

MINUTES**REGULAR MEETING**

Bernard C. "Jack" Young, President
Stephanie Rawlings-Blake, Mayor - **ABSENT**
Edward J. Gallagher, Director of Finance
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.

Pursuant to Article VI, Section 1(c) of the revised City Charter effective July 1, 1996, the Honorable Mayor, Stephanie Rawlings-Blake, in her absence during the meeting, designated Mr. Edward J. Gallagher, Director of Finance, to represent the Mayor and exercise her power at this Board meeting.

MINUTES

BOARDS AND COMMISSIONS1. Prequalification of Contractors

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

Fireline Corporation	\$ 8,000,000.00
G.H. Nitzel, Inc.	\$ 6,984,000.00
J.A. Argetakis Contracting Co., Inc.	\$ 1,854,000.00
Moisture Proof & Masonry, Inc.	\$ 2,565,000.00
Nichols Contracting, Inc.	\$ 8,000,000.00
Overhead Door Company of Baltimore, Inc.	\$ 8,000,000.00
Restoration East, LLC	\$ 8,000,000.00
Rustler Construction, Inc.	\$ 8,000,000.00
TLP Enterprises, LTD.	\$ 153,000.00

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:

O'Brien & Gere Engineers, Inc./dba O'Brien & Gere	Engineer
Richter Cornbrooks Gribble, Inc.	Architect

There being no objection, the Board, UPON MOTION duly made and seconded, approved the prequalification of Architects and Engineers for the listed firms.

MINUTESEmployees Retirement System (ERS) - Subscription Agreement**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a subscription agreement with Adams Street 2012 Global Fund, LP (the fund).

AMOUNT OF MONEY AND SOURCE:

\$20,000,000.00 of ERS funds (approximately)

No general funds are involved in this transaction.

BACKGROUND/EXPLANATION:

The ERS Board conducted a nationwide search for a "fund of funds" private equity vehicle for investing a portion of the ERS funds. The Board narrowed the eligible firms to six finalists and conducted interviews. With the recommendation of the ERS investment consultant, Adams Street Partners, LLC was one of the two selected.

MBE/WBE PARTICIPATION:

MWBOO waived MBE/WBE utilization requirements for this selected source, professional service contract.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the subscription agreement with Adams Street 2012 Global Fund, LP. The Comptroller **ABSTAINED**.

MINUTES

TRANSFERS OF FUNDS

* * * * *

UPON MOTION duly made and seconded,

the Board approved

the Transfers of Funds

listed on the following pages:

3870 - 3871

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.

Mr. Edward J. Gallagher, acting on behalf of

the Mayor **ABSTAINED** on item no. 5.

MINUTES

TRANSFER OF FUNDS

	<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Department of Transportation</u>			
1.	\$ 100,000.00	9950-911032-9528	9950-915033-9527-2
	MVR	Constr. Res.	Contingencies
		Claremont/Freedom	Claremont/Freedom
		Village	Village Phase II
		This transfer will fund the miscellaneous charge related to design of the Project Claremont/Freedom Village Phase II.	
2.	\$ 50,000.00	9950-917001-9507	9950-903880-9508-2
	Federal	Constr. Res.	Contingencies
		Highways Federal	Center for Aquatic
			Life & Conservation
		This transfer will fund the miscellaneous charge related to the Project TR 09307, Center for Aquatic Life & Conservation.	
3.	\$ 17,500.00	9950-904489-9509	9950-905759-9506-2
	Other	Constr. Res. -	Contingencies
		HCD Street Improv.	Ext New Vail St. -
			Seagirt Term
		This transfer will move the appropriation to the project account of Ext New Vail Street Seagirt to cover the miscellaneous charges.	
4.	\$ 640,000.00	9950-903726-9514	9950-909732-9514-3
	Federal	Constr. Res. -	Design and Study
		Pavement Management	Pavement Management
		This transfer will fund the cost related to the Project Pavement Management.	

MINUTES

TRANSFER OF FUNDS

	<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Department of Transportation</u>			
5.	\$ 25,000.00	9950-906139-9528	9950-905621-9508-2
	MVR	Constr. Reserve	Contingencies
		Pennsylvania Ave.	Parks & People
		Main Street	HQ Liberty Heights/ Auchentoroly Terrace Trail

This transfer will fund the miscellaneous charge related to Project TR 10311, Parks & People HQ Liberty Heights/Auchentoroly Terrace Trail.

Department of General Services

6.	\$300,000.00	9904-902155-9129	9904-901155-9127
	1 st Waxter		
	Center GO		
	Bonds		

This transfer will provide funding for the reimbursement of several building attributes within the Waxter Senior Center located at 1000 Cathedral Street.

Department of Housing and Community Development (DHCD)

7.	\$2,850,000.00	9992-924989-9587	
	37 th Comm. Dev.	Loan Repayment -	
	Block Grant	Reserve	
	828,311.10	-----	9992-917080-9593
			Public Housing 108
	<u>2,021,688.90</u>	-----	9992-918410-9593
			East Baltimore
			Dev. Initiative 108
	\$2,850,000.00		

This transfer will provide funding for DHCD's debt repayment on HUD Section 108 loans for fiscal year 2012.

MINUTES

Office of the City Council - Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an agreement with the University of Maryland Foundation, acting on behalf of the Shriver Peaceworker Program. The period of the agreement is September 15, 2011 through September 14, 2012.

AMOUNT OF MONEY AND SOURCE:

\$9,000.00 - 1001-000000-1000-106300-601029

BACKGROUND/EXPLANATION:

Under the agreement between the City and the University of Maryland Foundation, (Foundation) the City will reimburse the Foundation directly for the Peaceworker Fellow assigned to assist Councilman James B. Kraft.

The Peaceworker Fellow will work 20 hours a week and act as a legislative intern for Councilman Kraft. The Peaceworker Fellow will perform legislative research, provide constituent services, provide policy analysis, attend meetings of the City Council, Council Committees and neighborhood groups, and perform other similar tasks, as requested by Councilman Kraft.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved and authorized execution of the agreement with the University of Maryland Foundation, acting on behalf of the Shriver Peaceworker Program. The President **ABSTAINED**.

MINUTES

Police Department (BPD) - Reimbursement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize acceptance of a reimbursement from the State of Maryland, Department of Public Safety and Correctional Services (DPSCS). The reimbursement is for the period July 1, 2010 through June 30, 2011.

AMOUNT OF MONEY AND SOURCE:

\$296,200.00 - 5000-512812-2021-212700-600000

BACKGROUND/EXPLANATION:

The reimbursement is for the State of Maryland Sex Offender Registry and Compliance Agreement.

The State of Maryland, Department of Public Safety and Correctional Services is required under Criminal Procedure Article subsection 11-713(3) and (4), and under COMAR 12.06.01.17 to reimburse each local law enforcement unit annually for processing registration statements, fingerprints, photographs, and for performing community notification requirements. The rate for reimbursement is \$200.00 per sexual offender registration, for 1,481 active registrants for this reimbursement period.

The DPSCS determined the total amount of reimbursement to be \$296,200.00 for the period July 1, 2010 through June 30, 2011. The payment was dispersed to BPD on October 4, 2011.

APPROVED FOR FUNDS BY FINANCE

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

UPON MOTION duly made and seconded, the Board approved the reimbursement from the State of Maryland, Department of Public Safety and Correctional Services.

MINUTES

Department of Recreation and Parks - On-Call Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an On-Call Environmental Graphic Design Services agreement with Cloud Gehshan Associates for Project No. 1166. The period of the agreement is effective upon Board approval for 36 months from the notice to proceed or until the upset limit is reached, whichever comes first.

AMOUNT OF MONEY AND SOURCE:

\$750,000.00 - Upset limit

BACKGROUND/EXPLANATION:

The consultant will provide environmental graphic design services for renovation and improvement of various City Park and Recreation facilities.

MBE/WBE PARTICIPATION:

MBE: Columbia Engineering, Inc.	\$37,500.00	5.00%
WBE: Mahan Rykiel Associates, Inc.	\$37,500.00	5.00%

MWBOO FOUND VENDOR IN COMPLIANCE.

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

UPON MOTION duly made and seconded, the Board approved and authorized execution of the On-Call Environmental Graphic Design Services agreement with Cloud Gehshan Associates for Project No. 1166.

MINUTES

Department of Recreation and Parks - Task Assignment

ACTION REQUESTED OF B/E:

The Board is requested to approve assignment of task no. 01, to Greenman-Pedersen, Inc. for Project No. 1167, On-Call Engineering Design Services.

AMOUNT OF MONEY AND SOURCE:

\$144,412.19 - 9938-901751-9474-000000-703032

BACKGROUND/EXPLANATION:

Greenman-Pedersen, Inc. will provide design services in accordance with their proposal dated October 5, 2011. This task will include design services for Herring Run Greenway.

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

MBE/WBE PARTICIPATION:

This task contains 0% MBE and 0% WBE.

MINUTES

Recreation and Parks - cont'd

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$ 98,000.00	9938-904757-9475	
MVR	Reserve - Herring Run	
	Greenway, Phase I	
52,000.00	9938-902624-9475	
<u>MVR</u>	Reserve - Gateway	
	Improvements	
\$150,000.00	-----	9938-901751-9474
		Active - Herring
		Run Greenway,
		Phase I

This transfer will provide funds to cover the costs associated with design services under On-Call Contract No. 1167, Task No. 01 to Greenman-Pedersen, Inc.

UPON MOTION duly made and seconded, the Board approved task no. 01, to Greenman-Pedersen, Inc. for Project No. 1167, On-Call Engineering Design Services. The Transfer of Funds was approved, SUBJECT to the receipt of a favorable report from the Planning Commission, the Director of Finance having reported favorably thereon, in accordance with the provisions of the City Charter.

MINUTES

Law Department - Claim Settlement Agreements and Releases

The Board is requested to approve the settlement agreements and releases of the following claims. The settlement agreements and releases have been reviewed and approved by the Settlement Committee of the Law Department.

1. Terrell Perkins v. \$67,500.00
Detective Byron J. Conway, et al.
2. Alvin Cuffee v. \$40,000.00
State of Maryland, et al.

Account: 1001-000000-2041-195500-603070

UPON MOTION duly made and seconded, the Board approved and authorized execution of the foregoing claim settlement agreements and releases. The President voted **NO** on item nos. 1 and 2.

MINUTES

EXTRA WORK ORDERS

* * * * *

UPON MOTION duly made and seconded,

the Board approved the

Extra Work Orders

listed on the following page:

3879

All of the EWOs had been reviewed and approved

by the

Department of Audits, CORC,

and MWBOO, unless otherwise indicated.

The President **ABSTAINED** on item nos. 5 and 6.

MINUTES

EXTRA WORK ORDERS

<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>
<u>Department of Transportation</u>				
1. EWO #002, \$156,754.00 - TR 09301R, Installation of Variable Message Signs Citywide				
\$1,492,770.86	\$ 334,602.75	Bruce & Merrilees Electric Co.	-	-
2. EWO #004, \$21,673.05 - Project 889, Edmondson Avenue Bridge over Gwynns Falls & CSXT Railroad				
\$ 1,068,231.15	\$ 200,709.69	Greenhorne & O'Mara, Inc.	-	-
3. EWO #006, \$30,107.01 - TR 02398, Rehabilitation of Argonne Drive Bridge over Herring Run				
\$ 5,676,777.00	\$1,047,551.50	American Infrastructure	-	-
4. EWO #007, \$120,000.00 - TR 10011RR, Conduit Systems Repairs @ Various Locations Citywide JOC				
\$ 2,139,020.00	\$ 669,070.00	Allied Contractors, Inc.	-	-
<u>Bureau of Water & Wastewater</u>				
5. EWO #011, \$60,385.00 - S.C. 846, Gravity Sludge Thickener at Patapsco Wastewater Treatment Plant				
\$ 5,667,000.00	\$ 191,303.09	Ulliman Schutte Construction, LLC	-	-
6. EWO #047, \$138,971.00 - W.C. 1156, Locust Point Area Infrastructure Rehabilitation				
\$ 7,883,300.00	\$6,196,327.18	Spiniello Companies	29	99
			CCD	

MINUTES

Health Department - Expenditure of funds

ACTION REQUESTED OF B/E:

The Board is requested to approve the purchase of gift cards for the Early Intervention Initiative (EII).

AMOUNT OF MONEY AND SOURCE:

\$6,680.00 - 668 Rite Aid gift cards @ \$10.00 ea.
- 4000-422312-3030-513210-604051

BACKGROUND/EXPLANATION:

The Department's Early Intervention Initiative program provides HIV-related medical care and a full range of integrated support services to the significantly underserved minority communities in East and West Baltimore City and is integrated into the STD walk-in clinics; the Druid STD Clinic and Eastern STD Clinic. The incentive cards will be distributed at Latino events to help reduce the number of new HIV infections and improve the health of persons living with HIV/AIDS and enhance program staff's ability to attract those encountered to receive counseling and testing on the STD/HIV testing van.

The STD/HIV Prevention Program adheres to all policies associated with the usage of incentives and has sufficient procedures in place to address the safeguarding and accountability of incentive cards.

The Health Department has a consolidated policy for the purchase, distribution, and documentation of all incentive cards. The central tenets of this policy account for: 1) a single means of procuring all incentive cards through the Board of Estimates; 2) the documentation of each incentive card and its recipient; 3) a monthly reconciliation for all purchases that account for all distributed and non-distributed cards, and; 4) periodic internal reviews of programs' activity vis-à-vis the internal policy, which are to be shared with the Department of Audits.

MINUTES

Health Department - cont'd

This policy has been reviewed by both the Solicitor's Office and by the Department of Audits. Consistent with the original Board of Estimates approval, all requests for payment for the above incentive cards will be subject to Audits approval.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved the purchase of gift cards for the Early Intervention Initiative.

MINUTES

Health Department - Expenditure of funds

ACTION REQUESTED OF B/E:

The Board is requested to approve an expenditure of funds to subsidize transportation funds to various Senior Centers in the City. The period of the expenditures is July 1, 2011 through June 30, 2012.

AMOUNT OF MONEY AND SOURCE:

\$226,080.00 - 3001-000000-3254-316400-603041

BACKGROUND/EXPLANATION:

The funds will allow the Department to support Senior Centers located in the City by subsidizing their transportation program services which enables them to transport their senior participants to and from the Centers and to special events and activities throughout the City. The Department will subsidize transportation funding for the following Senior Centers: Action-in-Maturity, Allen Senior Center, Cherry Hill Senior Center, Greenmount Senior Center, Harford Senior Center, and Southeast Center.

The request is late because the Department just received the grant.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved the expenditure of funds to subsidize transportation funds to various Senior Centers in the City.

MINUTES

Health Department - Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an agreement with the Gay Family Foundation, LTD. The period of the agreement is July 1, 2011 through February 29, 2012.

AMOUNT OF MONEY AND SOURCE:

\$130,615.00 - 4000-427711-3023-274407-603051

BACKGROUND/EXPLANATION:

The Gay Family Foundation, LTD will provide services to ensure the provision of technical, research and administrative support, which can help add new providers to the continuum of care and help current providers improve or expand their service delivery or management capacity. In addition they will provide technical, research, and administrative support services to further the Eligible Metropolitan Area Planning Council's efforts to increase community awareness of Ryan White CARE Act programs and services.

The request is late because of budget revisions.

MWBOO GRANTED A WAIVER.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the agreement with the Gay Family Foundation, LTD.

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. Paul Kopel	406 Worsley St.	G/R \$30.00	\$ 330.00

Funds are available in account no. 9912-910713-9591-900000-704040, Barclay Street.

(FILE NO. 57066)

2. Jeffrey I. Silberman	1323 Hillman St.	G/R \$27.00	\$ 270.00
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Funds are available in account no. 9910-910715-9588-900000-704040, Johnston Square Project.

(FILE NO. 57066)

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.

Dept. of Housing and Community Development - Condemnation

3. Michael L. Rottenberg	719 N. Mount St.	G/R \$78.00	\$ 520.00
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Funds are available in account no. 9910-908087-9588-900000-704040, Wylie Funeral Home Project.

UPON MOTION duly made and seconded, the Board approved the options and the condemnation. The Comptroller **ABSTAINED** on item no. 3.

MINUTES

Baltimore Development - Relocation Payment Corporation (BDC)

ACTION REQUESTED OF B/E:

The Board is requested to approve the relocation payment to Mr. Clarence Bullock, a resident who lives at 406 Park Ave.

AMOUNT OF MONEY AND SOURCE:

\$1,283.00 - 9910-905826-9603

BACKGROUND/EXPLANATION:

In accordance with the Market Center Urban Renewal Plan, a May 6, 2009 Notice of Relocation Eligibility Assistance was sent to Mr. Bullock, following the 2008 City of Baltimore acquisition of 406 Park Avenue property in which Mr. Bullock resides.

The City acquired 406 Park Avenue as part of the Market Center Urban Renewal Plan.

The cost to relocate Mr. Bullock is \$1,283.00. This figure was provided by Diversified Property Services, the company with whom the BDC contracted to assist in the relocation process.

AUDITS REVIEWED AND HAD NO OBJECTION.

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

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$1,283.00	9910-904115-9600	9910-905826-9603
22 nd EDF	Constr. Res.	West Side
	West Side	Relocation
	Initiative	

This transfer will provide funds for the residential relocation settlement claim to Mr. Clarence Bullock from 406 Park Avenue which is located within the Westside redevelopment project in accordance with the Market Center Urban Renewal Plan.

(FILE NO. 57263)

UPON MOTION duly made and seconded, the Board approved the relocation payment to Mr. Clarence Bullock, a resident who lives at 406 Park Avenue. The Transfer of Funds was approved, SUBJECT to the receipt of a favorable report from the Planning Commission, the Director of Finance having reported favorably thereon, in accordance with the provisions of the City Charter.

MINUTES

Baltimore Development - Transfer of Canal Parcels Corporation (BDC)

ACTION REQUESTED OF B/E:

The Board is requested to approve:

- 1) transfer to Honeywell International, Inc. (Honeywell) of all of the City's interest, if any, in the two parcels of land shown on the submitted plat as the "Canal Parcel" and "Remaining Fast Land (Southern Portion)" by quitclaim deed by the Commissioner of the Department of Housing and Community Development, subject to the review and approval by the Law Department for form and legal sufficiency; and
- 2) a transfer from Honeywell International, Inc. to the City of all of Honeywell's interest, if any, in the parcel of land shown on the submitted plat and referred to on the plat as "Remaining Fast Land (Northern Portion)", the City Parcel, also by a quitclaim deed.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

The purpose of the transaction is to clarify the ownership of the two parcels for the benefit of both parties. Both parcels were created in the 1990's by filling in a former canal. After the canal was filled, it was not clear whether the City or Honeywell owned the newly created land, or whether ownership was divided.

Since its creation, the Honeywell Parcel has been used by Honeywell (or its predecessor Allied Chemical), and the City has been using the City Parcel. This division of the land reflects the way that the parties have been utilizing the parcels since they were created.

The transfer of the Honeywell Parcel was authorized by Ordinance 10-0595. The transfer to Honeywell will be in the form of a quitclaim deed in which the City takes no responsibility for whether or not it has title.

MINUTES

BDC - cont'd

After the transfers are made, Honeywell's tenant, Point Development LLC will incorporate the Honeywell Parcel into its development property. The City will use the City Parcel for its own purposes.

Upon receipt of a quitclaim deed from Honeywell for the City Property, a quitclaim deed will be executed and delivered to Honeywell for the Honeywell Parcel.

MBE/WBE PARTICIPATION:

N/A

(FILE NO. 57268)

UPON MOTION duly made and seconded, the Board approved and authorized execution of the transfer of the foregoing canal properties.

ADJOINING LAND		SURVEY LINE TABLE	
NO.	BEARING	LENGTH	REMARKS
1	N 107° 02' 07" W	33.09'	
2	S 71° 12' 30" W	54.38'	
3	S 86° 48' 36" W	54.38'	
4	N 117° 35' 55" E	38.90'	
5	N 03° 06' 15" E	38.90'	



N 87° 16' 34" E 606.15'

L. AWB353 F. 023

LIVING CLASSROOMS SCHOOL PARCEL

S 87° 23' 07" W 605.69'

REMAINING FAST LAND

"CANAL PARCEL"

HARBOR POINT DEVELOPMENT, LLC
656,896 SQ. FT.
OR 15,000 ACS. +/-
BLOCK 1B15
LOT 1-2

HOBBSWELL INTERNATIONAL, INC.
L 10133 F. 009
(PARCEL 1)
BLOCK 1B15
LOT 1

PROPERTY ADDRESS
LOT 1-2
1000 HILLS STREET
BALTIMORE, MARYLAND 21201

- "CANAL" PARCEL
- REMAINING FAST LAND - NORTHERN PORTION
- REMAINING FAST LAND - SOUTHERN PORTION

MAYOR AND CITY COUNCIL OF BALTIMORE
79,584 SQ. FT. OR 1,827 ACRES

POINT OF BEGINNING FAST LAND (NORTH)

(NORTHERN PORTION)

REMAINING FAST LAND/SOUTHERN PORTION

DOCK STREET (VARIABLE WIDTH R/W)

WILLS STREET (VARIABLE WIDTH R/W)

ALLED-SIGNAL, INC.
TOTAL AREA 100,723 SQ. FT. OR 2,312.3 ACS. +/-

LOT 1 L. SEB 3959 F. 222

LOT 2

LOT 12 BLOCK 1817

LOT 11 L. SEB 1806 F. 472

LOT 10

EXHIBIT B TO QUIT CLAIM DEED

GRANTOR: MAYOR AND CITY COUNCIL OF BALTIMORE
GRANTEE: HOBBSWELL INTERNATIONAL, INC.

WARD 5 SECTION 7 BLOCK 1B16 BALTIMORE, MARYLAND



200 N. WASHINGTON STREET
BALTIMORE, MD 21201
410.528.1200
www.bowmanconsulting.com

NO.	DATE	DESCRIPTION
1	08/15/11	RECORD
2	08/15/11	INDEX
3	08/15/11	FILE
4	08/15/11	INDEX
5	08/15/11	FILE
6	08/15/11	INDEX
7	08/15/11	FILE
8	08/15/11	INDEX
9	08/15/11	FILE
10	08/15/11	INDEX

MINUTES

Baltimore Development - Land Disposition Agreement, Purchase
Corporation (BDC) Money Mortgage and Purchase Money Note

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of:
 1.) a land disposition agreement (LDA) with Harbor Point
 Development, LLC, developer, for the sale of the property
 located at 950 South Caroline Street, 2.) a Purchase Money
 Mortgage (PMM), and 3.) a Purchase Money Note (PMN) with Harbor
 Point Development, LLC, the Mortgagor.

The Board is further requested to approve a waiver of the
 appraisal policy which requires that any agreement must be
 presented to the Board for approval within twelve months of the
 date of the appraisal report.

AMOUNT OF MONEY AND SOURCE:

\$ 87,000.00 - payable at settlement
348,000.00 - Purchase Money Note
\$435,000.00 - purchase price

BACKGROUND/EXPLANATION:

The City will defer payment of \$348,000.00. The deferred
 purchase price will be payable in accordance with the PMN,
 secured by a PMM. The first payment in the amount of \$87,000.00
 will be due at settlement and the remaining balance will be
 payable thereafter in 11 equal installments on an annual basis
 from the settlement date. The PMM will be pre-payable at any
 time without penalty.

The property was acquired by the City in the mid 1990s for
 public infrastructure purposes, the property is an unimproved
 triangular shaped lot located in Fells Point. The public
 improvements were determined unnecessary by the City and in
 August 2006, the BDC issued a Request for Proposals (RFP) from
 qualified developers for a mixed-use development. Pursuant to
 the terms of the LDA, the property will be improved and
 developed by the developer in accordance with the Harbor Point
 Planned Unit Development (the Harbor Point PUD), enacted by
 Ordinance No. 04-682. Current plans for the property involve
 inclusion into a larger condominium and parking garage
 structure.

MINUTES

BDC - cont'd

The purchase price of the property is based on an appraisal that valued the property at \$435,000.00. The sale of the property is authorized by Ordinance No. 09-153.

The appraisal of the property was conducted for the BDC by Lipman, Frizzell & Mitchell, in February 2010.

The BDC is requesting a waiver of the appraisal policy because of an extended RFP and negotiation process. The BDC was unable to present the Land Disposition Agreement and Purchase Money Mortgage within twelve months of the appraisal report.

MBE/WBE PARTICIPATION:

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

(FILE NO. 57262)

UPON MOTION duly made and seconded, the Board approved and authorized execution of the land disposition agreement with Harbor Point Development, LLC, developer, for the sale of the property located at 950 South Caroline Street, 2.) the Purchase Money Mortgage, and 3.) the Purchase Money Note with Harbor Point Development, LLC, the Mortgagor.

The Board also approved the waiver of the appraisal policy which requires that any agreement must be presented to the Board for approval within twelve months of the date of the appraisal report.

MINUTES

Baltimore Development - Land Exchange Agreement
Corporation (BDC)

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a land exchange agreement with Harbor Point Development, LLC developer, for the conveyance of the City Roads known as Philpot Street, Wills Street, Block Street, and Dock Street.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

The land exchange agreement will allow for the conveyance of City roads known as Philpot Street, Wills Street, Block Street, and Dock Street from the City to the developer. At the present time, the roads at Harbor Point are not improved and are considered "paper streets". The developer intends to build new roads at Harbor Point to serve the Harbor Point mixed-use development, rendering the existing paper streets unnecessary. Under the terms of the land exchange agreement, the new streets, once improved, will be conveyed back to the City by deed of dedication. The City has approved Sales Ordinances and Street Closing and Opening Ordinances for the streets on Harbor Point.

This land exchange agreement will replace a previous Closing Agreement between the Department of Public Works and the Developer. Based on the known environmental contamination of the roads and the City's future receipt of improved streets of a greater value and size, no financial consideration will be provided by the Developer.

MINUTES

BDC - cont'd

MBE/WBE PARTICIPATION:

N/A

(FILE NO. 57262)

UPON MOTION duly made and seconded, the Board approved and authorized execution of the land exchange agreement with Harbor Point Development, LLC developer, for the conveyance of the City Roads known as Philpot Street, Wills Street, Block Street, and Dock Street.

MINUTES

Mayor's Office of Employment Development - Grant Award

ACTION REQUESTED OF B/E:

The Board is requested to approve acceptance of a grant award from the Maryland Department of Labor, Licensing and Regulation for fiscal year 2012. The grant award is for the period October 1, 2011 through June 30, 2013.

AMOUNT OF MONEY AND SOURCE:

\$2,351,241.00 - 4000-807512-6312
881,664.00 - 4000-806712-6312
\$3,232,905.00

BACKGROUND/EXPLANATION:

This award will be utilized for specific program costs. The costs are associated with providing eligible youth, adults and employers with coordinated employment and training activities which include but are not limited to; labor marketing information, career assessment, specific skills training, job readiness training, prevocational training and other intensive services and workforce development supportive services.

The services are designed to prepare eligible City residents for long-term, gainful employment opportunities in the labor market mainstream and to promote self-sufficiency and economic independence.

MINUTES

MOED - cont'd

The grant award is late because notification of the grant award was not received in a timely manner to prevent lateness.

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 acceptance of the grant award from the Maryland Department of Labor, Licensing and Regulation for fiscal year 2012.

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.	3910 Keswick Avenue	FSK Land Corporation	Service connection two 4" conduits @ 41.5'
	Annual Charge: \$290.50		
2.	1450 Light Street	Stephen e Willhide	Six gooseneck Lights
	Annual Charge: \$105.60		
3.	1112 S. Baylis Street	Ross Taylor	Service connection two 4" conduits @ 15'
	Annual Charge: \$105.00		
4.	1539 Light Street	George Diacolukas	Retain awning w/signage 15'9" x 4'8", four fluorescent tubes
	Annual Charge: \$294.93		
5.	1541 Light Street	John Georgiou	Retain awning w/signage 34'5" x 4'8", eight fluorescent tubes
	Annual Charge: \$724.82		

MINUTES

DGS - cont'd

	<u>LOCATION</u>	<u>APPLICANT</u>	<u>PRIVILEGE/SIZE</u>
6.	2213 Reisterstown Road	Chun Yong Chung	Outdoor display of merchandise
	Annual Charge: \$337.50		
7.	201 Oldham Street	Metropolitan Transit Authority	Three monitoring wells
	Annual Charge: \$210.00		
8.	3410-3418 Greenmount Avenue	John N. Snapp	Six storefronts, two flat signs, one single face electric sign
	Annual Charge: \$2,182.50		
9.	100 E. Pratt Street	100 East Pratt Street Business Trust	Outdoor seating 1,489 sq. ft. fencing 1,489 sq. ft., awnings 410 sq. ft., canopy 13' x 16', two bracket signs, streamer lights, one handi-cap ramp
	Annual Charge: \$24,787.50		

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

There being no objection, the Board, UPON MOTION duly made and seconded, approved the minor privilege permit applications.

MINUTES

Department of General Services - Developer's Agreement No. 1231

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of developer's agreement no. 1231 with School House Properties, LLC, developer.

AMOUNT OF MONEY AND SOURCE:

\$83,433.99

BACKGROUND/EXPLANATION:

The developer would like to install new sanitary sewer service to its proposed construction located in the vicinity of 1700 Aliceanna Street, Baltimore, MD. This developer's agreement will allow the organization to do its own installation, in accordance with Baltimore City standards.

An Irrevocable Letter of Credit in the amount of \$83,433.99 has been issued to School House Properties, LLC which assumes 100% of the financial responsibility.

MBE/WBE PARTICIPATION:

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

UPON MOTION duly made and seconded, the Board approved and authorized execution of developer's agreement no. 1231 with School House Properties, LLC, developer.

MINUTES

Department of General Service (DGS) - Amendment to Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an amendment to agreement with 1000 Friends of Maryland, Inc.

AMOUNT OF MONEY AND SOURCE:

\$12,265.00 - 9916-913900-9197-910013-703032

BACKGROUND/EXPLANATION:

On September 14, 2011, the Board approved the original agreement with the organization whereby DGS would provide grant funds in the amount of \$25,000.00 for energy improvements to the non-profit facilities. The DGS has additional funds to support the program, and the City and the non-profit are mutually desirous of amending the original agreement to increase the funds under the grant by \$12,265.00 to further implement recommended energy savings upgrades.

The DGS has been provided with funds from the Energy Efficiency Community Block Grant for facility upgrades and retrofits that will significantly improve energy in facilities operated by Baltimore City non-profit organizations.

MBE/WBE PARTICIPATION:

N/A

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the amendment to agreement with 1000 Friends of Maryland, Inc.

MINUTES

Mayor's Office of Human Services - Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an agreement with the Family League of Baltimore City, Inc. The period of the agreement is July 01, 2011 through June 30, 2012.

AMOUNT OF MONEY AND SOURCE:

\$ 285,152.00 Community Schools
4,527,483.00 Out of School Time/After School
\$4,812,635.00 - 1001-000000-4460-692000-607001

BACKGROUND/EXPLANATION:

This agreement provides the Family League of Baltimore City, Inc. with grant funds that will enable it to administer out of school time/after school programming to community school programs conducted by at least sixteen community schools in Baltimore City.

The Family League of Baltimore City, Inc. is the City of Baltimore's local management board. It is a quasi-governmental nonprofit organization that works with a range of partners to develop and implement initiatives that improve the well-being of Baltimore's children, youth and families. The Family League of Baltimore City's work touches the lives of tens of thousands of Baltimore families each year.

This agreement is late because of the delays in the administrative review process.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

(FILE NO. 55358)

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

MINUTES

Mayor's Office of Human Services - Intergovernmental Agreement
(MOHS)/Homeless Services Program

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an intergovernmental agreement (IGA) with the Maryland State Department of Human Resources (DHR) - Baltimore City Department of Social Services (BCDSS). The period of the agreement is July 1, 2011 through June 30, 2014.

AMOUNT OF MONEY AND SOURCE:

\$296,832.00 - 5000-531812-3572-267800-405001

BACKGROUND/EXPLANATION:

The MOHS is the recipient of a Shelter Beds for Single Adults Grant. The Baltimore Housing Services (BHS) is the local administering agency of funds for this program. The BHS's responsibilities, duties and liabilities are restricted to the distribution of funds received by the City from the DHR and specifically approved and designated for disbursement to the Salvation Army, Inc. through the IGA between MOHS and BCDSS. The funds will be distributed to the Salvation Army, Inc. through a separate agreement with the MOHS. The agreement is late because it was recently received from the State of Maryland.

MINUTES

MOHS - cont'd

MBE/WBE PARTICIPATION:

Minority and Women's Enterprise requirement have been met by virtue of the fact that Salvation Army contracts with Charles Moore's Cleaning Services, as a State Certified minority vendor and work performed by Mr. Moore's cleaning services meets the 10% Solicitation Affidavit MBE goal. Accordingly, MBE goals are approved by the Department of Human Resources MBE Committee prior to the agreement being sent to the City for processing.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved and authorized execution of the intergovernmental agreement with the Maryland State Department of Human Resources - Baltimore City Department of Social Services.

MINUTES

Mayor's Office of Human Services - Ratification of
(MOHS)/Homeless Services Programs Agreement

ACTION REQUESTED OF B/E:

The Board is requested to ratify a grant agreement with Health Care for the Homeless, Inc. (HCH). The agreement was for the period October 1, 2010 through September 30, 2011.

AMOUNT OF MONEY AND SOURCE:

\$148,724.00 - 4000-496211-3570-591402-603051

BACKGROUND/EXPLANATION:

The HCH provided a Licensed Certified Social Worker, Team Leader, and a Case Worker for outreach and case management. The HCH's Team Leader and staff identified the target population by conducting outreach to parks, streets, soup kitchens, and emergency shelters where chronically homeless individuals are known to congregate in Baltimore City. Potential participants were screened to ascertain if they met the criteria for admission into the program.

The agreement is late because the provider required an inordinate amount of time to execute and return the contract.

MWBOO GRANTED A WAIVER.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board ratified the grant agreement with Health Care for the Homeless, Inc.

MINUTES

Bureau of Water and Wastewater- Amendment No. 3 to Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an amendment no. 3 to agreement with the Russell Corrosion Consultants, Inc. for Project 1106, Cathodic Protection Services. The amendment no. 3 to agreement extends the period of the agreement through September 22, 2012.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

On September 23, 2009, the Board approved the original agreement to provide engineering services for the City's water system, including design, post award services for Cathodic Protection, cleaning and lining projects, mitigation of system problems and other related issues on an as-needed basis. The period of the original agreement was for a two year period. The original agreement has been amended on September 15, 2010 and on March 16, 2011 and will expire on December 22, 2011. Due to ongoing tasks relating to the Baltimore Water System, the Bureau is recommending the extension of the agreement for nine months, through September 22, 2012. All other terms and conditions of the original agreement remain unchanged.

MBE/WBE PARTICIPATION:

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

APPROVED FOR FUNDS BY FINANCE**AUDITS NOTED THIS NO-COST TIME EXTENSION.**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the amendment no. 3 to agreement with the Russell Corrosion Consultants, Inc. for Project 1106, Cathodic Protection Services. The President **ABSTAINED**.

MINUTES

Bureau of Water and Wastewater - Task Assignment

ACTION REQUESTED OF B/E:

The Board is requested to approve assignment of task no. 004, to Johnson, Mirmiran & Thompson, Inc., (JMT) for Project No. 1120J, S.C. 852R, Construction Management.

AMOUNT OF MONEY AND SOURCE:

\$173,155.52 - 9956-910533-9551-900010-705032

BACKGROUND/EXPLANATION:

The JMT will provide construction management services on S.C. 852R.

APPROVED FOR FUNDS BY FINANCE

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

(FILE NO. 55986

UPON MOTION duly made and seconded, the Board approved the assignment of task no. 004, to Johnson, Mirmiran & Thompson, Inc., for Project No. 1120J, S.C. 852R, Construction Management.

The President **ABSTAINED.**

MINUTES

Bureau of Water and Wastewater - 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 URS Corporation for Project 1032, Gwynns Falls Collection System Evaluation and Sewershed Plan. This amendment will extend the period of the agreement through December 19, 2012.

AMOUNT OF MONEY AND SOURCE:

\$0.00

BACKGROUND/EXPLANATION:

On June 20, 2007, the Board approved an agreement with URS Corporation to provide engineering services for the Gwynns Falls Collection System Evaluation and Sewershed Plan to comply with Paragraph 9 of the Consent Decree through December 10, 2010. On November 24, 2010, the Board approved amendment no. 1 to the agreement to extend the agreement through December 19, 2011.

Under the terms of this amendment no. 2, the consultant will continue to update GIS information and provide engineering services to address comments from EPA/MDE on the Sewershed Study Plan until final approval of the referenced project at no additional cost to the City.

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

MINUTES

BW&WW - cont'd

MBE/WBE PARTICIPATION:

The consultant will continue to comply with Article 5, Subtitle 28 of the Baltimore City Code and the Minority and Women's Business Enterprise goals established in the original agreement.

(FILE NO. 55986)

APPROVED FOR FUNDS BY FINANCE

AUDITS NOTED THE TIME EXTENSION.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the amendment no. 2 to agreement with URS Corporation for Project 1032, Gwynns Falls Collection System Evaluation and Sewershed Plan. The President **ABSTAINED.**

MINUTES

Bureau of Water and Wastewater - Amendment No. 1 to Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of amendment no. 1 to agreement with Rummel, Klepper & Kahl, LLP for Project W.C. 1207, Study of Liberty Dam Ground Maintenance Complex Improvements. This amendment will extend the period of the agreement through April 7, 2012.

AMOUNT OF MONEY AND SOURCE:

\$48,808.00 - 9960-905919-9557-900020-706032

BACKGROUND/EXPLANATION:

On December 8, 2010, the Board approved a one-year agreement with Rummel, Klepper & Kahl, LLP to provide engineering services for Project WC 1207, Study of Liberty Dam Ground Maintenance Complex Improvements.

Under the terms of this amendment no. 1, the consultant will provide additional engineering services in the evaluation of site defects for W.C. 1207. The consultant will attend additional meetings for the approval of the site plan that is required for Carroll County.

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

MINUTES

BW&WW - cont'd

MBE/WBE PARTICIPATION:

The consultant will continue to comply with Article 5, Subtitle 28 of the Baltimore City Code and the Minority and Women's Business Enterprise goals established in the original agreement.

APPROVED FOR FUNDS BY FINANCE

AUDITS NOTED THE TIME EXTENSION.

(FILE NO. 55370)

UPON MOTION duly made and seconded, the Board approved and authorized execution of the amendment no. 1 to agreement with Rummel, Klepper & Kahl, LLP for Project W.C. 1207, Study of Liberty Dam Ground Maintenance Complex Improvements. The President **ABSTAINED.**

MINUTES

Bureau of Water and Wastewater - Employee Expense Report

ACTION REQUESTED OF B/E:

The Board is requested to approve the expense report for Ms. Angela Cornish for the month of May 2011.

AMOUNT OF MONEY AND SOURCE:

\$ 55.08 - 9956-904529-9551-900010-705050

BACKGROUND/EXPLANATION:

The original expense account submitted for Ms. Cornish for May 2011, was returned for the correction of inaccuracies in the data. The resubmitted request exceeded the 40-day limit for acceptance and approval

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 expense report for Ms. Angela Cornish for the month of May 2011.

The President **ABSTAINED.**

MINUTESBureau of Water and Wastewater - Agreement**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of an agreement with KCI Technologies, Inc. for contract SC 882, Enhanced Nutrient Removal at Back River Wastewater Treatment Plant, Project 2 - Design of Activated Sludge Plant No. 4. The period of the agreement is effective upon Board approval for two years, or until the upset limit is reached, whichever occurs first.

AMOUNT OF MONEY AND SOURCE:

\$7,494,976.18 - 9956-905565-9951-900020-703032

BACKGROUND/EXPLANATION:

Under this agreement, the KCI Technologies will provide engineering services to design the Activated Plant No. 4 to comply with the State regulated Enhanced Nutrient Removal Program. The design work will include an additional 40 MG of reactors, clarifiers along with associated pumping stations, and a blower building.

KCI Technologies will prepare contract documents including plan, specification and a final cost estimate for the additional nitrification facilities required for the enhanced nutrient removal process.

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

MBE: Sidhu Associates, Inc.	\$ 670,974.34	8.95%
Findling, Inc.	206,831.75	2.76%
Transviron, Inc	568,320.51	7.58%
AS Architects, Inc.	290,502.32	3.87%
Glyndon Engineering & Tech. Co.	237,473.14	3.17%
Reviera Enterprises, Inc.	179,883.48	2.40%
(REI DRAYCO)	<u>\$2,153,985.54</u>	<u>28.73%</u>

MINUTES

Bureau of Water and Wastewater - cont'd

WBE: Carroll Engineering, Inc	\$ 468,071.19	6.24%
Phoenix Engineering, Inc	<u>208,161.43</u>	<u>2.78%</u>
	\$ 676,232.62	9.02%

APPROVED FOR FUNDS BY FINANCE

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

(FILE NO. 56533)

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$3,184,097.00	9956-904557-9549	
State	Constr. Res.	
1,012,000.00	Enhanced Nutrient	
County	Removal-B/R	
2,531,361.00	9956-933001-9549	
Revenue Bonds	Constr. Res.	
	Unallocated	
190,871.50	9956-903561-9549	
Counties	Constr. Res.	
	Primary Tank Renovations	
1,328,489.50	9956-903567-9540	
Counties	Constr. Res.	
<u>\$8,246,819.00</u>	Odor Control at Patapsco	
\$7,497,108.40	-----	9956-905565-9551-3
		Engineering
749,710.60	-----	9956-905565-9551-9
<u>\$8,246,819.00</u>		Administration

The transfer of funds is required to cover the cost of SC 882, Design of the Enhanced Nutrient Removal at the Back River Wastewater Treatment Plant, Project 2.

MINUTES

BW&WW - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of the foregoing agreement with KCI Technologies, Inc. for contract SC 882, Enhanced Nutrient Removal at Back River Wastewater Treatment Plant, Project 2 - Design of Activated Sludge Plant No. 4. The Transfer of Funds was approved, SUBJECT to the receipt of a favorable report from the Planning Commission, the Director of Finance having reported favorably thereon, in accordance with the provisions of the City Charter. The President **ABSTAINED**.

MINUTES

Bureau of Water and Wastewater - Amendment No. 3 to Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of amendment no. 3 to agreement with Rummel, Klepper & Kahl, LLP for Project 1086R, Amendment No. 3 Urgent Need Storm Water Engineering Services. The amendment extends the period of the agreement to August 4, 2012.

AMOUNT OF MONEY AND SOURCE:

\$0.00 - 9958-902439-9520-900020-703031

BACKGROUND/EXPLANATION:

The Bureau of Water and Wastewater is requesting a time extension of the existing agreement with Rummel, Klepper & Kahl, LLP from February 05, 2012 to August 04, 2012 to continue to provide engineering services and complete the design projects that extend beyond the initial termination date of the agreement on February 04, 2012.

Rummel, Klepper & Kahl, LLP was awarded the contract to provide urgent needed engineering services to improve the City's storm drain system for the Storm Water Engineering Office for a period of 36-months until February 04, 2012.

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

MINUTES

BW&WW - cont'd

MBE: Daniel Consultant, Inc.	\$	32,500.00	13%
EBA Engineering, Inc.		20,000.00	8%
WBE: Albrecht Engineering Inc.	\$	17,500.00	7%

MWOO FOUND VENDOR IN COMPLIANCE.

APPROVED FOR FUNDS BY FINANCE

(FILE NO. 55370)

UPON MOTION duly made and seconded, the Board approved and authorized execution of the amendment no. 3 to agreement with Rummel, Klepper & Kahl, LLP for Project 1086R, Amendment No. 3 Urgent Need Storm Water Engineering Services. The President **ABSTAINED.**

MINUTES

Department of Housing and - Extension of Land Disposition
Community Development Agreement and Lease

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an extension of the land disposition agreement (LDA) and lease with Stadium Place, Inc. This extension waives the original deadline for the settlement of the parcels and extends the term of the lease through November 20, 2022.

AMOUNT OF MONEY AND SOURCE:

N/A

DEFERRED

BACKGROUND/EXPLANATION:

On May 29, 2002, the Board approved the LDA with Stadium Place, Inc. for the redevelopment of Stadium Place located at 1000 E. 33rd Street. This extension waives the original deadline for the settlement of the parcels on November 20, 2012 and extends the term of the LDA and lease through November 20, 2022.

MBE/WBE PARTICIPATION:

The developer signed the Commitment to Comply with Article 5, Subtitle 28 of the Baltimore Code, with the original land disposition agreement.

UPON MOTION duly made and seconded, the Board deferred this item to December 7, 2011.

MINUTES

Department of Housing and - Memorandum of Understanding
Community Development

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an inter-departmental memorandum of understanding (MOU) with the Health Department. The period of the MOU is July 1, 2011 through June 30, 2012.

AMOUNT OF MONEY AND SOURCE:

\$340,704.00 - 2089-208912-5930-433927-603051

BACKGROUND/EXPLANATION:

Pursuant to guidance from the U.S. Department of Housing and Urban Development, a MOU will be executed for the utilization of Community Development Block Grant funds to support other City agencies.

The Baltimore City Health Department is an agency that is proactive and responsive to the needs of older adults, their families and caregivers. Through its role as primary advocate, BCHD seeks to develop innovative and efficient approaches to developing services, assuring access and enhancing the overall quality of life for seniors. The MOU will allow the funds to be disbursed.

APPROVED FOR FUNDS BY FINANCE.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the inter-departmental memorandum of understanding with the Health Department.

MINUTES

Department of Housing and - Agreement
Community Development

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an agreement with the Women's Housing Coalition, Inc. (WHC). The period of the agreement is July 1, 2011 through June 30, 2012.

AMOUNT OF MONEY AND SOURCE:

\$47,310.00 - 2089-208912-5930-437923-603051

BACKGROUND/EXPLANATION:

The WHC will provide permanent housing, case management, and other support services to 95 low to moderate-income persons and their children. The WHC serves formerly homeless women aged 18 and older, a majority of whom suffer from chronic mental illness, substance abuse, and disabilities.

On June 22, 2011, the Board approved the Resolution authorizing the Commissioner of the Department of Housing and Community Development (DHCD), on behalf of the Mayor and City Council, to file a Federal FY 2011 Annual Action Plan for the following formula programs:

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

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, 2011 and beyond. Consequently, this agreement was delayed due to final negotiations and processing.

MINUTES

DHCD - cont'd

FOR FY 2012, MBE AND WBE PARTICIPATION GOALS FOR THE ORGANIZATION WERE SET ON THE AMOUNT OF \$36,000.00, AS FOLLOWS:

MBE: \$3,600.00

WBE: \$1,800.00

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the agreement with the Women's Housing Coalition, Inc.

MINUTES

Department of Housing and - Agreement
Community Development

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an agreement with St. Ambrose Housing Aid Center, Inc. The period of the agreement is July 1, 2011 through June 30, 2012.

AMOUNT OF MONEY AND SOURCE:

\$ 20,665.00	-	2089-208911-5930-436191-603051
88,825.00	-	2089-208912-5930-436191-603051
184,110.00	-	2089-208912-5930-436191-603051
49,439.00	-	2089-208912-5930-434191-603051
\$343,039.00		

BACKGROUND/EXPLANATION:

The organization will provide one-on-one pre-purchase counseling to potential homeowners and one-on-one default housing counseling services to low and moderate-income persons who are in danger of losing their homes. The organization will also provide housing counseling referrals and home assessments to match homeowners with existing space in their homes with tenants seeking affordable housing under the Homesharing Program.

On June 22, 2011, the Board approved the Resolution authorizing the Commissioner of the Department of Housing and Community Development (DHCD), on behalf of the Mayor and City Council, to file a Federal FY 2011 Annual Action Plan for the following formula programs:

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

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, 2011 and beyond. Consequently, this agreement was delayed due to final negotiations and processing.

MINUTES

DHCD - cont'd

FOR FY 2012, MBE AND WBE PARTICIPATION GOALS FOR THE ORGANIZATION WERE SET ON THE AMOUNT OF \$12,350.00 AS FOLLOWS:

MBE: \$1,852.00

WBE: \$1,235.00

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the agreement with St. Ambrose Housing Aid Center, Inc.

MINUTES

Department of Housing and - Local Government Resolutions
Community Development

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

The below listed organizations are applying to the State of Maryland's Community Legacy Program (CLP), Department of Health and Mental Hygiene (DHMH), and/or CDA Partnership Rental Housing Funds (CDA-PRHF). A local government resolution of support is required by the State for all applications to the programs for funding.

- | | | |
|----|---------------------------------------|-------------------------------------|
| 1. | PARK HEIGHTS RENAISSANCE, INC. | \$150,000.00
(CLP) |
|----|---------------------------------------|-------------------------------------|

Park Heights Renaissance, Inc. located at 3939 Reisterstown Road, Suite 268, Baltimore, MD 21215 proposes the Childhood Learning Center at Pimlico Elementary Middle School (Predevelopment/Planning) Project. Park Heights Renaissance, Inc. in conjunction with the Baltimore City Public Schools and St. Vincent DePaul Headstart program plan to renovate a vacant building on the Pimlico Elementary Middle School campus at 4849 Pimlico Road, Baltimore, 21215 in Central Park Heights. The purpose is to create an early childhood learning center for children ages six months to four years.

Park Heights Renaissance, Inc. will acquire and rehabilitate the building which is approximately 20,000 square feet. The facility will be designed with a high level of aesthetic quality, with special emphasis given to the interior of the building and meeting full compliance for childcare centers of this size and program. Park Heights Renaissance, Inc. will be proactive in maintaining positive relations with the community surrounding the project site, and involve local, small women-owned and minority owned businesses. Once renovations are complete the facility will be able to service 150 to 200 children. The total cost of the project is \$3,500,000.00. The mission of Park Heights Renaissance, Inc. is to implement the Baltimore City Park Heights Master Plan where land and economic development and human development are transformative influences in the revival of a thriving and sustainable community.

MINUTES

DHCD - cont'd

2. 2301 NORTH CHARLES STREET, INC.	\$1,096,740.00
	\$ 571,740.00 (MD-DHMH)
	\$ 525,000.00 (CDA-PRHF)

Located in the Charles Village Neighborhood of Baltimore City, 2301 North Charles Street, Inc., a subsidiary of Community Housing Associates, Inc. proposes the rehabilitation of a vacant structure at 2301 North Charles Street. Upon completion, the project will provide seven units of affordable rental housing to individuals at or below 50% of the Area Median Income. As a result, the borrower has agreed to restrict all seven units to non-elderly persons with disabilities from the Housing Authority of Baltimore City's waitlist for at least 15 years.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the foregoing local government resolutions. Mr. Edward J. Gallagher, acting on behalf of the Mayor, **ABSTAINED** on item no. 1. The President **ABSTAINED** on items no. 1 and 2.

MINUTES

Department of Housing and - Intergovernmental Agreement
Community Development for Land Disposition

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the intergovernmental agreement for land disposition with the Housing Authority of Baltimore City (HABC) for the sale of 69 properties for Phase 2 of the Barclay Redevelopment Project. The properties consist of:

43 vacant lots located at 308 and 310 E. 20½ Street, 302, 314, 321, 338, 340, 429, 431, 434, 435, 436, 438, 442, 444, 446, and 448 E. 20th Street, 427 E. 21st Street, 1915 Barclay Street, 2102, 2106, 2108, 2116, 2118, 2122, and 2126 N. Calvert Street, 2026 Greenmount Avenue, 2001 Guilford Avenue, 400, 402, 404, 406, 408, 410, 412, 414, 416, 418, 420, 426, 428, and 430 Worsley Street; and Block 3805 Lot 041A (Descriptive Address);

9 vacant two-story buildings located at 318 and 326 E. 20½ Street, 423 E. 21st Street, 2010, 2014 and 2016 Barclay Street, 2004, 2006 and 2020 Greenmount Avenue; and

17 three-story vacant buildings located at 330, 333, 408, 415, 416, 418, 422, 424, 428, 430, 432 and 437 E. 20th Street, 2001 Barclay Street, 2002 Greenmount Avenue, 2005, 2007 and 2023 Guilford Avenue.

AMOUNT OF MONEY AND SOURCE:

\$69.00 - Purchase Price
(\$1.00 per property to be paid by the HABC at the time of settlement)

BACKGROUND/EXPLANATION:

The HABC is in the process of redeveloping its inventory of 102 scattered site public housing units in the Barclay neighborhood and the Barclay Townhouses, a 91-unit affordable rental housing development purchased from the U.S. Department of Housing and Urban Development. In order to enhance the revitalization of the neighborhood, the DHCD and the HABC have identified properties owned by the City for inclusion in the Barclay redevelopment project. The HABC issued a request for qualifications in 2005

MINUTES

DHCD - cont'd

seeking qualified development teams to manage the redevelopment of the Barclay neighborhood. The HABC selected Telesis Baltimore Corp. (the Developer) as the development team for this project. Upon selection, Telesis worked with the community, the HABC, the DHCD, and the Department of Planning to create a neighborhood revitalization plan to develop a total of 306 units (199 rental units, and 107 homeownership units). The project will include a mix of rehabilitated row-houses and new construction, as well as a mix of affordable and market-rate rental and homeownership units. The redevelopment project will proceed in four phases. The total project cost is estimated to be \$90,000,000.00. Phase 1 of the project is nearly complete: 72 affordable rental units have been constructed and are being leased, and 8 out of 30 homeownership units have been completed and are for sale on the market.

The Phase 2 development will include the 69 properties conveyed through this intergovernmental agreement along with 81 properties owned by the HABC. Phase 2 of the project will produce a total of 69 affordable rental units, 24 market-rate rental units, and 30 homeownership units. A 30,000 square foot parking space will also be included in Phase 2. The Developer has applied for an award of Low Income Housing Tax Credits from the State of Maryland Department of Housing and Community Development and intends to begin construction on affordable rental units in December 2012 if the application is successful.

STATEMENT OF PURPOSE AND RATIONALE FOR SALE OF PROPERTY BELOW THE PRICE DETERMINED BY USING THE WAIVER VALUATION PROCESS IN LIEU OF THE APPRAISAL:

The total fair market value of the properties was determined to be \$254,948.45 based on comparable sales in the area as detailed on the Waiver Valuation Forms. A fair market value was determined of \$1,516.67 for vacant lots, \$5,066.67 for vacant two-story buildings, and \$8,478.33 for vacant three-story buildings.

The properties are to be conveyed from the City to the HABC for below the appraised value to allow for the construction of 69

MINUTES

DHCD - cont'd

units of affordable rental housing, 24 market-rate rental units and 30 homeownership units. This sale will provide the following benefits:

- The community will receive the benefit of the development of 69 affordable rental units. These units will be affordable to households earning 60 percent or less of the area median income and will remain affordable for no less than 40 years. In addition, attractive new market-rate rental and homeownership units will be constructed which will revitalize the community.
- A 30,000 square foot parking space will also be constructed as part of Phase 2 of the project. This will provide a community amenity and improve the environmental quality of the neighborhood.
- If the properties were sold for appraised value, an additional subsidy from the City would be required to subsidize the construction of the units. The DHCD has committed to \$1,500,000.00 in HOME funds to subsidize the affordable rental units.
- This development will eliminate neighborhood blight caused by the City-owned vacant buildings and revitalize the Barclay neighborhood. Of the 26 vacant City-owned buildings, 24 will be demolished for the construction of new housing, and 2 will be renovated for homeownership.

MINUTES

DHCD - cont'd

MBE/WBE PARTICIPATION:

The Developer is required to comply with the HABC's goals for the participation of MBE/WBE. The HABC and the Developer have agreed to use all reasonable good faith efforts to meet the City's current goals for MBE/WBE utilization.

(FILE NO. 57098)

UPON MOTION duly made and seconded, the Board approved and authorized execution of the intergovernmental agreement for land disposition with the Housing Authority of Baltimore City for the sale of 69 properties for Phase 2 of the Barclay Redevelopment Project. The President **ABSTAINED**.

MINUTES

Department of Housing and - Agreement
Community Development

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a agreement with the Morgan State University (MSU), Head Start Program. The agreement is for the period July 1, 2011 through June 30, 2012.

AMOUNT OF MONEY AND SOURCE:

\$1,557,069.00 - 4000-486312-6051-554000-603051

BACKGROUND/EXPLANATION:

The MSU is the delegate agency for the MSU Head Start Program. The Head Start program will provide services to 224 children and their families in Baltimore City. The agreement will provide funds for operational costs.

The agreement is late because of the delays in the administrative review process.

MWBOO SET GOALS OF 27% MBE AND 10% WBE.

MBE: Calmi Electrical Co., Inc. \$2,166.00 0.14%

The provider requested and was granted a waiver of the balance of the MBE/WBE goals. Of the total amount of \$1,557,069.00, \$1,515,813.00 are for items that are proprietary and non-segmentable. The goals were set on the non-exempt amount of \$41,256.00.

MINUTES

DHCD - cont'd

MWBOO FOUND VENDOR IN COMPLIANCE.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBEJECTION.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the agreement with the Morgan State University, Head Start Program. The President **ABSTAINED**.

MINUTES

Department of Housing and - Land Disposition Agreement
Community Development

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a land disposition agreement with the First Church of Our Lord Jesus Christ, Inc., developer, for the sale of the properties known as 1412 Homestead Street and NES Homestead Street 140 ft. SE of Homewood Avenue (descriptive address).

AMOUNT OF MONEY AND SOURCE:

\$1,500.00 - 1412 Homestead Street
500.00 - NES Homestead Street 140 ft. SE of Homewood Avenue
\$2,000.00 - Purchase Price

BACKGROUND/EXPLANATION:

The properties are vacant lots and will be used for off-site parking for church members. The purchase price of the properties and the cost of renovation will be financed with private funds.

STATEMENT OF PURPOSE AND RATIONALE FOR SALE BELOW THE PRICE DETERMINED BY USING THE WAIVER VALUATION PROCESS IN LIEU OF AN APPRAISAL:

The properties were priced pursuant to the appraisal policy of Baltimore City. The Valuation Waiver process was used in determining the price for these properties. The proposed price for 1412 Homestead Street was \$2,950.00 and the proposed price for the descriptive property was \$1,616.66. The following factors are present and resulted in sale price below the proposed price for the properties:

- 1) stabilizing the immediate community,
- 2) elimination of blight,
- 3) economic development, creation of jobs, real estate and other taxes, and
- 4) the opportunity to have a quick rehabilitation of the property.

MINUTES

DHCD - cont'd

MBE/WBE PARTICIPATION:

The properties are not subject to Article 5, Subtitle 28 of the Baltimore City Code.

(FILE NO. 57211)

UPON MOTION duly made and seconded, the Board approved and authorized execution of the land disposition agreement with the First Church of Our Lord Jesus Christ, Inc., developer, for the sale of the properties known as 1412 Homestead Street and NES Homestead Street 140 ft. SE of Homewood Avenue.

MINUTESDepartment of Transportation (DOT) - Agreement**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of an agreement with Wallace Montgomery & Associates, LLP, for Project No. 1162, On-Call Construction Management Services. The agreement is effective upon Board approval for two years with the City's sole option to renew the agreement for an additional one year term under the same terms and conditions, or until the upset limit is reached, whichever occurs first.

AMOUNT OF MONEY AND SOURCE:

\$1,000,000.00 - Upset limit - to be determined with each individual tasks

BACKGROUND/EXPLANATION:

The DOT has negotiated and procured the consulting agreement approved by the Office of Boards and Commissions and the Architectural and Engineering Awards Commission and now desires to utilize the services of Wallace Montgomery & Associates, LLP.

The costs of services rendered will be on actual payroll rates not including overhead and burden times a set multiplier. The payroll rates and multiplier have been reviewed by the Department of Audits.

The consultant will assist the Transportation Engineering & Construction Division in engineering design services to include, but not be limited to on-site project support, GIS support and tasks for various Capital Improvement Projects.

MBE/WBE PARTICIPATION:

MBE:	AB Consultants, Inc.	\$ 90,000.00	9.00%
	JK Datta Consultants, Inc.	90,000.00	9.00%
	Mercado Consultants, Inc.	90,000.00	9.00%
		<u>\$270,000.00</u>	<u>27.00%</u>

MINUTES

DOT - cont'd

WBE: Floura Teeter, Landscape \$ 90,000.00 9.00%
Architects, Inc.

MWBOO FOUND THE VENDOR IN COMPLIANCE

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

UPON MOTION duly made and seconded, the Board approved and authorized execution of the agreement with Wallace Montgomery & Associates, LLP, for Project No. 1162, On-Call Construction Management Services.

MINUTES

Department of Transportation (DOT) - Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an agreement with STV, Inc./PB Americas, Inc., a Joint Venture, for Project No. 1161, On-Call Construction Management Services. The agreement is effective upon Board approval for three years with the City's sole option to renew the agreement for an additional one-year term under the same terms and conditions, or until the upset limit is reached, whichever occurs first.

AMOUNT OF MONEY AND SOURCE:

\$2,000,000.00 - Upset limit - to be determined with each
Individual tasks

BACKGROUND/EXPLANATION:

The DOT has negotiated and procured the consulting agreement approved by the Office of Boards and Commissions and the Architectural and Engineering Awards Commission and now desires to utilize the services of STV, Inc./PB Americas, Inc., a Joint Venture.

The cost of services rendered will be on actual payroll rates not including overhead and burden times a set multiplier. The payroll rates and multiplier have been reviewed by the Department of Audits.

The consultant will assist the Transportation Engineering & Construction Division in managing various Capital Improvement Projects. The responsibilities will include constructability review of construction contract documents, addressing contractor request for information, change orders and claims analysis and inspection.

MBE/WBE PARTICIPATION:

MBE:	EBA Engineering, Inc.	\$340,000.00	17.00%
	Daniel Consultants, Inc.	<u>200,000.00</u>	<u>10.00%</u>
		\$540,000.00	27.00%

MINUTES

DOT - cont'd

WBE: Ross Technical Services, \$180,000.00 9.00%
 Inc.

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

(FILE NO. 56533)

UPON MOTION duly made and seconded, the Board approved and authorized execution of the agreement with STV, Inc./PB Americas, Inc., a Joint Venture, for Project No. 1161, On-Call Construction Management Services.

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 pages:

3937 - 3939

to the low bidders meeting the specifications,
and rejected the bid as indicated
for the reasons stated.

The Transfers of Funds were approved
SUBJECT to receipt of favorable reports
from the Planning Commission,
the Director of Finance having reported favorably
thereon, as required by the provisions
of the City Charter.

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONSBureau of Purchases

- | | | |
|---|-------------------------------|----------------|
| 1. B50002024, Install & Maintain CCTV Cameras in the Northeast District | Tele-Tector of Maryland, Inc. | \$1,130,000.00 |
|---|-------------------------------|----------------|

MBE: M&V Contractual Services, Inc.	\$84,000.00	7.59%
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WBE: Fleet Electric, Inc.	\$37,800.99	3.41%
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MWBOO FOUND VENDOR IN COMPLIANCE

- | | | |
|---|---------------------|---------------|
| 2. B50002080, DNA Lab Daily Consumables for the Police Department | Promega Corporation | \$ 192,126.00 |
|---|---------------------|---------------|

MWBOO GRANTED A WAIVER.

- | | | |
|--|-----------------------------|----------------------|
| 3. B50002139, Emergency Medical Supplies | | \$ 550,000.00 |
| | Moore Medical, LLC | \$ 150,000.00 |
| | Bound Tree Medical, LLC | \$ 200,000.00 |
| | Midwest Medical Supply, LLC | \$ 200,000.00 |

MWBOO GRANTED A WAIVER.

- | | | |
|---------------------------------|----------------------------|---------------|
| 4. B50002144, Aerial Lift Truck | Beltway International, LLC | \$ 516,446.00 |
|---------------------------------|----------------------------|---------------|

MWBOO GRANTED A WAIVER.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

- | | | |
|--|--------------|---------|
| 1. ROTORK CONTROLS, INC. | \$ 20,000.00 | Renewal |
| Solicitation No. 06000 - Rotork Valve Actuator Parts - Department of Public Works - Req. No. P515312 | | |

On November 3, 2010, the Board approved the initial award in the amount of \$20,000.00. This renewal request was delayed due to time needed to confirm SDAT certification. This renewal in the amount of \$20,000.00 is for the period November 8, 2011 through November 7, 2012.

- | | | |
|--|--------------|----------|
| 2. SUPERIOR WEAR PRODUCTS
& EQUIPMENT, LLC. | \$ 42,000.00 | Only Bid |
| Solicitation No. B50002168 - Red Natural Rubber - Police Department - Req. No. R586898 | | |

The bid price is considered fair and reasonable.

- | | | |
|---|--------------|---------|
| 3. ASSOCIATED BUILDING
MAINTENANCE CO., INC. | \$884,649.00 | Renewal |
| Solicitation No. B50001546 - Provide Janitorial Services for Area A - Police Department and Department of General Services - P.O. No. P515606 | | |

On November 24, 2010, the Board approved the initial award in the amount of \$461,556.00. The award contained two 2-year renewal options. On November 2, 2011, the Board approved an extension in the amount of \$38,463.00. This renewal in the amount of \$884,649.00 is for the period December 3, 2011 through November 2, 2013, with one 2-year renewal option remaining.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS
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Bureau of Purchases

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

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

MBE: CJ Maintenance 17%

WBE: My Cleaning Service 9%

MWBOO FOUND VENDOR IN COMPLIANCE.

4. ASSOCIATED BUILDING
 MAINTENANCE CO., INC. \$783,771.00 Renewal
 Solicitation No. B50001548 - Provide Janitorial Services for
 Area C - Department of General Services - P.O. No. P515613

On November 24, 2010, the Board approved the initial award in the amount of \$408,924.00. The award contained two 2-year renewal options. On November 2, 2011, the Board approved an extension in the amount of \$34,077.00. This renewal in the amount of \$783,771.00 is for the period December 3, 2011 through December 2, 2013, with one 2-year renewal option remaining.

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

MBE: CJ Maintenance 17%

WBE: My Cleaning Service 9%

MWBOO FOUND VENDOR IN COMPLIANCE.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

5. JET BLAST, INCORPORATED	\$ 0.00	Renewal
Solicitation No. B50000705 - Industrial Cleaning and Related Work - Agencies - Various - P.O. P505860		

On December 24, 2008, the Board approved the initial award in the amount of \$200,000.00. The award contained two 1-year renewal options. Subsequent actions have been approved. This renewal is for the period December 7, 2011 through December 6, 2012.

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

MWBOO SET GOALS OF 27% MBE AND 0% WBE.

MBE: Brady's Recycling & Roll-off Service 27%

WBE: A2Z Environmental: MWBOO goals waived.

MWBOO FOUND VENDOR IN COMPLIANCE.

6. THE BEST BATTERY COMPANY, INC. D.D. & M., INC. HARRIS BATTERY COMPANY, INC.	\$ 0.00	Renewal
Solicitation No. B50000822 - Automotive Batteries - Agencies - Various - P.O. Nos. P506064, P506065 and P506066		

On December 24, 2008, the Board approved the initial award in the amount of \$3,000,000.00. The award contained two 1-year renewal options. This renewal is for the period December 1, 2011 through November 30, 2012, with one 1-year renewal option remaining.

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

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

- | | | |
|--|--------------|-------------|
| 7. PITNEY BOWES, INC. | \$ 65,000.00 | Sole Source |
| Solicitation No. 08000 - Postage for Meter Machine - Sheriff's Office - Req. No. R586365 | | |

The Sheriff's Office has requested pre-paid postage to be loaded on a postage meter machine currently under lease from Pitney Bowes, Inc. The vendor is the sole supplier of postage for this meter. The award is for the period November 30, 2011 through November 29, 2012.

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

- | | | |
|---|----------------|----------|
| 8. P. FLANIGAN & SONS, INC. | \$6,000,000.00 | Increase |
| Solicitation No. B50001348 - Paving Materials (Hot and Cold Patch) - Agencies - Various - P.O. Nos. P512618 | | |

On March 10, 2010, the Board approved the initial award in the amount of \$6,003,250.00. The award contained three 1-year renewal options. Due to an increase in usage of this contact an increase in the amount of \$6,000,000.00 is necessary and will make the award amount \$12,003,250.00.

MWBOO GRANTED A WAIVER.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

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|---|--------------|----------|
| 9. FUTURE CARE HOMEWOOD | | |
| PROPERTIES, LLC | \$ 50,000.00 | Increase |
| Solicitation No. 08000 - Annual Rent - Department of Housing and Community Development - Req. No. P517697 | | |

On July 18, 2007, the Board approved a five-year lease agreement in the amount of \$274,032.00. Subsequent actions have been approved. The funds requested are for operating expense reconciliation for years 2010 and 2011 for 2700 N. Charles Street, which cover the operating expenses and real estate taxes incurred for the property. This increase in the amount of \$50,000.00 will make the award amount \$1,542,613.34.

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

- | | | |
|---|-------------|-----------|
| 10. SHANNON BUSINESS | | |
| SYSTEMS, INC. | \$ 4,814.88 | Extension |
| Solicitation No. 06000 - Postage Meter System Lease - Comptroller's Office, Municipal Post Office - P.O. Nos. P200258 and P512107 | | |

On September 14, 2005, the Board approved the initial award in the amount of \$137,246.40. Subsequent actions have been approved. On September 14, 2011, an extension of the current contract for three mailing meters was granted and will expire on November 30, 2011. This extension will allow additional time for an award of a new contract.

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

MWE/WBE PARTICIPATION:

N/A - The City made the purchase under Maryland State Contract #1060798198.

11. <u>IBM</u>	<u>\$1,328,211.00</u>	<u>Increase</u>
Solicitation No. 08000 - IBM Hardware & Software Maintenance - Mayor's Office of Information Technology - Req. No. R552246		

On November 3, 2010, the Board approved the initial award in the amount of \$460,000.00. On November 2, 2011, the Board approved a ratification in the amount of \$328,371.00. Additional funds are necessary to meet the anticipated need for these goods and services. This increase is in the amount of \$1,328,211.00 will make the award amount \$2,116,582.00. The contract expires on June 15, 2015.

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

12. <u>DELTA CHEMICAL CORPORATION</u>	<u>\$ 0.00</u>	<u>Rescind Renewal</u>
Solicitation No. B50000204 - Aluminum Sulfate - Department of Public Works, Bureau of Water and Wastewater - P.O. No. P501116		

On November 2, 2011, due to an administrative error, the Bureau of Purchases erroneously recommended and the Board approved a renewal of this contract for the period January 1, 2012 through December 31, 2012. However, the contract has no renewal options available after December 31, 2011.

MWBOO GRANTED A WAIVER.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

13. PITNEY BOWES, INC.	\$17,026.35 <u>12,161.67</u> \$29,188.02	Ratification & Term Order
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Solicitation No. 06000 - Pitney Bowes Sorter Maintenance -
Municipal Post Office - R581182

On May 13, 2009, the Board approved the initial award for the amount of \$29,188.02. Because of a delay in finalizing the first year renewal, the contract expired on April 30, 2011 with three one-year renewals remaining. However, the vendor continued to supply services to meet the City's needs. The Board is requested to ratify expenditures covering the period of May 01, 2011 through November 30, 2011 and approve a term order for the period of December 01, 2011 through April 30, 2012 with three one-year renewals remaining.

14. PITNEY BOWES, INC.	\$13,263.00 <u>5,636.35</u> \$18,899.65	Ratification & Term Order
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Solicitation No. 06000 - Pitney Bowes Inserter Maintenance -
Municipal Post Office - R578220

On May 13, 2009, the Board approved the initial award for the amount of \$13,263.00. Because of a delay in finalizing the first year renewal, the contract expired. Therefore, the Board is requested to ratify expenditures covering the period of December 01, 2010 through November 30, 2011 and approve a term order for the period of December 01, 2011 through April 30, 2012 making it match the same timetable as the sorter maintenance renewal.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

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

UPON MOTION duly made and seconded, the Board approved the informal awards, renewals, increases to contracts and extensions, and the rescission of the renewal for Solicitation No. B50000204, Aluminum Sulfate, to Delta Chemical Corporation. The President **ABSTAINED** on item nos. 11 and 12.

MINUTES**TRAVEL REQUESTS**

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>Health Department</u>			
1. Tody Hairston-Fuller	National Training Institute, Zero to Three Washington, DC December 8 - 11, 2011 (Reg. Fee \$495.00)	Federal Funds	\$1,476.78

The Department has pre-paid the conference registration in the amount of \$495.00 on EA000079135. The Department is also requesting \$21.00 per day for parking at the hotel because the attendee will be driving his personal vehicle to the conference location. The disbursement to the employee will be in the amount of \$981.78.

Baltimore City Fire Department

2. Robert Scott William McCarren Shawn Riddell James McCafferty Jeffrey Segal Paul Moore	All Hazards Management Team Training and Education Conf. San Diego, CA Dec. 05 - 08, 2011 (Reg. Fee \$195.00 ea.)		\$ 8,183.58
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Office of the City Council President

3. Carolyn Blakeney	Maryland Assoc. of Counties Annual Winter Conf. Dorchester County, MD Jan. 04 - 06, 2012 (Reg. Fee \$260.00)		\$ 772.61
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UPON MOTION duly made and seconded, the Board approved the foregoing travel requests. The President **ABSTAINED** on item no. 3.

MINUTES**PROPOSALS AND SPECIFICATIONS**

- | | |
|---|--|
| 1. <u>Department of General Services</u> | - PB 10866, Canton Library
No. 4, Renovations
<u>BIDS TO BE RECV'D: 01/11/2012</u>
<u>BIDS TO BE OPENED: 01/11/2012</u> |
| 2. <u>Bureau of Water and Wastewater</u> | - S.C. 884, Roof Replacement of Shop and Maintenance Facility at Back River Wastewater Treatment Plant
<u>BIDS TO BE RECV'D: 01/11/2012</u>
<u>BIDS TO BE OPENED: 01/11/2012</u> |
| 3. <u>Bureau of Water and Wastewater</u> | - W.C. 1203, Various Locations, Infrastructure Rehabilitation
<u>BIDS TO BE RECV'D: 01/11/2012</u>
<u>BIDS TO BE OPENED: 01/11/2012</u> |
| 4. <u>Department of Public Works and Department of Recreation and Parks</u> | - RP 11862, Solo Gibbs Spray
<u>BIDS TO BE RECV'D: 12/21/2011</u>
<u>BIDS TO BE OPENED: 12/21/2011</u> |

There being no objections, the Board, UPON MOTION duly made and seconded, approved the above-listed Proposals and Specifications to be advertised for receipt and opening of bids on the dates indicated. The President **ABSTAINED** on item nos. 2 and 3.

MINUTES

PERSONNEL MATTERS

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UPON MOTION duly made and seconded,

the Board approved

the Personnel matters

listed on the following page:

3951 - 3968

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.

Mr. Edward J. Gallagher, acting on behalf of

the Mayor, **ABSTAINED** on item no. 33.

The President **ABSTAINED** on item nos. 28-30.

MINUTES

PERSONNEL

	<u>Hourly Rate</u>	<u>Amount</u>
<u>Police Department</u>		
The agreement is effective upon Board approval for one year, unless otherwise indicated.		
1. CLEMENTINE RUSSUM	\$14.42	\$30,000.00
2. CAROLYN C. SMITH	\$14.42	\$30,000.00

Account: 1001-000000-2042-198100-601009

Ms. Russum and Ms. Smith will serve as Contract Services Specialist I's in the Applicant Investigation Section. Each will be responsible for conducting pre-employment investigations for sworn and civilian applicants; conducting local, state, and national record and warrant checks. In addition, they will also investigate references, perform neighborhood canvasses, interview applicants, and gather all vital documents and summarize investigations into a pre-employment file.

3. DUANE A. JEFFERSON	\$14.42	\$30,000.00
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Account: 1001-000000-2042-198100-601009

Mr. Jefferson will serve as a Contract Services Specialist I in the Sex Offender Registry Unit. He will be responsible for explaining requirements to the registrants and obtaining the signed statement acknowledging receipt of requirement; photographing registrants at a minimum of every six months; obtaining finger and palm prints; obtaining a DNA sample at registration; entering DNA sample into the Maryland State Police Crime Lab and submitting statements, photos, and fingerprints to the Department of Public Safety and Correctional Services.

MINUTES

PERSONNEL

	<u>Hourly Rate</u>	<u>Amount</u>
<u>Police Department</u> - cont'd		
4. JOSEPHINE V. KENNEDY	\$14.42	\$30,000.00

Account: 1001-000000-2042-198100-601009

Ms. Kennedy will serve as a Contract Specialist I, District Court Liaison Officer. She will be responsible for contacting Police Officers requested by the State's Attorney and supplying contact information, retrieving documents, police reports, analysis reports, operability reports, vacations, details, medical and military obligations and acquiring court documents/undeliverable summonses.

5. ESSEX R. WEAVER	\$14.42	\$30,000.00
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Account: 1001-000000-2042-198100-601009

Mr. Weaver will serve as a Contract Specialist I in the Property Section, Evidence Control Unit. He will be responsible for receiving property/evidence submissions from police officers and lab personnel; ensuring accuracy/completeness of paperwork and entering information into evidence tracking system, releasing property for court and maintaining chain of custody and releasing property to the public and entering documents release in the computer.

MINUTES**PERSONNEL**

	<u>Hourly Rate</u>	<u>Amount</u>
<u>Police Department</u> - cont'd		
6. CHARLES WILLIAMS	\$14.42	\$30,000.00

Account: 1001-000000-2042-198100-601009

Mr. Williams will serve as a Contract Specialist I in the Internal Investigation Division. He will be responsible for performing statistical analysis including identifying complaint trends, mapping complaints and preparing the weekly Citi-stat package. He will also be responsible for monitoring, correcting and modifying the ID databases and running weekly IAS-Stat meetings.

7. SHEREE D. PETERSON	\$14.42	\$30,000.00
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Account: 1001-000000-2042-198100-601009

Ms. Peterson will serve as a Contract Specialist I in the Central Records Section, Validation Unit. She will be responsible for reviewing original National Crime Information Center (NCIC) entry, police report and supporting documents; contacting victims, complainant, court, individuals and sources for follow-up. She will also be responsible for accessing local, state and federal databases for information, updating records on local databases/NCIC to reflect changes, and preparing police supplemental reports.

MINUTES**PERSONNEL**

	<u>Hourly Rate</u>	<u>Amount</u>
<u>Police Department</u> - cont'd		
8. JOHN D. RICE	\$14.42	\$30,000.00

Account: 1001-000000-2042-198100-601009

Mr. Rice will serve as a Contract Specialist I in the Property Control Section, Inventory Unit. He will be responsible for identifying and labeling all non-expendable property, entering property information into a Consolidated Management Receipt (CMR), updating the CMR as to status of any departmental property and resolving discrepancies between CMR and inventories. He will also be responsible for conducting inventory of various units or upon request of command and ensuring that property disposed of is in keeping with procedures.

On January 3, 1996, the Board approved a waiver of AM Policy 212-I, which allows the Police Department to hire retired Police Officers on a contractual basis.

Health Department

9. CHRISTINE YARBOUGH	\$ 7.40	\$ 7,311.20
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Account: 4000-432912-3024-268400-601009

Ms. Yarbough will serve as a Care Aide at the Eleanor Hooper Adult Day Care Center. She will be responsible for setting-up the kitchen before breakfast, lunch and other meals and cleaning the kitchen afterwards; ensuring that the food is heated properly and food products are properly stored. The period of the agreement is effective upon Board approval through September 30, 2012.

MINUTES

PERSONNELHealth Department - cont'd

	<u>Hourly Rate</u>	<u>Amount</u>
10. AILEEN H. GLEIZER	\$15.35	\$ 4,452.00

Account: 6000-626612-3080-292302-601009

Ms. Gleizer will serve as a Family Planning Program Assistant. She will be responsible for providing support for the Teen Pregnancy Prevention Initiative by conducting an assessment of the current family planning policies; identifying existing practices and provider needs for additional training/support. Mr. Gleizer will assist in the development and implementation of provider updates/trainings. The period of the agreement is effective upon Board approval through June 30, 2012.

11. WILMA J. BROWN	\$19.00	\$25,068.60
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Account: 5000-533812-3044-273300-601009

Ms. Brown will serve as a Program Assistant II for the Money Follows the Person Program. Her duties will include, but are not limited to receiving referrals through the tracking system, entering data in the tracking system, and participating in monthly meetings. Ms. Brown will also be responsible for providing placement counseling for residents that are not eligible, meeting with nursing home residents and/or family who are interested in transitioning

MINUTES

PERSONNELHealth Department - cont'd

to the community; providing education regarding the various waiver and Medical Assistance services programs, non-state programs and other community resources, and application assistance. The period of the agreement is effective upon Board approval through June 30, 2012.

12. Create the following three positions:

61252 - Community Health Educator II
Grade 085 (\$33,884.00 - \$40,828.00)
Job No. to be assigned by BBMR
2 Positions

42571 - Public Health Investigator
Grade 430 (\$30,464.00 - \$33,857.00)
Job No. to be assigned by BBMR
1 Position

Costs: \$51,574.00 - 5000-521112-3041-578201-601001
47,970.00 - 5000-519009-3050-283300-601001
\$99,544.00

13. a. Create Class:

61114 - Health Programs, Bureau Administrator
Grade 117 (\$56,000.00 - \$79,400.00)

b. Reclassify the following position:

From: 61113 - Health Program Administrator III
(\$53,900.00 - \$76,000.00)
Job No. 3030-47627

To: 61114 - Health Programs, Bureau Administrator
Grade 117 (\$56,000.00 - \$79,400.00)

Cost: \$2,486.00 - 4000-422111-3030-271400-601001

MINUTES

PERSONNEL

	<u>Hourly Rate</u>	<u>Amount</u>
<u>Department of General Services</u>		
14. LAURIE I. ANSLEY	\$40.91	\$75,000.00

Account: 9916-903845-9197-910098-703009

Ms. Ansley will serve as an Architectural and Construction Projects Management Specialist. Her duties will include, but are not limited to developing a computerized listing of all current and planned projects, managing the processing of contracts and tasks for approval, including architectural studies and designs, construction and performance contracts, and monitoring the contracts database that is populated by project managers. In addition, she will provide monthly status reporting of costs, scheduling, MBE/WBE compliance and processing of vendor payments. Her duties will also include developing a reporting process for close out of architectural and construction projects that are monitored in the database, and overseeing the establishment and review of architectural project specifications. She will meet with architects and project managers periodically to discuss project status and rectify problems, etc. The period of the agreement is effective upon Board approval for one year.

15. CHRISTINA WOLF	\$31.00	\$56,823.00
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Account: 2051-000000-1981-194600-601009

Ms. Wolf will work as a Cost Estimating Engineering Expert assisting the Department in reviewing Engineering Energy projects and construction shop drawings submittals. Her duties will include but are not limited to assisting the Department's Energy Division in determining and implementing cost efficient energy conservation measures throughout the City, investigating and analyzing vendor proposals from energy service companies and their engineering and financial feasibility for the City. The period of the agreement is effective upon Board approval for one year.

MINUTES**PERSONNEL**Department of General Services16. Create the following positions:

- a. Management Support Technician
 Class 31172
 Grade 110 (\$40,000.00 - \$56,800.00)
 1 Position
 Job number to be determined by BBMR
- b. Executive Level II
 Class 00143
 Grade 959 (\$77,200.00 - \$132,400.00)
 1 Position
 Job number to be assigned by BBMR

Cost: \$ 60,816.00 - 2030-000000-1890-189300-601001
135,662.00 - 2030-000000-1890-189900-601001
\$196,478.00

Baltimore City Fire Department

17. **CALVIN BOWMAN** \$8.41 **\$79,900.00**

Account: 4000-435410-2010-682410-601009 \$43,997.75
 4000-478911-2015-210710-601009 \$35,902.25

Mr. Bowman will work as a Policy Analyst for the Office of Emergency Management. His duties will include, but are not limited to maintaining, monitoring and updating the MEMA Grant Management System as well as staffing and facilitating all UASI Committee meetings. He will also coordinate all grant award notices and grant adjustment notices between all UASI jurisdictions and staff the Urban Area Working Group general meetings as well as the Executive meetings. In addition, he will work with the UASI jurisdictions on all policy relating to spending details, including expenditure requests and maintain contact with

MINUTES

PERSONNELBaltimore City Fire Department - cont'd

Federal, State, and Local leaders with regard to Homeland Security and Emergency Management funding. Mr. Bowman will coordinate completion of spending of all UASI grant funds with all Baltimore UASI jurisdictions and work with Federal, State, and Local officials on Federal Monitoring Visits and Federal Audits that relate, but not limited to the Urban Area Security Initiative grants. The period of agreement is effective upon Board approval for one year.

18. Change account numbers for the following nine filled positions:

a. Job No. 2112-13615 - 1 Position

41210 - Firefighter/Paramedic
Grade 312 (\$35,148.00 - \$56,094.00)

From: 1001-000000-2112-225900-601061
To: 1001-000000-2112-226000-601106

b. Job No. 2121-13063 - 1 Position

41277 - Fire Emergency Vehicle Driver ALS,
Grade 354 (\$36,022.00 - \$57,334.00)

From: 1001-000000-2121-226400-601061
To: 1001-000000-2112-226000-601061

c. Job No. 2121-13505 - 1 Position

41210 - Firefighter/Paramedic
Grade 312 (\$35,148.00 - \$56,094.00)

From: 1001-000000-2121-226400-601061
To: 1001-000000-2142-229600-601061

MINUTES**PERSONNEL**Baltimore City Fire Department - cont'dd. Job Nos. 2121-13396 and 2121-13411 - 2 Positions

41210 - Firefighter/Paramedic
Grade 312 (\$35,148.00 - \$56,094.00)

From: 1001-00000-2121-226400-601061

To: 1001-00000-2101-225100-601061

e. Job No. 2121-13030 - 1 Position

41297 - Fire Emergency Vehicle Driver
Grade 324 (\$34,532.00 - \$55,809.00)

From: 1001-000000-2121-226400-601061

To: 1001-000000-2112-226000-601061

f. Job No. 2101-12984 - 1 Position

41296 - Fire Pump Operator
Grade 335 (\$34,776.00 - \$56,148.00)

From: 1001-000000-2101-225000-601061

To: 1001-000000-2121-226400-601061

g. Job No. 2121-13230 - 1 Position

41211 - Firefighter
Grade 334 (\$33,659.00 - \$54,567.00)

From: 1001-000000-2121-226000-601061

To: 1001-000000-2101-225000-601061

MINUTES**PERSONNEL**

Baltimore City Fire Department - cont'd

- h. Job No. 2112-47124 - 1 Position
 10212 - Fire Command Staff I,
 Grade 964 (\$92,000.00 - \$111,500.00)
- From: 1001-000000-2112-226000-601001
 To: 1001-000000-2101-225900-601001

There are no additional costs associated with this action.

19. Abolish the following two positions:

- Job Nos. 2023-49122 and 2023-49039
 10217 - Grants Services Specialist III
 Grade 941 (\$49,400.00 - \$84,800.00)

There are no costs associated with this action.

20. Reclassify the following three positions:

- Job Nos. 2151-13966, 2151-13967 and 2151-13968
- From: Fire Lieutenant Communications
 Grade 338 (\$51,289.00 - \$62,582.00)
- To: Fire Dispatch Supervisor
 Grade 338 (\$51,289.00 - \$62,582.00)

There are no costs associated with this action.

MINUTES

PERSONNEL

Baltimore City Fire Department - cont'd

21. Reclassify the following three positions:

Job Nos. 2151-13203, 2151-13293 and 2151-13465

From: 41210 - Firefighter Paramedic
Grade 312 (\$35,148.00 - \$56,094.00)

To: 41201 - Fire Dispatcher
Grade 314 (\$37,761.00 - \$45,432.00)

Costs: (\$32,349.80) - 1001-000000-2151-230500-601061

22. Reclassify the following four positions:

Job Nos. 2151-13963, 2151-13964, 2121-13965 and 2151-32952

From: 41232 - Fire Captain, Communications
Grade 341 (\$57,490.00 - \$70,911.00)

To: 41205 - Fire Dispatch Administrator
Grade 41205

There are no costs associated with this action.

MINUTES

PERSONNELDepartment of Transportation

23. PATRICK MCMAHON \$31.48 \$60,000.00

Account: 6000-617212-2303-251600-601009

Mr. McMahon will work as a Special Bicycle Pedestrian Planner. His duties will include but not be limited to performing feasibility studies for bicycle and pedestrian infrastructure including evaluating pavement conditions, vehicular traffic data, and active transportation data existing roadway design. He will also provide support to engineers in identifying design problems at construction sites, prepare specifications, and work with governmental agencies and community groups to maximize bicycle potential. The period of the agreement is effective upon Board approval for one-year.

24. Create the following Civil Service class:

a. 31994 - Traffic Safety Manager
Grade 117 (\$56,000.00 - \$79,400.00)

Create the following one position:

b. 31994 - Traffic Safety Manager
Grade 117 (\$56,000.00 - \$79,400.00)
Job No. to be assigned by BBMR

Costs: \$72,800.00 - 4000-418012-6971-605100-601001

MINUTES

PERSONNELDepartment of Recreation and Parks

25. **DENNIS TUTTLE** \$25.00 \$20,000.00

Account: 5000-577712-4781-363900-601009

On March 30, 2011, the Board approved an agreement with Mr. Tuttle. The period of the original agreement was effective upon Board approval for one year. However, on October 13, 2011, the Department requested an amendment to the original agreement to expand the scope of services to include the oversight of converting analog data to a digital format, overseeing the development of proprietary websites for special facilities, and copyright protections for various communications media. This amendment will also increase the number of contract hours from 600 to 1,400 and total compensation from \$15,000.00 to \$35,000.00.

26. **FRANK LIPSCOMB** \$27.00 \$31,968.00

Account: 5000-578712-4711-361840-601009

Mr. Lipscomb worked as a Construction Inspector for the Capital Development Division. During the renewal period Mr. Lipscomb's new duties require him to work as a Construction Project Manager for the Capital Development Division. His duties will include, but are not limited to the oversight of the administration and management of all Department Federal Aid construction, supervision of the preparation of federal and state reports to ensure grants are reimbursed and required records are maintained. In addition, he will review and process all contractors' monthly payment estimates, contract change orders, and extra work orders. His prior contract's hourly rate was \$26.00 per hour. The new hourly rate of \$27.00 is a 3.8% increase. The period of the agreement is November 25, 2011 through November 24, 2012.

MINUTES

PERSONNELDepartment of Planning

27. **LAUREN SCHISZIK** \$28.37 \$52,000.00

Account: 2089-208912-1872-187400-601001

Ms. Schiszik will work as a Special City Planner II - Commission for Historical and Architectural Preservation (CHAP). Her duties will include, but are not limited to preparing and processing documentation for designating significant downtown buildings as local City Landmarks. She will also prepare detailed architectural and historical preservation reports, staff reports and historical preservation statements to support the designation of new City Landmarks, as well as determine National Register and Baltimore City Landmark eligibility of properties by applying designation criteria. Ms. Schiszik will meet with civic and community groups, property and business owners, City agencies and others to facilitate Landmark designation, ascertain historical preservation and renovation recommendations and needs as they relate to the designation of specific Landmarks. In addition, she will present proposed City Landmark designations at public meetings including CHAP hearings and in coordination with the Preservation Division and complete other preservation, planning and permit review activities. The period of the agreement is effective upon Board approval for one year.

Department of Public Works, Bureau of Water and Wastewater

28. Create the following five positions:
- a. 31101 - Administrative Officer I
Grade 111 (\$41,700.00 - \$60,500.00)
 - b. 33213 - Office Assistant III
Grade 078 (\$27,958.00 - \$32,241.00)

MINUTES

PERSONNEL

DPW/BW&WW - cont'd

- c. 72125 - Engineer Supervisor (PE)
Grade 120 (\$64,800.00 - \$91,100.00)
- d. 72123 - Engineer III (PE)
Grade 117 (\$56,000.00 - \$79,400.00)
- e. 72113 - Engineer III
Grade 116 (\$53,900.00 - \$76,000.00)

Costs: \$109,433.00 - 3001-000000-5181-613400-601001
243,510.00 - 3001-000000-5181-390700-601001
\$352,943.00

29. Create the following four positions:

- a. 71216 - Pollution Control Program Administrator
Grade 118 (\$58,800.00 - \$83,800.00)
1 Position
Job No. To be assigned to BBMR
- b. 42212 - Public Works Inspector II
Grade 087 (\$37,407.00 - \$45,218.00)
3 Positions
Job Nos. to be assigned by BBMR

Costs: \$251,436.00 - 3001-000000-5181-613200-601001

30. Create the following position:

- 52627 - SCADA Systems Supervisor
Grade 115 (\$51,000.00 - \$72,200.00)
1 Position
Job No. to be assigned by BBMR

Cost: \$92,809.00 - 2070-000000-5501-393000-601001

MINUTES**PERSONNEL**Department of Human Resources31. Abolish the following four Civil Services classes:

- a. 33170 - Information Technology Manager
Grade 120 (\$64,800.00 - \$91,100.00)
- b. 53123 - Custodial Worker I 10 Months
Grade 460 (\$22,275.00 - \$23,239.00)
- c. 53131 - Custodial Worker 1 Part-time
Grade 405 (\$15,680.00 - \$15,992.00)
- d. 53132 - Custodial Worker II Part-time
Grade 407 (\$16,470.00 - \$16,928.00)

There are no costs associated with this action.

Law Department32. Reclassify the following two positions:

Job Nos. 1752-15478 and 8610-15540

From: 10198 - Assistant Solicitor
Grade 937 (\$44,200.00 - \$84,600.00)

To: 10199 - Chief Solicitor
Grade 958 (\$77,200.00 - \$121,400.00)

Costs: \$ 5,440.00 - 2036-000000-1752-175200-601001
11,720.00 - 1001-000000-8610-175200-601001
\$17,160.00

MINUTES**PERSONNEL**Liquor Board33. Upgrade the following Non-Civil Service class:

00203 - Appeals Counsel Liquor Board

From: Grade 082 (\$30,613.00 - \$36,210.00)

To: Grade 097 (\$57,037.00 - \$69,654.00)

Costs: \$22,067.00 - 1001-000000-8500-598900-601001

Office of the State's Attorney34. Create the following position:00853 - Licensed Clinical Social Work
Supervisor

Grade 116 (\$53,900.00 - \$76,000.00)

Job No. to be assigned by BBMR

Costs: \$70,070.00 - 4000-400312-1150-118200-601001

Department of Housing and Community Development

	<u>Hourly Rate</u>	<u>Amount</u>
35. JAMES M. FRASER	\$ 80.00	\$55,000.00
Accounts: 1001-000000-8331-696600-600005		\$30,000.00
1001-000000-2602-261000-603051		\$25,000.00

Mr. Fraser will work as a Project Manager. His duties will include but not be limited to scheduling all phases of the E-Plan Review implementation, as well as ensuring all information required by the vendor is provided in a timely manner. In addition, Mr. Fraser will define and coordinate the resolution of all impacts the E-Plans Review implementation will have on existing personnel, equipment and systems. He will develop and manage a comprehensive training program and schedule for all involved entities. The period of the agreement is effective upon Board approval for twelve months.

MINUTES

CITY COUNCIL BILLS:

10-0599 - An ordinance concerning Franchise-Private Pedestrian Bridgeway Over the 1500 Block of Presstman Street for the purpose of granting a franchise to New Song Urban Ministries, LLC, to construct, use, and maintain a private pedestrian bridgeway above and across a portion of the 1500 block of Presstman Street right-of-way, connecting the New Song Academy building on the north side of Presstman Street with an Academic and Community building to be constructed on the south side of Presstman Street, subject to certain terms, conditions, and reservations; and providing for a special effective date.

THE DEPARTMENT OF GENERAL SERVICES RECOMMENDS AN ANNUAL FRANCHISE FEE OF \$5,808.00 IN ACCORDANCE WITH THE MINOR PRIVILEGE SCHEDULE OF CHARGES AND REGULATIONS AS ESTABLISHED AND SET BY THE BOARD OF ESTIMATES.

THE DEPARTMENT OF PLANNING RECOMMENDS APPROVAL, SUBJECT TO THE COMMENTS FROM THE DEPARTMENT OF GENERAL SERVICES.

11-0766 - An ordinance concerning Animal Control and Protection - Reconstitution for the purpose of reconstituting the laws governing animals and their control and protection; prohibiting certain conduct; requiring licenses or permits for certain animals; providing for the licensing and regulation of certain animal facilities; prohibiting the keeping of certain animals; establishing standards for the general care and control of animals; establishing standards for the protection of animals from cruelty, abuse, and other inappropriate conduct; providing for the treatment of animals at large, dangerous animals, and vicious dogs; providing for the administration of complaints; providing for the appointment of animal control officers and for the enforcement of these laws by police officers, animal control officers, humane officers, and other authorized persons; abolishing the

MINUTES

CITY COUNCIL BILLS:

Vicious Dog Hearing Board and substituting for it a new Animal Hearing Board with broadened jurisdiction; authorizing the adoption of rules and regulations to supplement the law; defining certain terms; changing the name of the Bureau of Animal Control to Office of Animal Control; imposing certain civil and criminal penalties; conforming certain related provisions; and generally relating to the control and protection of animals.

THE BALTIMORE POLICE DEPARTMENT RECOMMENDS THAT §10-110(F)(2) BE AMENDED TO READ: IN ADDITION, THE HEALTH COMMISSIONER MAY REFER THE MATTER FOR FURTHER CRIMINAL INVESTIGATION TO THE POLICE OFFICER IN THE CHIEF OF PATROL'S OFFICE WHO HAS BEEN DESIGNATED BY THE POLICE COMMISSIONER AS THE BALTIMORE POLICE DEPARTMENT ANIMAL CRUELTY LIAISON TO THE OFFICE.

THE DEPARTMENT OF FINANCE RECOMMENDS THAT §10-106 (B) OF THE PROPOSED BILL BE CONSISTENT WITH CURRENT PROTOCOL AND BE REWORDED TO STATE THE FOLLOWING: "WITH THE APPROVAL OF THE DIRECTOR OF FINANCE, THE COMMISSIONER OF THE BALTIMORE CITY HEALTH DEPARTMENT MAY SEEK AUTHORITY FROM THE BOARD OF ESTIMATES TO RETAIN A PERCENTAGE OF REVENUES FROM LICENSE, PERMIT AND OTHER FEES TO FUND ANIMAL CONTROL AND PROTECTION PROGRAMS WITHIN THE CITY". §10-1001 OF THE PROPOSED BILL ESTABLISHES AN ANIMAL HEARING BOARD IN PLACE OF THE VICIOUS DOG HEARING BOARD, AND §10-1002 (D) ALLOWS FOR COMPENSATION OF APPOINTED ANIMAL HEARING BOARD MEMBERS AS PROVIDED FOR IN THE ORDINANCE OF ESTIMATES. THE DEPARTMENT OF FINANCE WOULD SUPPORT VOLUNTEER SERVICE TO THE BOARD, AND OPPOSE AN ACTION THAT RESULTS IN ADDITIONAL UNFUNDED COSTS TO THE CITY. THE DEPARTMENT OF FINANCE REQUESTS THAT COUNCIL BILL 11-0766 BE AMENDED TO INCLUDE THE REVISION TO §10-106 (B), AND THAT THE ANIMAL HEARING BOARD BE CONSTITUTED AS A VOLUNTEER BODY.

THE DEPARTMENT OF PLANNING TOOK NO POSITION ON CITY COUNCIL BILL 11-0766 WITH REGARDS TO THE CHANGES PROPOSED TO THE ZONING CODE, AND DEFERS TO THE HEALTH DEPARTMENT.

MINUTES

CITY COUNCIL BILLS - cont'd

THE OFFICE OF THE MAYOR, ANTI-ANIMAL ABUSE ADVISORY COMMISSION RECOMMENDS THE FOLLOWING CHANGES:

1. §10-201 - LICENSE REQUIRED - THE CODE ONLY CONTEMPLATES LICENSES FOR DOGS AND CATS AND DOES NOT PROVIDE LICENSES FOR OTHER COMMONLY OWNED DOMESTICATED ANIMALS. THE AUTHORITY OF THE COMMISSIONER SHOULD BE EXPANDED.
2. §10-203(3)(III) - APPLICATIONS (p. 16, line 10) - THE PHRASE "THE PUBLIC HEALTH VETERINARIAN HAS WAIVED THE REQUIREMENT" SHOULD BE ADDED AFTER THE WORD "VACCINATION."
3. §10-301 - RABIES VACCINATION (P. 2, LINE 13) - THE PHRASE "OR THE PUBLIC HEALTH VETERINARIAN HAS WAIVED THE REQUIREMENT" SHOULD BE ADDED AT THE END OF THE SENTENCE.
4. §10-411 - MOLESTING BIRDS (P. 31, LINE 13) - "PRIVATE PROPERTY" SHOULD ALSO BE INCLUDED IN THE SECTION.
5. §10-915 - LIMITATIONS ON DRIVING - WEATHER (P. 48, LINE 15) - THE TERM "REAL AND EFFECTIVE" SHOULD BE INSERTED BEFORE THE WORD "TEMPERATURE."
6. §40-14 - VIOLATIONS TO WHICH SUBTITLE APPLIES (PP. 60 - 63). THE COMMISSION RECOMMENDS THAT FINES FOR CITATIONS SHOULD BE MADE CONSISTENT THROUGHOUT THE CITY CODE AND ON A SLIDING SCALE SO THAT: (A) FINES OF \$100 - \$200 BE IMPOSED FOR MINOR CODE VIOLATIONS, SUCH AS LACK OF A PET LICENSE, (B) FINES OF \$250 - \$500 BE IMPOSED FOR VIOLATIONS OF PUBLIC HEALTH/DISEASE PREVENTION CODE PROVISIONS (E.G. RABIES VACCINES, FECES AND DEAD ANIMALS); AND (C)

MINUTES

CITY COUNCIL BILLS - cont'd

MAXIMUM FINES OF \$1,000 SHOULD BE RESERVED FOR THE MOST EGREGIOUS OFFENSES, SUCH AS ANIMAL CRUELTY AND FIGHTING. THE COMMISSION RECOMMENDS THE FOLLOWING REVISIONS WITH RESPECT TO FEES IMPOSED FOR VIOLATIONS OF CODE SECTIONS:

§10-303 - HUMANE CARE REQUIRED - THE COMMISSION RECOMMENDS THAT THE FINE BE INCREASED FROM \$200 TO \$500.

§10-308 - TRANSPORTING ANIMALS (CONFINEMENT IN VEHICLE) - THE COMMISSION RECOMMENDS THAT A FINE OF \$1,000 BE IMPOSED FOR VIOLATION OF THIS CODE SECTION.

10-309 - DISPOSITION OF DEAD ANIMALS - THE COMMISSION RECOMMENDS THAT A FINE OF \$500 BE IMPOSED FOR VIOLATION OF THIS CODE SECTION.

§10-401 - CRUELTY TO OR ABUSE OF ANIMALS - THE COMMISSION RECOMMENDS THAT THE FINE BE INCREASED FROM \$500 TO \$1,000.

§10-405 - ANIMAL FIGHTS - THE COMMISSION RECOMMENDS THAT A FINE OF \$1,000 BE IMPOSED FOR ANY FORM OF ANIMAL FIGHTING (DOG FIGHTING OR OTHERWISE).

§10-406(A) - ANIMAL SHOWS - CERTAIN DEVICES PROHIBITED - THE COMMISSION RECOMMENDS THAT A FINE OF \$1,000 BE IMPOSED FOR VIOLATION OF THIS CODE SECTION.

§10-406(B) - ANIMAL SHOWS - PROPER EQUIPMENT REQUIRED - THE COMMISSION RECOMMENDS THAT A FINE OF \$500 BE IMPOSED FOR VIOLATION OF THIS CODE SECTION.

MINUTES

CITY COUNCIL BILLS - cont'd

§10-407 - EXPOSURE TO POISONS - THE COMMISSION RECOMMENDS THAT A FINE OF \$1,000 BE IMPOSED FOR VIOLATION OF THIS CODE SECTION.

§10-408 - CONFINEMENT IN CAGE - THE COMMISSION RECOMMENDS THAT A FINE OF \$1,000 BE IMPOSED FOR VIOLATION OF THIS CODE SECTION.

§10-409 - PROHIBITED TETHERING OF DOGS - THE COMMISSION RECOMMENDS THAT A FINE OF \$500 BE IMPOSED FOR VIOLATION OF THIS CODE SECTION.

§10-410 - ANIMALS AS PRIZES OR INDUCEMENTS - THE COMMISSION RECOMMENDS THAT A FINE OF \$500 BE IMPOSED FOR VIOLATION OF THIS CODE SECTION.

§10-411 MOLESTING BIRDS - THE COMMISSION RECOMMENDS THAT A FINE OF \$500 BE IMPOSED FOR VIOLATION OF THIS CODE SECTION.

§10-601 - WILD, EXOTIC, AND HYBRID ANIMALS - THE COMMISSION RECOMMENDS THAT A FINE OF \$500 BE IMPOSED FOR VIOLATION OF THIS CODE SECTION.

§10-602 - IMPORTATION OF WILD RABBITS AND HARES - THE COMMISSION RECOMMENDS THAT A FINE OF \$500 BE IMPOSED FOR VIOLATION OF THIS CODE SECTION.

§10-603 - OTHER PROHIBITED ANIMALS - THE COMMISSION RECOMMENDS THAT A FINE OF \$500 BE IMPOSED FOR VIOLATION OF THIS CODE SECTION.

§10-701 - ATTACK DOGS - THE COMMISSION RECOMMENDS THAT THE FINE BE INCREASED FROM \$500 TO \$1,000.

§10-705 - VICIOUS ANIMALS - AT LARGE - THE COMMISSION RECOMMENDS THAT A FINE OF \$1,000 BE IMPOSED FOR VIOLATION OF THIS CODE SECTION.

§10-918 - SICK OR INJURED HORSES - THE COMMISSION RECOMMENDS THAT A FINE OF \$1,000 BE IMPOSED FOR VIOLATION OF THIS CODE SECTION.

MINUTES

CITY COUNCIL BILLS - cont'd

THE LAW DEPARTMENT APPROVES CITY COUNCIL BILL 11-0766 FOR FORM AND LEGAL SUFFICIENCY SUBJECT TO THE FOLLOWING NOTED AMENDMENTS:

1. IN SEC. 10- 106(B), PAGE 9, THE BILL PROVIDES THAT A PERCENTAGE OF THE FEES AS APPROVED BY THE BOARD OF ESTIMATES SHALL BE RETAINED BY THE HEALTH DEPARTMENT TO FUND ANIMAL CONTROL AND PROTECTION PROGRAMS. THIS SECTION CONFLICTS WITH THE BALTIMORE CITY CHARTER, ARTICLE VII, SEC. 12 WHICH REQUIRES THAT THE DIRECTOR OF FINANCE COLLECT ALL MONIES DUE THE CITY AND DEPOSIT THEM IN APPROVED ACCOUNTS. IN ADDITION, ARTICLE VI, SEC.8 STATES THAT THE ORDINANCE OF ESTIMATES SHALL INCLUDE ALL MONEYS TO BE APPROPRIATED BY THE CITY FOR ALL PURPOSES FOR THE FISCAL YEAR. THE LAW DEPARTMENT RECOMMENDS THAT THIS SECTION BE AMENDED TO BE CONSISTENT WITH THE CHARTER AUTHORITY OF THE BOARD OF ESTIMATES AND THE DEPARTMENT OF FINANCE.
2. ON PAGE 11, LINE 16, AFTER "(5)" INSERT "PURSUANT TO SECTION 10-108,."
3. ON PAGE 11, LINE 22, AFTER "STATE" INSERT "AS AUTHORIZED UNDER STATE LAW."
4. ON PAGE 12, LINE 9, AFTER "INSPECTION" INSERT "AUTHORIZED UNDER SECTION 10-108."
5. ON PAGE 16, LINE 27, ANIMAL SHELTERS ARE GIVEN DISCRETION TO APPROVE THE ISSUANCE OF A LICENSE. ANIMAL SHELTERS, AS DEFINED IN SEC. 10-101(H), CAN INCLUDE HUMANE SOCIETIES WHICH ARE NOT CITY AGENCIES. ARTICLE II, SEC. 19 GRANTS THE MAYOR AND CITY COUNCIL THE AUTHORITY TO ENACT ANIMAL CONTROL LAWS. THAT AUTHORITY CANNOT BE DELEGATED TO A NON-GOVERNMENTAL BODY. ONLY MINISTERIAL OR ADMINISTRATIVE FUNCTIONS CAN BE DELEGATED NOT DISCRETIONARY FUNCTIONS. ANDY'S ICE CREAM V. CITY OF SALISBURY, 125 MD. APP. 125, 161 (MD. CT. SPEC. APP. 1999). NON-GOVERNMENTAL ANIMAL SHELTERS CAN

MINUTES

CITY COUNCIL BILLS - cont'd

PROVIDE FORMS AND COLLECT FEES BUT CAN NOT BE GIVEN DISCRETION TO APPROVE OR DENY A LICENSE UNLESS THE LEGISLATURE PROVIDES GUIDELINES FOR THE EXERCISE OF THAT DISCRETION THAT PREVENTS ARBITRARY DECISION-MAKING. GUIDELINES FOR APPROVAL CAN BE INSERTED INTO THE BILL TO REMEDY THIS PROBLEM OR THE BILL CAN SIMPLY DIRECT NON-GOVERNMENTAL SHELTERS TO ISSUE LICENSES TO ALL THAT APPLY.

6. ON PAGE 19, LINE 11 STRIKE "OF" AND SUBSTITUTE "CONCERNING."
7. ON PAGE 24, LINE 16, WORDS APPEAR TO BE MISSING. THIS LINE NEEDS TO BE AMENDED AS APPROPRIATE.
8. ON PAGE 31, LINES 23-29, THE BILL ATTEMPTS TO DEFINE A "PUBLIC NUISANCE ANIMAL." LINE 29 STATES THAT AN ANIMAL THAT "MOLESTS OR INTIMIDATES PEDESTRIANS OR PASSERSBY" IS A PUBLIC NUISANCE ANIMAL. AN ORDINANCE DEALING WITH NUISANCES IS REQUIRED TO GIVE FAIR WARNING BY SPECIFYING THE CONDUCT PROHIBITED. THE POWER TO DETERMINE WHAT IS A NUISANCE AND ABATE IT IS NOT ARBITRARY; AS WITH ALL EXERCISES OF THE POLICE POWER, THE DETERMINATION OF NUISANCES IS SUBJECT TO CONSTITUTIONAL GUARANTEES, AND A MUNICIPALITY MAY NOT DECLARE TO BE A NUISANCE WHAT IS NOT A NUISANCE IN FACT. AM.JUR.2D MUNICIPAL CORP. SEC.393. LINE 29 APPEARS TO BE VAGUE AND MAY NOT GIVE CITIZENS SUFFICIENT NOTICE OF WHAT IS PROHIBITED CONDUCT.
9. ON PAGE 32, IN BOTH LINES 4 AND 7, "UNREASONABLY" SHOULD PRECEDE "CAUSE".
10. ON PAGE 30, LINE 5, SEC. 10-503, NO NOTICE REQUIREMENT IS PROVIDED FOR IF A PUBLIC NUISANCE ANIMAL OR PUBLIC NUISANCE CONDITION EXISTS: NOTICE MAY BE HELPFUL TO CURE THE VIOLATION WITHOUT RESORT TO ABATEMENT PROCEEDINGS BY THE HEALTH DEPARTMENT.

MINUTES

CITY COUNCIL BILLS - cont'd

11. ON PAGE 38, LINE 1-2, STRIKE "THAT AS DEFINED" AND SUBSTITUTE "THAN".
12. ON PAGE 38, LINES 20-23, THE PHRASE "SO THAT THE ANIMAL SHOULD BE IMMEDIATELY KILLED" IS CONFUSING. IT SHOULD BE REWORDED TO CLEARLY STATE THAT INTENT.
13. ON PAGE 40, LINE 16, HUMANE OFFICERS AND THIRD PARTIES CONTRACTING WITH THE CITY ARE GIVE AUTHORITY TO ENTER PRIVATE PROPERTY TO IMPOUND. THIS WOULD CAUSE THE CITY TO BE LIABLE FOR THE ACTIONS OF THESE THIRD PARTIES ON PRIVATE PROPERTY. AT THE VERY LEAST, THIS SECTION SHOULD BE MADE SUBJECT TO SEC. 10-108 REGARDING OBTAINING A RIGHT OF ENTRY AND ANY CONTRACT MUST REQUIRE THE THIRD PARTY TO INDEMNIFY THE CITY.
14. ON PAGE 47, LINE 12 STRIKE "WITH" AND SUBSTITUTE "WITHOUT".
15. ON PAGE 47, LINE 25 STRIKE "OTHER".

MINUTES

CITY COUNCIL BILLS - cont'd

16. ON PAGE 52, THE BILL PROVIDES FOR THE CREATION OF THE ANIMAL HEARING BOARD. SEC. 10-1002 PROVIDES FOR THE COMMISSIONER TO APPOINT THE BOARD MEMBERS AND TO DETERMINE THE TERMS OF THE MEMBERS. ARTICLE IV, SEC. 6(B) OF THE CHARTER PROVIDES THAT THE MAYOR SHALL HAVE THE SOLE POWER OF APPOINTMENT OF ALL MUNICIPAL OFFICERS INCLUDING MEMBERS OF BOARDS AND COMMISSIONS. SEE ART. 1, SEC. 2. THE COMMISSIONER THEREFORE CANNOT APPOINT THE BOARD MEMBERS. THEY MUST BE APPOINTED BY THE MAYOR AND CONFIRMED BY THE CITY COUNCIL PURSUANT TO ART. IV, SEC. 6. IN ADDITION, THE COMMISSIONER CANNOT SET THE TERMS OF THE BOARD MEMBERS. ART. IV, SEC. 6(B) OF THE CHARTER REQUIRES THAT ALL MEMBERS OF BOARDS AND COMMISSIONS SHALL SERVE TERMS THAT EXPIRE IN 4 YEARS OR AT THE END OF THE MAYOR'S TERM WHICHEVER OCCURS FIRST. SUBJECT TO THE AMENDMENTS NOTED ABOVE, THE LAW DEPARTMENT CAN APPROVE CITY COUNCIL BILL 11-0766 FOR FORM AND LEGAL SUFFICIENCY.

THE ABOVE REPORTS RECEIVED WERE FAVORABLE WITH AMENDMENTS

ALL OTHER REPORTS WERE FAVORABLE.

UPON MOTION duly made and seconded, the Board approved the foregoing City Council bills, including changes and amendments, and directed that the bills be returned to the City Council with the recommendation that they also be approved by that Honorable Body.

MINUTES

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

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 a addenda extending the dates for receipt and opening of bids on the following contracts. There were no objections.

Department of Transportation - TR 10301, North Charles Street
Reconstruction from 25th Street
to University Parkway

BIDS TO BE RECV'D: 12/07/2011

BIDS TO BE OPENED: 12/07/2011

Bureau of Purchases

- B50002089, Drawbridge
Operations

BIDS TO BE RECV'D: 12/07/2011

BIDS TO BE OPENED: 12/07/2011

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 - B50002185, Aluminum Sulfate for Water Filtration Plants

Thatcher Company of New York - NO BID
Kemira Water Solutions, Inc. - NO BID
General Chemical
USALCO, LLC

Bureau of Purchases - B50002166, Investigative Resource Software for Law Enforcement

LexisNexis Risk Solutions
FL, Inc.
West Publishing Corp. also
d/b/a West Group

There being no objections, the Board UPON MOTION duly made and seconded, adjourned until its next regularly scheduled meeting on Wednesday, December 7, 2011.

JOAN M. PRATT
Secretary