duly made and seconded, adjourned until its next scheduled meeting on Wednesday, May 14, 2014


JOAN M. PRATT
Secretary