

**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 will direct the Board members attention to the memorandum from my office dated March 7, 2011, identifying matters to be considered as routine agenda items, together with any corrections and additions that have been noted by the Deputy Comptroller. I will entertain a motion to approve all of the items contained on the routine agenda."

## MINUTES

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

Comptroller: "Second."

President: "All those in favor say AYE. All opposed NAY. The motion carries. The routine agenda has been adopted."

\* \* \* \* \*

**MINUTES****BOARDS AND COMMISSIONS**1. Prequalification of Contractors

In accordance with the Rules for Qualification of Contractors, as amended by the Board on October 30, 1991, the following contractors are recommended:

John W. Brawner Contracting Company, Inc.	\$ 8,000,000.00
Combustioneer Corporation - guarantee of \$10,000,000.00 from the parent corp., EMCOR Group, Inc.	\$ 10,000,000.00
Delta Electrical Contractors, Inc.	\$ 1,500,000.00
Key Systems, Inc.	\$ 8,000,000.00
M.P. Zink Construction, Inc.	\$ 1,881,000.00
Simpson Unlimited, Inc.	\$ 8,000,000.00

2. Prequalification of Architects and Engineers

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

AXIOM Decision Systems	Engineer Survey
Eborn Enterprises, Inc.	Engineer

**MINUTES****BOARDS AND COMMISSIONS**

Gannett Fleming, Inc.	Architect Engineer Survey
Kumi Construction Management Corporation	Engineer
Malcolm Pirnie	Engineer
STV, Inc.	Architect Landscape Architect Engineer Land Survey

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

**MINUTES**Space Utilization Committee - Transfer of Jurisdictions**ACTION REQUESTED OF B/E:**

The Board is requested to approve the transfer of jurisdiction for the properties located at 4975, 4973, 4943 Denmore Avenue (Block 4605, Lots 32, 33, 33A) from the inventory of the Department of Housing and Community Development and also the rear NES Denmore Avenue 4943 Denmore Avenue Rear (Block 4605, Lot 67) from the inventory of the Department of Real Estate to the inventory of the Department of Recreation and Parks.

**BACKGROUND/EXPLANATION:**

The Departments of Housing and Community Development, Real Estate and Planning have approved the request to transfer the above-referenced parcels to the Department of Recreation and Parks. The transfers will allow for the development of a million dollar multi-use Astroturf field, a project sponsored by the Cal Ripken, Sr. Foundation. The field will be a great recreational asset for the community and the Department will assume full responsibility for the operation and maintenance of the field once the project is completed.

The Space Utilization Committee approved this transfer of jurisdiction at its meeting on March 1, 2011.

**(FILE NO. 56665)**

UPON MOTION duly made and seconded, the Board approved the transfer of jurisdiction for the properties located at 4975, 4973, 4943 Denmore Avenue from the inventory of the Department of Housing and Community Development and also the rear NES Denmore Avenue 4943 Denmore Avenue Rear from the inventory of the Department of Real Estate to the inventory of the Department of Recreation and Parks.

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

The Board is requested to approve and authorize execution of a lease agreement with Jowita Wyszomirska and Chad W. Tyler, lessee, for the rental of a portion of the property known as School 33, Studio #105, located at 1427 Light Street, 1<sup>st</sup> floor. The period of the agreement is February 1, 2011 through January 31, 2012, with two 1-year renewal options.

**AMOUNT OF MONEY AND SOURCE:**

<u>Annual Rent</u>	<u>Monthly Rent</u>
\$ 3,900.00	\$325.00

**BACKGROUND/EXPLANATION:**

The lessee will use the leased premises as an artist's studio. The lessee will be responsible for content insurance, janitorial, trash receptacles and security. The lessor will be responsible for heat, electricity and water.

The Space Utilization Committee approved this lease at its meeting on March 1, 2011.

The lease agreement is late because of delays in obtaining the lessee's signature and notary.

**(FILE NO. 56338)**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the lease agreement with Jowita Wyszomirska and Chad W. Tyler, lessee, for the rental of a portion of the property known as School 33, Studio #105, located at 1427 Light Street, 1<sup>st</sup> floor.

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

The Board is requested to approve and authorize execution of a lease agreement with Matthew Freel, lessee, for the rental of a portion of the property known as School 33, Studio #107, 1<sup>st</sup> floor located at 1427 Light Street. The period of the agreement is February 1, 2011 through January 31, 2012, with two 1-year renewal options.

**AMOUNT OF MONEY AND SOURCE:**

<u>Annual Rent</u>	<u>Monthly Rent</u>
\$ 3,900.00	\$325.00

**BACKGROUND/EXPLANATION:**

The lessee will use the leased premises as an artist's studio. The lessee will be responsible for content insurance, janitorial, trash receptacles and security. The lessor will be responsible for heat, electricity and water.

The Space Utilization Committee approved this lease at its meeting on March 1, 2011.

The lease agreement is late because of delays in obtaining the lessee's signature and notary.

**(FILE NO. 56338)**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the lease agreement with Matthew Freel, lessee, for the rental of a portion of the property known as School 33, Studio #107, 1<sup>st</sup> floor located at 1427 Light Street.

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

The Board is requested to approve and authorize execution of a lease agreement with Aaron Yamada Hanff, lessee, for the rental of a portion of the property known as School 33, Studio #204, 2nd floor located at 1427 Light Street. The period of the agreement is November 1, 2010 through October 31, 2011, with two 1-year renewal options.

**AMOUNT OF MONEY AND SOURCE:**

<u>Annual Rent</u>	<u>Monthly Rent</u>
\$ 3,900.00	\$325.00

**BACKGROUND/EXPLANATION:**

The lessee will use the leased premises as an artist's studio. The lessee will be responsible for content insurance, janitorial, trash receptacles, and security. The lessor will be responsible for heat, electricity, and water.

The Space Utilization Committee approved this lease at its meeting on March 1, 2011.

The lease agreement is late because of delays in obtaining the lessee's signature and notary.

**(FILE NO. 56338)**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the lease agreement with Aaron Yamada Hanff, lessee, for the rental of a portion of the property known as School 33, Studio #204, 2nd floor located at 1427 Light Street.

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

The Board is requested to approve and authorize execution of a lease agreement with Kenneth Yee, lessee, for the rental of a portion of the property known as School 33, Studio #206, 2<sup>nd</sup> floor located at 1427 Light Street. The period of the agreement is January 1, 2011 through December 31, 2011, with two 1-year renewal options.

**AMOUNT OF MONEY AND SOURCE:**

<u>Annual Rent</u>	<u>Monthly Rent</u>
\$ 3,900.00	\$325.00

**BACKGROUND/EXPLANATION:**

The lessee will use the leased premises as an artist's studio. The lessee will be responsible for content insurance, janitorial, trash receptacles and security. The lessor will be responsible for heat, electricity and water.

The Space Utilization Committee approved this lease at its meeting on March 1, 2011.

The lease agreement is late because of delays in obtaining the lessee's signature and notary.

**(FILE NO. 56338)**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the lease agreement with Kenneth Yee, lessee, for the rental of a portion of the property known as School 33, Studio #206, 2<sup>nd</sup> floor located at 1427 Light Street.

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

The Board is requested to approve and authorize execution of a lease agreement with Loyola University Maryland, Inc. tenant, for the rental of a portion of the property known as 3301 Waterview Avenue, Block 7610, Lot 15 being on the lower level, consisting of 1,200 sq. ft. The period of the agreement is January 1, 2011 through December 31, 2012.

**AMOUNT OF MONEY AND SOURCE:**

Annual Rent

\$ 1,470.00

**BACKGROUND/EXPLANATION:**

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

The landlord will be responsible for fire insurance.

The Space Utilization Committee approved this lease at its meeting on March 1, 2011.

**(FILE NO. 54777)**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the lease agreement with Loyola University Maryland, Inc. tenant, for the rental of a portion of the property known as 3301 Waterview Avenue, Block 7610, Lot 15 being on the lower level, consisting of 1,200 sq. ft.

MINUTES

TRANSFER OF FUNDS

\* \* \* \* \*

UPON MOTION duly made and seconded,

the Board approved the

transfers of funds

listed on the following pages:

678 - 679

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**

	<b><u>AMOUNT</u></b>	<b><u>FROM ACCOUNT/S</u></b>	<b><u>TO ACCOUNT/S</u></b>
<u>Department of Recreation and Parks</u>			
1.	<b>\$ 20,000.00</b>	9938-905793-9475	9938-904793-9474
	Rec. & Parks	Reserve - Citywide	Active - Citywide
	25 <sup>th</sup> Series	Park Maintenance	Park Maintenance

This transfer will provide funds to cover the costs associated with Change Order No. 1 for Patterson Park Entrance Improvements under Contract RP 10809.

2.	<b>\$ 40,000.00</b>	9938-906765-9475	9938-904765-9474
	State	Reserve - Courts	Active - Courts
		& Fields Renov.	& Fields Renov.
		FY 09	FY 09

This transfer will provide funds to cover the costs associated with design services under On-Call contract No. 1064, Task #36 to Greenman-Pedersen, Inc.

Department of Housing and Community Development

3.	<b>\$1,041,676.96</b>	9991-923989-9593	9991-914080-9593
	36 <sup>th</sup> CDBG	Loan Repayment	36 <sup>th</sup> CDBG - Public Housing 108
	<b>\$1,595,631.99</b>	9991-923989-9593	9991-917410-9593
	36 <sup>th</sup> CDBG	Loan Repayment	36 <sup>th</sup> CDBG - East Baltimore Dev. Initiative 108
	<b>\$ 466,896.16</b>	9991-922989-9587	9991-917410-9593
	36 <sup>th</sup> CDBG	Loan Repayment	36 <sup>th</sup> CDBG - East Baltimore Dev. Initiative 108

This transfer will provide appropriation authority for debt repayment on U.S. Housing and Urban Development Section 108 loans for fiscal year 2011 that fund community and economic development initiatives.

**MINUTES****TRANSFER OF FUNDS**

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Department of General Services</u>		
4. <b>\$ 132,500.00</b>	9916-9194-901517	9916-9197-908517
General Funds	Historic Buildings	Historic Buildings
	Exterior Preser-	Exterior Preserva-
	vation	tion
	Reserve	Active

This transfer will enable the City to stabilize the Crimea (Orienda) Mansion exterior foundation wall and add lightening protection to the top of the building.

## 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 - Options</u>			
1. East Baltimore Investments, LLC	1725 E. Preston St.	L/H	\$ 4,720.00
2. Scott Orkin	1724 E. Preston St.	L/H	\$ 6,720.00
3. Ernest L. Young and Daisy Young	1240 N. Gay St.	L/H	\$ 6,760.00

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

Dept. of Housing and Community Development - Condemnations

4. PA NA Solutions Inc.	1115 Rutland Ave.	F/S	\$ 8,900.00
5. Linwood R. Newby, Jr. (deceased) Erik Darrell Newby, P.R.	1103 Rutland Ave.	F/S	\$ 50,000.00
6. Richard L. Mills	1003 N. Castle St.	L/H	\$ 5,100.00
7. Japura Enterprise, LLC	1741 E. Preston St.	L/H	\$19,720.00
8. York Enterprises, Inc.	1029 N. Castle St.	L/H	\$ 4,980.00

## 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 - Condemnations</u>			
9. Julia Mae Ross	1018 N. Castle St.	F/S	\$ 5,250.00
10. Alness, LLC	1036 N. Castle St.	F/S	\$ 5,250.00
11. Avid Enterprises-1, Inc.	1825 E. Biddle St.	L/H	\$ 5,050.00
12. 1013 N. Potomac LLC	1013 N. Castle St.	L/H	\$ 4,800.00
13. PMD, LLC	1224 N. Gay St.	L/H	\$ 6,940.00
14. Caratel Realty, Inc.	1008 N. Castle St.	F/S	\$ 5,250.00
15. Foxwood National, Inc.	1735 E. Preston St.	L/H	\$ 6,720.00
16. Elizabeth Allen for Life Remainder to Robert Hurtt	1032 N. Castle St.	F/S	\$ 5,250.00

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

## MINUTES

OPTIONS/CONDEMNATION/QUICK-TAKES:

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>Dept. of Housing and Community Development (DHCD) - Rescissions and Approvals</u>			
17. Miriam Winder Kelly, Trustee of the MWK Trust	1912 N. Castle St.	G/R \$69.00	\$ 632.50

On February 9, 2011, the Board approved the purchase by condemnation of the ground rent interest in the property located at 1912 N. Castle Street for \$460.00. The Department has secured appraisals and held negotiations with Ms. Kelly. Since the original Board approval, she has agreed to a voluntary settlement. The Board is requested to approve the purchase of the \$69.00 ground rent interest in this property for \$632.50.

18. Jack and Harvey, Inc.	1924 N. Castle St.	G/R \$36.00	\$ 300.00
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On February 9, 2011, the Board approved the purchase by condemnation of the ground rent interest in the property located at 1924 N. Castle Street for \$240.00. The Department has secured appraisals and held negotiations with Jack and Harvey, Inc., owner. Since the original Board approval, the owner has agreed to a voluntary settlement. The Board is requested to purchase the \$36.00 ground rent interest in this property for \$300.00. This property will be redeveloped.

Funds are available in Account No. 9910-908087-9588-900000-704040, Columbus School Project.

## MINUTES

OPTIONS/CONDEMNATION/QUICK-TAKES:

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>Department of Housing and Community Development - Rescissions and Approvals</u>			
19. Marion I. and Henry J. Knott Foundation	1904 N. Castle St.	G/R \$36.00	\$ 240.00

On February 9, 2011, the Board approved the purchase by condemnation of the ground rent interest in the property located at 1904 N. Castle Street for \$240.00. The Department has secured appraisals and held negotiations with the Marion I. and Henry J. Knott Foundation, owner. Since the original Board approval, the owner has agreed to a voluntary settlement. The Board is requested to approve the purchase of the \$36.00 ground rent interest in this property for \$240.00.

20. Linda Jenkins Brown, Life Tenant with Powers (deceased) and remainder to Carolyn B. Jenkins, also known as Carolyn B. Freeman	1918 N. Castle St.	L/H	\$2,824.00
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On February 9, 2011, the Board approved the purchase by condemnation of the leasehold interest in the property located at 1918 N. Castle Street for \$2,567.00. The Department has secured appraisals and held negotiations with the owner and is in compliance with the requirements of the Uniform Relocation Act for replacement housing payment and relocation assistance. Since the original Board approval, the owner has agreed to a voluntary settlement. The Board is requested to approve the purchase of the leasehold interest in this property for \$2,824.00.

## MINUTES

OPTIONS/CONDEMNATION/QUICK-TAKES:

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
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In the event that the option agreement/s fail/s and settlement cannot be achieved, the Department requests the Board's approval to purchase the interest in the above property/ies by condemnation proceedings for an amount equal to or lesser than the option amounts.

Funds are available in Account No. 9910-908087-9588-900000-704040, Columbus School Project.

UPON MOTION duly made and seconded, the Board approved the options, condemnations, and rescissions,

**MINUTES**Police Department - Memoranda of Agreement

The Board is requested to approve the memoranda of agreement from the Maryland Emergency Management Agency (MEMA) with the various service providers. The period of the MOA is effective upon Board approval through May 31, 2011.

- |                                       |                     |
|---------------------------------------|---------------------|
| 1. <b>SHAAREI TFILOH CONGREGATION</b> | <b>\$ 24,993.00</b> |
| 2. <b>BEIT YAAKOV CONGREGATION</b>    | <b>\$ 11,000.00</b> |
| 3. <b>CONGREGATION AVODAS YISROEL</b> | <b>\$ 20,000.00</b> |

Account: 4000-435410-2010-682421-607001

On April 21, 2010, the Board approved a grant award agreement with MEMA for the FY09 Urban Area Security Initiative (UASI) grant program in the amount of \$2,237,397.00. The FY09 UASI grant was created to improve local, regional, and statewide emergency preparedness and ability to defend against and respond to terrorist acts. The above listed organizations will purchase equipment and conduct planning activities to reduce its vulnerabilities as potential target sites for terrorist acts.

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

UPON MOTION duly made and seconded, the Board approved the memoranda of agreement from the Maryland Emergency Management Agency with the various service providers.

**MINUTES**

Police Department - Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a consultant agreement with Ms. Barbara Harant. The period of the agreement is effective upon Board approval through March 31, 2012.

**AMOUNT OF MONEY AND SOURCE:**

\$35,000.00 - 4000-497711-2024-694600-603018

**BACKGROUND/EXPLANATION:**

On November 10, 2010, the Board approved a grant with the U.S. Department of Justice for the FY 10 "Forensic DNA Backlog Reduction Program", for the period October 1, 2010 to March 31, 2012. The grant funds assist the Department's Crime Laboratory in reducing forensic DNA backlog cases and samples turnaround time by maximizing available DNA technology.

Ms. Harant, a serologist, will work as a consultant. She will be paid \$45.00 per burglary case, \$75.00 per sexual or physical assault case, \$125.00 per homicide case, with a maximum salary of \$35,000.00 with no benefits. Ms. Harant's services will include performing biological screening examinations to identify evidence samples suitable for DNA testing.

**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 consultant agreement with Ms. Barbara Harant.

**MINUTES**Police Department - Expenditure of Funds**ACTION REQUESTED OF B/E:**

The Board is requested to approve a one-month severance payment by expenditure authorization to retired Officer Brenda O. Alvarez.

**AMOUNT OF MONEY AND SOURCE:**

\$4,568.30 - 1001-000000-2003-195300-601062

**BACKGROUND/EXPLANATION:**

On October 14, 2009, the Public Safety Infirmary determined Ms. Brenda O. Alvarez is unable to perform the duties of a police officer and would be on permanent limited duty. General Order Q-23, Maintenance Program for Limited/Light Duty Personnel establishes that there are no permanent limited/light duty positions in the Baltimore Police Department.

Accordingly, in view of the above, by the power vested in Commissioner Frederick Bealefeld, III by the Code of Public Local Laws for Baltimore City, Subtitle 16, Police Department, Section 16-18, Ms. Alvarez was officially notified in writing, that effective December 10, 2010 she would be removed from the departmental payroll and would receive a lump sum severance payment equivalent to one month's pay, at her current salary level.

**APPROVED FOR FUNDS BY FINANCE**

UPON MOTION duly made and seconded, the Board approved the one-month severance payment by expenditure authorization to retired Officer Brenda O. Alvarez.

**MINUTES**

Police Department - Expenditure of Funds

**ACTION REQUESTED OF B/E:**

The Board is requested to approve an expenditure of funds for the annual payment of utilities for the Department's Child Abuse Center located at 2300 N. Charles Street. The payment is for the period January 1, 2011 through December 31, 2011.

**AMOUNT OF MONEY AND SOURCE:**

\$19,375.00 - 1001-000000-2021-212800-603015

**BACKGROUND/EXPLANATION:**

On February 2, 2005, the Board approved the Memorandum of Understanding with Baltimore Child Abuse Center (BCAC). Under the MOU, the Department's Child Abuse Unit uses 5,500 square feet of office space rent-free at 2300 N. Charles Street, which represents 25% of the building space. The BCAC is requesting that the Department pay 25% of the utilities for the building. The estimated annual utility cost for the building is \$77,500.00, making the Department's share of the cost \$19,375.00.

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

UPON MOTION duly made and seconded, the Board approved the expenditure of funds for the annual payment of utilities for the Department's Child Abuse Center located at 2300 N. Charles Street.

## MINUTES

Health Department - Agreements

The Board is requested to approve and authorize execution of the various agreements. The period of the agreement is November 1, 2010 through June 30, 2011, unless otherwise indicated.

1. **BALTIMORE MENTAL HEALTH SYSTEMS, INC. \$136,604.00**

Account: 4000-427507-3160-308400-603051

The organization will provide mental health interventions using the Family Centered Treatment model for the purpose of providing case management services for clients enrolled in the Operation Safe Kids Program.

2. **BALTIMORE MENTAL HEALTH SYSTEMS, INC. \$ 45,432.00**

Account: 4000-497210-3160-308600-603051

The organization will subcontract with an outpatient health clinic to provide outpatient mental health services for the Operation Safe Kids Program. Services will be provided to reentry youth and their families before they are released from placement while they transition back to the community.

3. **THE JOHNS HOPKINS UNIVERSITY \$226,209.00**

Account: 4000-418811-3030-532015-603051

The organization will provide HIV counseling, testing and referral services to 13,000 clients who are at risk for HIV infection or who are in various stages of HIV infection. The clients will be from the Eastern/Druid Sexually Transmitted Disease Clinics of the Baltimore City Health Department. Services will include but are not limited to testing for other sexually transmitted diseases, maintaining confidential files on serologic tests and notifying appropriate care providers. The period of the agreement is October 1, 2010 through June 30, 2011.

## MINUTES

Health Dept. - cont'd

4. **THE JOHNS HOPKINS UNIVERSITY** **\$ 75,403.00**

Account: 4000-422311-3030-513208-603051

The organization will provide HIV counseling and testing for clients who are at risk for HIV infection or who are in various stages of HIV infection in the Eastern and Druid Sexually Transmitted Disease clinics. The period of the agreement is July 1, 2010 through June 30, 2011.

5. **LIVING CLASSROOMS FOUNDATION, INC.** **\$349,199.00**

Account: 4000-485110-5750-694100-603051

The organization will implement the Safe Streets Services using the CeaseFire Chicago model and all its components with fidelity. The five components to the model are Community Mobilization, Public Education, Cooperation with Law Enforcement, Outreach, and Faith-based involvement. The period of the agreement is July 1, 2010 through June 30, 2011.

The agreements are late because budget revisions delayed the processing.

6. **ASSOCIATED CATHOLIC CHARITIES, INC.** **\$ 33,002.00**  
**d/b/a CHERRY HILL SENIOR CENTER**

Account: 4000-433511-3024-268417-603051

The organization operates a senior program to serve as the focal point for seniors and their caregivers. Services will include but are not limited to transportation, social, recreational and educational programs, information and assistance, outreach, and wellness. The period of the agreement is October 1, 2010 through September 30, 2011.

The agreement is late because of the transition between CARE and the BHCD and waiting on the grant approval.

## MINUTES

Health Dept. - cont'd

7. **THE HEARING AND SPEECH AGENCY OF  
METROPOLITAN BALTIMORE, INC.** **\$118,280.00**

Account: 5000-587410-5750-672201-603051

The organization will provide a speech-language pathologist to staff the Baltimore Infants and Toddlers Program's Eligibility Center and provide occupational therapy evaluations, speech/language evaluations, audio logical evaluations, and speech/language or occupational therapy as needed. The period of the agreement is July 1, 2010 through June 30, 2011.

The agreement is late because budget revisions delayed the processing.

8. **THE JOHNS HOPKINS UNIVERSITY** **\$236,467.00**

Account: 4000-424511-3023-274404-603051

The organization will maintain comprehensive HIV primary and specialty care services to uninsured/underinsured clients in the Baltimore Eligible Metropolitan Area. Services will include but are not limited to provision of laboratory evaluations to monitor HIV infection, response to antiretroviral therapies and to assess for development of toxicity or adverse effects to therapeutics, and provision of radiological and diagnostic evaluations to facilitate the medical management of HIV infection and its complications. The period of the agreement is July 1, 2010 through June 30, 2011.

The agreement is late because the State AIDS Administration programmatically manages Ryan White Part B services. The Department is responsible for processing contracts after receipt of an approved budget and scope of services and making payments to the provider after the State selects the provider through the Request for Proposal process.

## MINUTES

Health Dept. - cont'd

**MWBOO GRANTED A WAIVER.**

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the various aforementioned agreements. The Mayor **ABSTAINED** on item no. 5. The President **ABSTAINED** on item nos. 3, 4, 5, and 8.

**MINUTES**

Health Department - Expenditure of Funds

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the expenditure of funds to pay Weight Watchers of North America Inc.

**AMOUNT OF MONEY AND SOURCE:**

<u>Invoice No.</u>	<u>Health Center</u>
\$1,859.25 - 364098	- Bon Secours Community Support
2,479.00 - 367306	- The People's Community Health Center
1,097.00 - 369014	- Dru/Mondawmin Healthy Families
<b>\$5,435.25</b>	<b>- 4000-425411-3080-292600-604025</b>

**BACKGROUND/EXPLANATION:**

On September 7, 2010, the Department processed an agreement with Weight Watchers of North America Inc. to provide group education and counseling sessions for clients referred by the B'More Healthy Babies Program.

Unfortunately the agreement was lost in the mail. A second agreement was sent to the provider but it was returned with the term expired.

During this time the provider enrolled 87 clients at the three area community health centers.

**AUDITS REVIEWED AND HAD NO OBJECTION.**

**APPROVED FOR FUNDS BY FINANCE**

UPON MOTION duly made and seconded, the Board approved the expenditure of funds to pay Weight Watchers of North America Inc.

MINUTES

EXTRA WORK ORDER

\* \* \* \* \*

UPON MOTION duly made and seconded,

the Board approved the

Extra Work Order

listed on the following page:

695

The EWO has been reviewed and approved  
by the Department of Audits, CORC, and MWBOO,

unless otherwise indicated.

The President **ABSTAINED**.

## MINUTES

EXTRA WORK ORDER

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

Bureau of Water and Wastewater

- |    |  |        |  |                  |
|----|--|--------|--|------------------|
| 1. | EWO #001, \$0.00 - S.C. 878, Repair and Replacement of<br><u>Existing Sanitary Sewers at Various Locations</u> |        |  |                  |
|    | \$2,893,528.30   | \$0.00 | R.E. Harrington<br>Plumbing &<br>Heating | 180 70.00<br>CCD |

**MINUTES**

Department of Communication Services - Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of an agreement to Protect Customer Proprietary Network Information (CPNI) with Verizon-MD (VMD).

**AMOUNT OF MONEY AND SOURCE:**

N/A

**BACKGROUND/EXPLANATION:**

This agreement authorizes the Department's Municipal Telephone Exchange to have access privileges to the Verizon Network databases with City telecommunication information, and grants authority to certain Department employees to access the City of Baltimore CPNI with Verizon. This information includes billing records, and other information pertaining to City telecommunication services procured through Verizon-MD.

**(FILE NO. 55899)**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the agreement to Protect Customer Proprietary Network Information with Verizon-MD. The Comptroller **ABSTAINED**.

**MINUTES**

Mayor's Office - Grant

**ACTION REQUESTED OF B/E:**

The Board is requested to approve a grant to greiBO K Designs, LLC for the 2011 African American Festival. The African American Festival will be held on Saturday, July 2 - Sunday, July 3, 2011 at M & T Bank Stadium.

**AMOUNT OF MONEY AND SOURCE:**

\$150,000.00 - 1001-000000-1220-146500-607001

**BACKGROUND/EXPLANATION:**

The City will disburse to greiBO K Designs, LLC grant funds of \$150,000.00 in one lump sum. The 2011 African American Festival is expected to raise funds to offset the amounts to be granted to greiBO K Designs, LLC and other festival costs through sponsorships, advisory board fundraising, grants and vendor revenue.

The African American Festival is a celebration of the cultural heritage and diversity of Baltimore's African Americans and their descendants. It is a celebration of life, music and culture and over the last 30 years it has been the largest African American Festival on the east coast. This festival attracts all ages and brings together a demographic distribution of incomes, ages, education and gender. The African American Festival is an opportunity for local and national sponsors to reach a large targeted audience in a unique and positive environment.

**APPROVED FOR FUNDS BY FINANCE.**

UPON MOTION duly made and seconded, the Board approved the grant to greiBO K Designs, LLC for the 2011 African American Festival. The Mayor **ABSTAINED**. The President **ABSTAINED**.

**MINUTES**

Department of Housing and - Local Government Resolution  
Community Development

The Board is requested to approve and authorize execution of a local government resolution.

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

<u>Organization</u>	<u>Amount</u>
1. <b>COMMUNITY CONFERENCING CENTER</b>	<b>\$ 5,000.00</b> <b>(CITCP)</b>

The Community Conferencing Center, located at 2300 N. Charles Street, second floor, proposes the Community Conferencing Project. During a Community Conference, a trained facilitator will conduct a community-based crime and conflict resolution initiative. This brings together victims, offenders and respective supporters to discuss what happened, how everyone has been affected, how to resolve the matter, and prevent it from happening again in the form of a written agreement.

The Community Conferencing Center is a conflict transformation and community justice organization that provides ways for people to safely, collectively and effectively prevent and resolve conflicts and crime. It has been recognized nationally and internationally for the use of conflict management strategies in a variety of settings, including criminal justice, education, community development and business. Training, technical assistance, program development and program evaluation services are provided and, in most cases the services are at no cost to participants.

The initiative is used for school conflicts/fights (including afterschool programs), neighbors/community conflicts, alternatives to court cases, conflicts within detention/residential facilities, wraparound service planning, after care planning, and workplace conflicts.

**MINUTES**

DHCD - cont'd

The results of the initiative include immediate and meaningful response to crime, reduces recidivism, and offenders are accountable for their actions. Victims are included in deciding the outcomes and feel that "justice has been served," and participants are connected to a network of support. The initiative reduces minority over-representation in the criminal justice system, is highly cost effective, and frees up the court system resources to better address serious cases.

The Community Conferencing Center's mission is to provide a highly participatory, community-based process for people to transfer conflicts into cooperation, take collective and personal responsibility for action, and improve the quality of life.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the local government resolution.

**MINUTES**

Department of Housing and - Grant Agreement  
Community Development

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a grant agreement with Communities Organized to Improve Life, Inc./The Learning Bank. The period of the agreement is July 1, 2010 through June 30, 2011.

**AMOUNT OF MONEY AND SOURCE:**

\$58,330.00 - 2089-208911-5930-437334-603051

**BACKGROUND/EXPLANATION:**

The organization will utilize the funds to subsidize a portion of the Learning Bank's operating cost. The Learning Bank operates an adult literacy program that assists 700 adult learners a year. The services include adult basic education classes, GED programs, computer training classes, and other support services.

**MBE/WBE PARTICIPATION:**

**FOR FY 2011, MBE AND WBE PARTICIPATION GOALS FOR THE ORGANIZATION WERE SET ON THE AMOUNT OF \$33,000.00, AS FOLLOWS:**

**MBE:** \$3,300.00

**WBE:** \$1,650.00

On June 20, 2010, 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 2010 Annual Action Plan for the following formula programs:

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

**MINUTES**

DHCD - cont'd

Upon approval of the resolution, the DHCD's Contract Section began negotiating and processing the CDBG agreements as outlined in the Plan effective July 1, 2010 and beyond. Consequently, this agreement was delayed due to final negotiations and processing.

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the grant agreement with Communities Organized to Improve Life, Inc./The Learning Bank.

**MINUTES**

Department of Housing and - Land Disposition Agreement  
Community Development

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the land disposition agreement with The Baltimore Station, Inc. developer, for the sale of the City-owned properties located at 1532 Baker Street and 1601 N. Gilmore Street.

**AMOUNT OF MONEY AND SOURCE:**

\$14,000.00 - 1532 Baker Street  
16,000.00 - 1601 N. Gilmore Street  
**\$30,000.00** - Sale price

**BACKGROUND/EXPLANATION:**

The project will consist of the complete rehabilitation of 1532 Baker Street and 1601 N. Gilmore Street for use as sober living facilities for homeless veterans with addiction problems. The Baltimore Station, Inc. provides rigorous self-help programs in a safe, caring residential setting to support men, most of whom are veterans, who are transitioning from the cycle of poverty, substance abuse, and homelessness, to self-sufficiency.

The Baltimore Station, Inc. enjoys an excellent relationship with the surrounding neighborhoods and community and serves as a shining example on how a facility should be managed.

**MBE/WBE PARTICIPATION:**

The developer has signed the Commitment to Comply with the Minority and Women's Business Enterprise Program of Baltimore City.

**(FILE NO. 56511)**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the land disposition agreement with The

## MINUTES

DHCD - cont'd

Baltimore Station, Inc. developer, for the sale of the City-owned properties located at 1532 Baker Street and 1601 N. Gilmore Street.

**MINUTES**

Department of Housing and - Land Disposition Agreement  
Community Development

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the land disposition agreement with Mr. Jonathan Spinnetto, developer, for the sale of the City-owned property located at 1526 McCulloh Street.

**AMOUNT OF MONEY AND SOURCE:**

\$25,000.00 - Sale price

**BACKGROUND/EXPLANATION:**

A good faith deposit of \$2,500.00 has been paid by the developer.

The project will consist of the rehabilitation of the property for owner occupancy. The property will be completely rehabilitated to include a new roof, new windows, and a new HVAC system.

**MBE/WBE PARTICIPATION:**

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

UPON MOTION duly made and seconded, the Board approved and authorized execution of the land disposition agreement with Mr. Jonathan Spinnetto, developer, for the sale of the City-owned property located at 1526 McCulloh Street.

**MINUTES**

Department of Housing and - Land Disposition Agreement  
Community Development

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the land disposition agreement with North Avenue Car Wash Venture, LLC, developer, for the sale of three City-owned properties located at Block 3423, Lots 009, 012, and 017.

**AMOUNT OF MONEY AND SOURCE:**

\$50,000.00 - Block 3423, Lot 009  
25,000.00 - Block 3423, Lot 012  
20,000.00 - Block 3423, Lot 017  
**\$95,000.00** - Purchase Price

**BACKGROUND/EXPLANATION:**

The properties will be consolidated with Block 3423, Lots 013, 014, 015, and 016 for which the developer owns the Tax Sale Certificates. The Right-of-Redemption has been foreclosed upon on the Tax Certificates and the deeds will be recorded at the time the developer settles on the properties conveyed from the City.

Once the developer acquires the City-owned properties, it will consolidate the City lots with the lots it purchased in Tax Sale. The sale of these properties will allow the developer to modernize the facility and provide a well-landscaped and attractive facility at the intersection of North Avenue and McCulloh Street.

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

The properties appraised for \$116,600.00. The developer made an offer of \$95,000.00, which was accepted.

**MINUTES**

DHCD - cont'd

The rationale for the sale of these properties below the appraised value are:

a. Specific Benefit to the immediate community

The sale of the property will allow the developer to acquire the existing business and continue operation at that site. The new owners will also improve the site with additional landscaping that will benefit the community by improving the esthetics of a major intersection at McCulloh Street and North Avenue;

b. Economic Development; Creation of Jobs, Real Estate Taxes...

The developer will improve the existing business, continue operations, add additional jobs at the site, and pay real estate taxes on the three properties.

c. Conditions of the property

The developer holds Tax Sale Certificate judgments for the improvement-only lot as well as numerous surrounding lots that comprise the car wash facility as it appears at the corner of McCulloh Street and North Avenue. The City-owned properties have suffered a long-standing deleterious influence from the improvement-only lot (11A) located within Lot 9.

The improvement itself encroaches substantially onto neighboring lots which creates a defect in title. The sale of the three City-owned properties to the developer serves to correct the problematic conditions of an improvement-only lot surrounded by a City-owned lot. Thus, granting official ingress for the business's customers along North Avenue as well as negating the encroachment created by the improvement itself.

**MBE/WBE PARTICIPATION:**

The developer has agreed to comply with the Minority and Women's Business Enterprise Program of Baltimore City.

## MINUTES

DHCD - cont'd

**(FILE NO. 57219)**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the land disposition agreement with North Avenue Car Wash Venture, LLC, developer, for the sale of three City-owned properties located at Block 3423, Lots 009, 012, and 017.

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS

\* \* \* \* \*

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

709

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

## MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS:Bureau of Purchases

- |   |   |              |
|---|---|--------------|
| 1. B50001765, Furnish<br>and Install Carpet | <u>1<sup>st</sup> Call</u><br>Total Contracting, Inc. | \$450,000.00 |
|   | <u>2<sup>nd</sup> Call</u><br>CB Flooring, LLC        | \$ 50,000.00 |

Total Contracting, Inc.:

<b>MBE:</b> You Construction	10%
<b>WBE:</b> Amaric Interiors, Inc.	5%

CB Flooring, LLC:

<b>MBE:</b> Granite World & Floor	10%
<b>WBE:</b> Letke Security Contractors, Inc.	5%

**MWBOO FOUND VENDORS IN COMPLIANCE.**

## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

Bureau of Purchases

1. TOP LAYER SECURITY	\$149,609.43	Sole Source/ Agreement
Solicitation No. 08000 - IPS 5500-500ES Hardware & Software Support - Mayor's Office of Information Technology - Req. No. R564926		

The Board is requested to approve and authorize execution of a agreement with Top Layer Security. The period of the agreement is effective upon Board approval for five-years.

The vendor is the sole provider of the IPS5500-500ES E-series proprietary software licenses and hardware maintenance.

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

2. FESCO EMERGENCY SALES/ HORTON EMERGENCY VEHICLES	\$1,815,864.00	Selected Source
Solicitation No. 06000 - 2011 Medic Units - Fire Department - Req. No. R565071		

The eight units requested are being purchased from a cooperative purchase contract HGAC #AM04-10 with the Baltimore Regional Cooperative Purchasing Committee and Houston-Galveston Area Council.

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

**MWBOO GRANTED A WAIVER.**

## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

Bureau of Purchases

## 3. C.N. ROBINSON LIGHTING

SUPPLY COMPANY, INC.	\$300,000.00	Renewal
----------------------	--------------	---------

Baltimore Regional Cooperative Purchasing Committee  
Solicitation No.09-005 - Lamps and Ballasts, Large and  
Specialty - Agencies Various - P.O. No. P507739

On April 15, 2009, the Board approved the initial award in the amount of \$300,000.00. The award contained four 1-year renewal options at the sole discretion of the City. This renewal in the amount of \$300,000.00 is for the period for the period April 22, 2011 through April 21, 2012.

**MWBOO GRANTED A WAIVER.**

## 4. INTERSTATE TRUCK

EQUIPMENT, INC.	\$ 50,000.00	Renewal
-----------------	--------------	---------

Solicitation No. 06000 - OEM Parts and Service for Seagrave  
Fire Apparatus - Department of General Services - P.O. No.  
P502097

On April 30, 2008, the Board approved the initial award in the amount of \$114,000.00. The award contained two 1-year renewal options at the sole discretion of the City. Subsequent actions have been approved. This renewal in the amount of \$50,000.00 is for the period May 1, 2011 through April 30, 2012.

**MWBOO GRANTED A WAIVER.**

## 5. CHESAPEAKE UNIFORM

d/b/a LORD BALTIMORE	\$360,000.00	Renewal
----------------------	--------------	---------

Solicitation No. B50000860 - Industrial Work Uniforms -  
Agencies - Various - Req. Nos. Various

## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

Bureau of Purchases

On December 23, 2009, the Board approved the initial award in the amount of \$300,000.00. The award contained an option to renew at the sole discretion of the City. Subsequent actions have been approved. This renewal in the amount of \$360,000.00 is for the period April 15, 2011 through April 14, 2013.

**MWBOO GRANTED A WAIVER.**

6. S.T.A.R. ASSOCIATES,  
INC.

\$ 91,000.00

Increase

Solicitation No. B50000570 - Transportation for the Hooper Center - Baltimore City Health Department - P.O. No. P511277

On October 1, 2008, the Board approved the initial award in the amount of \$288,750.00. Subsequent actions have been approved. Funding is being incrementally requested because of uncertainty as to the future volume of these services needed. This increase in the amount of \$91,000.00 will provide funds for services through June 30, 2011, and will make the total award amount \$622,250.00.

**MWBOO GRANTED A WAIVER.**

7. POINT BLANK BODY  
ARMOR, INC.

\$250,000.00

Term Purchase Order

Solicitation No. 06000 - Body Armor - Police Department - Req. No. Various

By a separate letter the Board is requested to rescind the award for Solicitation No. B50000179. A term purchase order is needed to meet the Police Department's need for body armor while that requirement is re-bid.

**MWBOO GRANTED A WAIVER.**

## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

Bureau of Purchases

8. MARYLAND POLICE SUPPLY	\$0.00	Rescission of Award
Solicitation No. B50000179 - Personal Ballistic Soft Body Armor - Req. No. P501411		

On January 30, 2008, the Board approved the initial award with subsequent actions. However, the vendor is no longer able to meet the City's requirement for the timely delivery of these items. By a separate letter a term purchase order will be requested to meet this requirement while a new contract is solicited.

UPON MOTION duly made and seconded, the Board approved the informal awards, renewals, increases to contracts and extensions and approved and authorized execution of an agreement with Top Layer Security. The President **ABSTAINED** on item no. 1. The Comptroller **ABSTAINED** on item no. 6.

**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 agreement among the Mayor and City Council of Baltimore acting through the Department of Transportation, Federal Highway Administration and the Mayor's Office of Employment Development for the Youth Opportunity Urban Youth Corps Program. The amendment no. 1 to agreement will extend the period of the agreement through June 30, 2011.

**AMOUNT OF MONEY AND SOURCE:**

N/A

**BACKGROUND/EXPLANATION:**

On March 17, 2010, the Board approved an agreement for the Youth Opportunity Urban Youth Corps Program. This program established a transportation training program for high-risk inner City youth. This amendment no. 1 will extend the agreement through June 30, 2011. All other terms and conditions of the original agreement remain unchanged.

**AUDITS NOTED THE TIME EXTENSION.**

UPON MOTION duly made and seconded, the Board approved and authorized execution of amendment no. 1 to agreement among the Mayor and City Council of Baltimore acting through the Department of Transportation, Federal Highway Administration and the Mayor's Office of Employment Development for the Youth Opportunity Urban Youth Corps Program.

**MINUTES**Department of General Services - Minor Privilege Permit Application

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

<u>LOCATION</u>	<u>APPLICANT</u>	<u>PRIVILEGE/SIZE</u>
1. 1634 Aliceanna St	DW Realty, LLC	Retain awning 27' x 3'

Amount: \$170.10

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 permit.

**MINUTES**

Department of General Services - 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 Friends of the President Street Station, Inc. grantee. The period of the right-of-entry agreement is effective upon Board approval for three months.

**AMOUNT OF MONEY AND SOURCE:**

N/A

**BACKGROUND/EXPLANATION:**

Friends of the President Street Station, Inc. wishes to enter onto the property known as President Street Station, 801 Fleet Street.

Friends of the President Street Station, Inc. will volunteer their services for the historical preservation of the President Street Station. They will show exhibits and artifacts to the public and will use the property for a museum.

The City will be responsible for maintaining the property. The grantee will be responsible for the security costs of the property.

**MBE/WBE PARTICIPATION:**

N/A

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

**MINUTES**

Department of General Services - Grant Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of an agreement with the Better Waverly Community Organization. The period of the agreement is effective upon Board approval for five years.

**AMOUNT OF MONEY AND SOURCE:**

N/A

**BACKGROUND/EXPLANATION:**

In an effort to acknowledge the significance of the Greenmount corridor, the Better Waverly Community Organization has requested to place an historical sign in the median at the intersection of 33<sup>rd</sup> Street and Greenmount Avenue. The Better Waverly Community Organization will pay the costs for the sign and be responsible for the maintenance of the sign.

**MBE/WBE PARTICIPATION:**

N/A

UPON MOTION duly made and seconded, the Board approved and authorized execution of the agreement with the Better Waverly Community Organization.

**MINUTES**Department of General Services - Amendments to Agreement

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

The Department is requesting an increase in the upset limit and time extension to allow the On-call Consultants to perform extra work and services that need to be assigned. Funds will be identified as tasks are assigned.

<u>On-Call Consultant</u>	<u>Project/Services</u>	<u>Amount</u>
1. <b>BUCHART HORN INC.</b>	1098B, On-Call Architectural Design	<b>\$ 250,000.00</b>

On December 23, 2009, the Board approved the original agreement for two years with an upset dollar amount of \$750,000.00. This amendment no. 1 will increase the upset limit from \$750,000.00 to \$1,000,000.00.

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

2. <b>WHITNEY BAILEY COX MAGNANI LLC</b>	1098W, On Call Civil/Structural Consulting Design Services	<b>\$1,000,000.00</b>
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On April 29, 2009, the Board approved the original agreement for two years with an upset dollar amount of \$750,000.00. On June 23, 2010, the Board approved amendment no. 1 to increase the upset limit from \$750,000.00 to \$1,000,000.00. This amendment no. 2 will increase the upset limit from \$1,000,000.00 to \$2,000,000.00 and will extend the agreement through April 27, 2012.

## MINUTES

Department of General Services - cont'd

3. **JOHNSON MIRMIRAN &  
THOMPSON** 1099J, On Call **\$1,000,000.00**  
Civil/Structural  
Consulting Design  
Services

On February 25, 2009, the Board approved the original agreement for two years with an upset dollar amount of \$750,000.00. On February 3, 2010, the Board approved amendment no. 1 to increase the upset limit from \$750,000.00

to \$1,000,000.00. This amendment no. 2 will increase the upset limit from \$1,000,000.00 to \$2,000,000.00 and extend the agreement through February 23, 2012.

**APPROVED FOR FUNDS BY FINANCE**

**THE CONTRACTOR WILL COMPLY WITH THE MBE AND WBE GOALS ON THE AGGREGATE AMOUNT.**

**AUDITS NOTED THE TIME EXTENSIONS AND INCREASES IN THE UPSET LIMIT AND WILL REVIEW TASK ASSIGNMENTS.**

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

**MINUTES**

Department of - Agreement for Energy Performance  
General Services Contracting Phase II - Department of  
 Transportation (DOT) Street Lights

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of an agreement for the Energy Performance Contracting Phase II with Energy Systems Group, LLC (ESG) for the construction of Energy Conservation Measures (ECM).

**AMOUNT OF MONEY AND SOURCE:**

\$15,698,426.94 - Financed through the City Master Lease for Energy Performance Contracting Projects, provided through the City's Office of Treasury Management

**BACKGROUND/EXPLANATION**

On February 10, 2010, the Board approved the Phase I - Energy Performance Contract with the ESG to provide a detailed energy audit and guaranteed savings program to reduce the City's energy consumption and maintenance costs for the DOT's street lights. The scope of work under Phase II will be retrofitting the DOT street lights, including 11,000 cobra head fixtures in the northeast quadrant of the City and 115 shoebox fixtures under I-83, Jones Falls Expressway. The ESG will also provide monitoring services to verify the resulting energy savings and system equipment maintenance services. This agreement will provide for the implementation of energy savings measures, guarantee the resulting savings, and provide maintenance for all installed equipment for the life of the contract.

The amount to be financed by the Master Lease is \$15,698,426.94. This includes \$14,988,426.94 of capital costs for work performed by the ESG and \$710,000.00 for the Energy Division, Department of General Services, to manage performance and inspect the quality of work during the period of construction. Annual loan payments will be made by the City utilizing funds that will be saved by the reduction of energy consumption through implementing the scope of work as proposed by the ESG.

## MINUTES

Department of General Services - cont'd

In addition, the energy and operational savings will fund a fifteen-year maintenance and services agreement in the amount of \$4,100,000.00 and a one-year monitoring and verification agreement in the amount of \$27,500.00. The amount of energy savings as related to each implemented ECM is guaranteed by the ESG for the life of the contract, which is 15 years after the completion of construction, which will be documented by a Certificate of Substantial Completion.

MBE/WBE PARTICIPATION:

<b>MBE:</b> Hunt Consulting, LLC	\$1,888,748.18	12.60%
<b>WBE:</b> Oelmann Electric Supply, Co.	\$ 112,413.00	0.75%
Lighting Maintenance, Inc.	<u>337,560.00</u>	<u>2.25%</u>
<b>Total</b>	<b>\$ 449,973.00</b>	<b>3.00%</b>

MWBOO FOUND VENDOR IN COMPLIANCE.

AUDITS REVIEWED AND HAD NO OBJECTION.

This item was deferred.

## MINUTES

PERSONNEL MATTER

\* \* \* \* \*

UPON MOTION duly made and seconded,  
the Board approved the Personnel matter  
listed on the following page:

723

The Personnel matter has been approved  
by the EXPENDITURE CONTROL COMMITTEE.

The contract has been approved by  
the Law Department as to form and legal sufficiency.

The President **ABSTAINED**.

**MINUTES****PERSONNEL**Office of the President - City Council

	<u>Hourly Rate</u>	<u>Amount</u>
1. <b>DRUSILLA BUNCH</b>	\$27.42	<b>\$27,090.96</b>

Account: 1001-000000-1000-107100-601009

Ms. Bunch, retiree, will work as a Special Assistant to Councilman William "Pete" Welch. Ms. Bunch will provide clerical and administrative level support, act as a liaison for Councilman Welch and represent the 9<sup>th</sup> City Council District at community and board/or commission meetings. The period of the agreement is effective upon Board approval for one-year.

**THE OFFICE OF THE PRESIDENT IS REQUESTING A WAIVER OF THE HOURLY RATE SALARY CAP AS STIPULATED IN THE AM 212-1, PART I.**

**MINUTES**

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

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of an agreement with MWH Americas, Inc./EA Engineering Science and Technology, Inc., a joint venture for Project No. 1112, Wet Weather Consent Decree (CD) Compliance, and Program Management Services. The Board is also requested to approve a variance from the City's overhead multiplier of 2.58 and the base rate of \$55.00 per hour only for MWH Americas, Inc. (MWH). The requested adjusted multiplier and rates are 3.23 and \$85.00 per hour, plus overhead and profit for the Program Manager and Technical Director only. The period of the agreement is effective upon Board approval for three years, or until the upset limit is reached, whichever comes first.

**AMOUNT OF MONEY AND SOURCE:**

\$ 5,494,772.98 - Wastewater Revenue Bonds (46.42%)  
6,342,307.97 - Baltimore County (53.58%)  
**\$11,837,080.95** - 9956-902587-9551-900020-703032  
(Upset limit)

**BACKGROUND/EXPLANATION:**

The consultants will provide engineering services for Project No. 1112, Wet Weather Consent Decree (CD) Compliance, and Program Management Services. The requested adjusted multiplier and rates are 3.23 and \$85.00 per hour plus overhead and profit for the Program Manager and Technical Director only with all other MWH staff capped at \$55.00 per hour, plus overhead and profit.

On September 30, 2002, the City entered into a CD with the United States Environmental Protection Agency (EPA) and Maryland Department of the Environment (MDE) to improve the City's collection system by eliminating Sanitary Sewer Overflows (SSOs). The BW&WW determined that there is a potential to achieve significant cost savings for the City in its on-going

## MINUTES

BW&WW - cont'd

Wet Weather CD Program. In order for these cost savings to be realized, the City needed to attract firms of national stature with a proven track record of similar cost savings in other CD Programs nationally. These consultants are accustomed to working for overhead rates exceeding those regularly approved by the Board.

On June 18, 2009, the Office of Boards and Commissions advertised for consulting engineering firms to provide professional engineering services for Program Management for the project with a statement, "The City will consider compensating firms at a higher overhead rate for the Program Management Services, subject to review of independently audited overhead rates, in accordance with the Federal Acquisition Regulation Requirements."

Under an action of November 4, 2009, the Architectural & Engineering Awards Commission approved the BW&WW's recommendation and directed the BW&WW to commence negotiations with the number one ranked Joint Venture Partner of MWH and EA Engineering, Science, and Technology, Inc. The MWH is a leading Environmental Engineering firm with national prominence and has demonstrated experience in large wet weather compliance programs addressing the SSO and Combined Sewer Overflow (CSO) issues including interactions with the EPA, the MDE and other regulatory agencies. Further, the EPA recognizes MWH as a leader in wet weather technology and compliance as they have authored the SSO and the CSO guidance and technical documents. Thus, the depth and knowledge that the MWH brings to this program is critical in complying with the requirements of the CD.

The City can potentially benefit from the MWH's knowledge and experience because in a letter dated February 10, 2011, the City received a response from EPA that stated that they have reviewed the final sewershed plans and based on their review have reached the conclusion that after the proposed improvements (two year 24-hour design storm) a significant number of overflows will remain during greater storm events, including five-year and ten-

## MINUTES

BW&WW - cont'd

year 24 hour storm events. Therefore, the EPA cannot approve these sewershed plans as submitted because the recommended improvements fall short from the goal of the CD in ensuring that Baltimore's sewage collection system does not cause or contribute to SSOs. There is a huge cost differential between a two-year design storm and a ten-year design storm. For example, if a 2-year storm is selected, the City would be liable to spend approximately \$330,000,000.00 to perform design and construction to rehabilitate the sewer system, on the other hand, if the 10-year storm is selected, the City would be liable to spend approximately \$1,200,000,000.00. In order to achieve these cost savings, the BW&WW requests to use the national expertise of the MWH/EA in the City.

Services for the MWH/EA team will include, but are not limited to responding to the EPA rejection of the 2-year design storm, re-evaluating the current sewershed plans, and developing alternative remedial measures that address the EPA concerns and seek to reduce the cost of compliance for the City of Baltimore.

In the past, the MWH, a member of the Clean Water Atlanta joint venture performed a cost/benefit analysis for Atlanta's 10 drainage basins for design storms of different durations (2, 5 and 10-years). The results confirmed that the 2-year design storm (\$390,000,000.00 budget) provided maximum environmental benefits for the dollars spent as compared to 5-year and 10-year design storms (\$510,000,000.00 and \$576,000,000.00 budgets, respectively). This resulted in a \$120,000,000.00 cost avoidance to the City of Atlanta. The EPA Region 4 approved the MWH's methodology. In addition, innovative technologies, such as, in-system storage strategies created \$500,000,000.00 in savings for the City of Atlanta.

Under this agreement, the consultant will provide engineering and program management services to improve the City's wastewater collection system and assist the City in meeting the requirements of the CD. These services include: implementation of the flow monitoring plan; enhancement of the citywide sewer model; coordination and management of the sewershed studies; design and construction; coordination of data management; attendance at meetings with regulatory agencies and communities;

MINUTES

BW&WW - cont'd

the SSO and the Sanitary Discharge of Unknown Origin tracking and reporting; and small/minority business development. The consultant has been approved by the Architectural and Engineering Awards Commission, under AEAC Project No. 1112.

**MBE/WBE PARTICIPATION:**

<b>MBE:</b> EBA Engineering, Inc.	\$1,217,390.67	10.28%
Diversity Intelligence Services, LLC	552,680.00	4.67%
Khafra Engineering Consultants, Inc.	1,001,047.25	8.46%
E2CR	453,698.13	3.83%
<b>TOTAL:</b>	<b>\$3,224,816.05</b>	<b>27.24%</b>
<b>WBE:</b> PEER Consultants, P.C.	\$ 767,303.85	6.48%
Sahara Communications, Inc.	309,988.60	2.62%
<b>TOTAL:</b>	<b>\$1,077,292.45</b>	<b>9.10%</b>

BW&WW - cont'd

**MWBOO FOUND VENDOR IN COMPLIANCE.**

**AUDITS DEFERS TO THE BOARD ON THE WAIVER OF CITY POLICY FOR COMPENSATION OF CONSULTANTS. AUDITS REVIEWED THE DOCUMENTATION THAT SUPPORTS THE REQUESTED COMPENSATION AND MULTIPLIER FOR THE MWH.**

**TRANSFER OF FUNDS**

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$ 6,127,440.00	9956-903627-9549	
Water Rev.	Const. Res.	
Bonds	Wet Weather Program	
4,626,867.91	" "	
County		
Approp.		
2,445,692.09	9956-906626-9549	
County	Const. Res.	
<u>Approp.</u>	Wet Weather Program	
<b>\$13,200,000.00</b>		

## MINUTES

BW&WW - cont'd

\$11,837,080.95	-----	9956-902587-9551-3
		Design
<u>1,362,919.05</u>	-----	9956-902587-9551-9
<b>\$13,200,000.00</b>		Administrative

This transfer will provide funds needed for Project 1112, Wet Weather Consent Decree Compliance and Program Management Services (BD 10512).

**(FILE NO. 55986A)**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the agreement with MWH Americas, Inc./EA Engineering Science and Technology, Inc., a joint venture for Project No. 1112, Wet Weather Consent Decree Compliance, and Program Management Services. The Board also approved the variance from the City's overhead multiplier of 2.58 and the base rate of \$55.00 per hour only for MWH Americas, Inc., and authorized adjusted multiplier and rates are 3.23 and \$85.00 per hour, plus overhead and profit for the Program Manager and Technical Director only. The Transfer of Funds was approved SUBJECT to the receipt of a favorable report from the Planning Commission, the Director of Finance having reported favorably thereon, in accordance with the provisions of the City Charter. The President **ABSTAINED**. The Comptroller **ABSTAINED**.

**MINUTES**

Bureau of Water and Wastewater - Task Assignment

**ACTION REQUESTED OF B/E:**

The Board is requested to approve assignment to task no. 006 to Rummel, Klepper & Kahl, LLP under Project No. 1120R for S.C. 829, On-Call Inspection Services. The period of this task assignment is effective upon Board approval for one-year.

**AMOUNT OF MONEY AND SOURCE:**

\$160,778.50 - 9956-904561-9551-900020-706332

**BACKGROUND/EXPLANATION:**

The consultant will provide office-engineering, mechanical, and civil inspection services for S.C. 829.

**APPROVED FOR FUNDS BY FINANCE**

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

UPON MOTION duly made and seconded, the Board approved the assignment of task no. 006 to Rummel, Klepper & Kahl, LLP under Project No. 1120R for S.C. 829, On-Call Inspection Services. The President **ABSTAINED**.

**MINUTES**

Police Department - Non-Employee Travel Request

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize payment of travel expenses of Dr. Daniel Webster of John Hopkins Center for Gun Policy and Research to attend the Smart Policing Conference. The event is scheduled in Los Angeles, CA from March 22 - 25, 2011.

**AMOUNT OF MONEY AND SOURCE:**

\$ 400.00	- Airfare (round trip)
30.00	- Shuttle Transportation
582.00	- Subsistence Rate (\$194.00 per/night)
<b>\$1,012.00</b>	- 4000-435911-2013-197500-603001

All costs associated with this travel will be by paid by the Smart Policing Grant.

**BACKGROUND/EXPLANATION:**

Attendance at this conference by the Department and a representative from the Department's research partner for the grant (Dr. Daniel Webster) is required by the Smart Policing Grant funded by the Bureau of Justice Assistance.

At the conference, all participants will have the opportunity to share the successes of the gun violence reduction strategies as well as hear from other large metropolitan area police agencies innovative about policing strategies.

**APPROVED FOR FUNDS BY FINANCE**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the travel expenses for Dr. Daniel Webster of John Hopkins Center for Gun Policy and Research to attend the Smart Policing Conference. The President **ABSTAINED**.

**MINUTES****TRAVEL REQUESTS**Police Department

<u>Name</u>	<u>To Attend</u>	<u>Source</u>	<u>Amount</u>
1. Dean M. Palmere Robert J. Quick Elise Odell	Smart Policing Conf. Los Angeles, CA March 22-25, 2011	Smart Policing Grant	\$3,036.00
2. Jessica L. Armstrong Jeffery R. Stauder	International Conf. on Sexual Assault, Domestic Violence, and Stalking Chicago, IL April 10 - 13, 2011 (Reg. Fee \$495. Ea.)	State Sex Offender Registry Unit Reimburse- ment	\$3,424.80
3. Kay T. Tyson, III	East Africa Foreign Police Undercover Program Initiative Kampala, Uganda Africa March 11 - 19, 2011	U.S. State Dept.	\$ 0.00

The Baltimore Police Department representative is being requested as an instructor by the Federal Bureau of Investigations and the United States State Department.

Health Department

4. Cynthia Mobley Tonya Johnson	Office of Population Affairs/OFP HIV Prevention Project Annual Tech. Asst. Conf. New Orleans, LA March 13 - 16, 2011 (Reg. \$200.00)	HIV Inte- gration Grant	\$2,100.20
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The subsistence rate for this area is \$202.00 per day. The hotel cost is \$301.40. The hotel tax is \$19.95/night. The conference registration fee of \$200.00 per person will be paid to Cicatelli Associates by expenditure authorization which is included in the total amount. The total travel request amount is \$2,500.20.

**MINUTES****TRAVEL REQUESTS**

Health Department - cont'd

Ms. Mobley will be disbursed \$1,072.95 and Ms. Johnson will be disbursed \$1,027.25.

**TRAVEL REIMBURSEMENT**

Health Department

**1. KATHERINE SCOTT****\$ 866.42**

Ms. Scott received an invitation to present at the 9<sup>th</sup> International Conference on Urban Health in New York, NY, from October 27-29, 2010. The invitation did not allow enough time for the Department to process the travel request to the Board for approval prior to the event. The total cost of the travel request is \$1,116.42. The registration fee of \$250.00 was paid by the City's procurement card issued to Madeleine Shea. Therefore, the Department is requesting approval of the travel expenses and to authorize reimbursement of Ms. Scott's out-of-pocket expenses in the amount of \$866.42.

\$ 162.00	- transportation (roundtrip Amtrak)
17.80	- ground transportation
570.00	- hotel costs
95.08	- hotel tax
21.54	- food
250.00	- (paid by procurement card)
<b>\$1,116.42</b>	

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

**MINUTES**

Health Department - Employee Expenses Statement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the Employee Expense Statement for Ms. Michelle Crawford-Jones.

**AMOUNT OF MONEY AND SOURCE:**

\$ 33.00 - March 2010  
35.00 - May 2010  
23.50 - June 2010  
25.00 - July 2010  
37.00 - August 2010  
57.50 - September 2010  
**\$211.00** - 4000-425510-3030-273022-603002

**BACKGROUND/EXPLANATION:**

Ms. Crawford-Jones, a Public Health Representative, neglected to submit her mileage expense statements on time because she experienced problems with completing the forms on line.

Since an Employee Expense Statement must be received by the Bureau of Accounting and Payroll Services within 40 workdays of the last calendar day of the month in which the expense incurred expenses submitted after that time will not be reimbursed without written approval of the Board of Estimates (AM-240-11). The Department is requesting the Board's approval of Ms. Crawford-Jones' Employee Expense Statement.

**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 Employee Expense Statement for Ms. Michelle Crawford-Jones.

**MINUTES**

Commission for Historical and - Request to Accept Proposals  
Architectural Preservation,  
Department of Planning (CHAP)

**ACTION REQUESTED OF B/E:**

The Board is requested to accept four proposals and authorize the opening of four price proposals on March 9, 2011.

**AMOUNT OF MONEY AND SOURCE:**

N/A

**BACKGROUND/EXPLANATION:**

On December 8, 2010, the Board received consultant proposals to draft an "Operating, Business and Finance Plan" for the Edgar Allan Poe House and Museum. The Edgar Allan Poe House and Museum is operated by CHAP. The proposals included two parts; a written technical proposal, and price proposal submitted in a separately sealed envelope.

Proposals were received from Benefactor Group, Cultural Resources Management Group LLP, Market and Feasibility Advisors LLC, and ConsultEcon, Inc.

All four written proposals are acceptable and CHAP is requesting the Board to accept all four and authorize the opening of the price proposals.

UPON MOTION duly made and seconded, the Board accepted the four proposals and authorized the opening of the four price proposals on March 9, 2011.

**MINUTES**

Department of Finance - Amendment to Resolution

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize of an amendment to the resolution to indemnify the Baltimore City Head Start Governing Board while in the performance of their duties.

**AMOUNT OF MONEY AND SOURCE:**

N/A

**BACKGROUND/EXPLANATION:**

The Mayor has established a Head Start Governance Board pursuant to Section 642 (c) of the Head Start Act. The Board's bylaws call for up to 18 members. The composition is made of individuals who represent various disciplines as prescribed by the Act, including fiscal management, childhood education and development, and law. Current membership includes two parents of head start children.

On February 16, 2011, the Board approved a resolution to implement the appropriate coverage to indemnify and save harmless the appointed volunteer members of the Governing Board. However, due to an administrative oversight, the resolution became effective as of the date of adoption. Since the Head Start Board became effective on August 31, 2010, it is necessary to make the coverage effective on August 31, 2010.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the amendment to the resolution to indemnify the Baltimore City Head Start Governing Board while in the performance of their duties. The Mayor **ABSTAINED**. The President **ABSTAINED**.

**MINUTES**

Department of Law - Debarment of Individuals  
from City Tax Lien Auctions

**ACTION REQUESTED OF B/E:**

The Board is requested to institute debarment proceedings against several individuals who purchased tax liens at auctions in Baltimore City.

**AMOUNT OF MONEY AND SOURCE:**

N/A

**BACKGROUND/EXPLANATION:**

Several individuals, who purchased tax liens at auctions in Baltimore City, colluded to keep the prices low by agreeing before the auctions to allocate the bids among themselves. This reduced competitive bidding, violated Federal anti-trust laws and resulted in the City obtaining less revenue for its tax liens.

The Baltimore City Code (Code) provides for the debarment of individuals who commit certain criminal offenses. Debarment is a process by which the Board prohibits an individual or entity from entering into contracts with the City of Baltimore.

Article 5, Section 40-1 (Finance and Procurement) of the Baltimore City Code provides that the Board of Estimates "may debar a person from entering into a contract with the City if that person, or a principal of that person, or any other person substantially involved in that person's contracting activities...has been convicted of a criminal violation of an anti-trust statute...of the United States." Similarly, a person may be debarred if he has admitted in writing or under oath that his actions constitute grounds for conviction under the law described above. Finally, the Code provides that the Board may debar a person who is a "principal, successor, assignee, subsidiary, or affiliate of a person who is debarred or suspended."

## MINUTES

Department of Law - cont'd

Three of the individuals in the bid rigging (Messers Steve Berman, Jack Stollof, and Harvey Nusbaum) pled guilty to violating federal anti-trust law. Three other individuals, (Messers John Reiff, Anthony De Laurentis, and Terry Turer) who were partners in a law firm and in an investment partnership, were able to enter into a cooperation agreement with the government and received amnesty. This latter group, however, participated extensively in the illegal conduct.

Of the six principals involved in the federal bid rigging, five have voluntarily agreed to debarment. Mr. Harvey Nusbaum has not agreed to debarment. (The City has made several offers to Mr. Nusbaum through his counsel). Mr. Nusbaum, who is currently incarcerated for his participation in the federal bid rigging scheme, is unable to directly participate in tax lien auctions at this time, but his daughter, Ms. Taci Himmelfarb, who worked with her father prior to his conviction, remains actively involved in the purchase of tax liens in Baltimore City.

The actions of the above-named individuals who violated federal anti-trust law have tarnished the integrity of the tax lien auction process in Baltimore City and cost the City many thousands of dollars in revenue because of depressed prices. Likewise, the continued participation of Mr. Nusbaum's daughter, a close affiliate and participant in his business entities during the time that he was engaging in illegal conduct, continues to put a blemish on the tax lien process. Therefore, the City Solicitor is recommending the Board institute debarment proceeding against Mr. Harvey Nusbaum and Ms. Taci Himmelfarb.

The City Solicitor further recommends that Mr. Harvey Nusbaum and Ms. Taci Himmelfarb be suspended from entering into contracts with the City pending completion of debarment proceedings, as permitted by the Baltimore City Code, in light of the Baltimore City tax sale, which will occur in May 2011.

**A LETTER OF PROTEST HAS BEEN RECEIVED FROM MS. TACEY HIMELFARB.**

This item was deferred for one week.

**MINUTES****PROPOSAL AND SPECIFICATIONS**

There being no objections, the Board, UPON MOTION duly made and seconded, approved the following Proposal and specifications to be advertised for receipt and opening of bids on the date indicated. The President **ABSTAINED**.

Bureau of Water and Waste Water - SC 896, Repair and Replacement of Existing Sanitary Sewers at Various Locations  
**BIDS TO BE RECV'D: 4/13/2011**  
**BIDS TO BE OPENED: 4/13/2011**

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

## MINUTES

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

**BIDS, PROPOSALS AND CONTRACT AWARDS**

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

Dept. of Transportation

- TR 11010, Resurfacing Highways  
at Various Locations City Wide  
Emergency (JOC)  
**BIDS TO BE RECV'D: 03/16/2011**  
**BIDS TO BE OPENED: 03/16/2011**

Dept. of Recreation and Parks

- RP 09833, Druid Hill Park Bowl  
Improvements  
**BIDS TO BE RECV'D: 03/23/2011**  
**BIDS TO BE OPENED: 03/23/2011**

## 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 - B50001833, Replacement of Octel mail system

Black Box Network Services  
Altura Communications Solutions

Commission For Historical & Architectural Preservation - Edgar Allan Poe House Museum 203 N. Amity Street (PRICE)

Benefactor Group  
ConsultEcon, Inc.  
Cultural Resources Management Group, LLP  
Market & Feasibility Advisors

\* \* \* \* \*

There being no objections, the Board UPON MOTION duly made and seconded, adjourned until its next regularly scheduled meeting on Wednesday, March 16, 2011.

  
JOAN M. PRATT  
Secretary