

MINUTES**REGULAR MEETING**

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

The meeting was called to order by the President.

President: "I will direct the Board members attention to the memorandum from my office dated March 19, 2012, identifying matters to be considered as routine agenda items, together with any corrections and additions that have been noted by the Deputy Comptroller. I will entertain a motion to approve all of the items contained on the routine agenda."

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

Mayor: "Second."

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

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President: "The first item on the non-routine Agenda can be found on page one, Department of Finance, Preliminary Budget recommendations for fiscal year 2013. At this time, I ask Mr. Andrew Kleine, Director of the Bureau of Budget and Management Research to come forward and present the Preliminary Budget recommendations for fiscal year 2013.

**THE DEPARTMENT OF FINANCE
WILL PRESENT THE
PRELIMINARY BUDGET RECOMMENDATIONS FOR FY 2013
TO THE BOARD OF ESTIMATES**

Mr. Andrew Kleine: "Good Morning, Mr. President."

President: "Good Morning."

Mr. Kleine: Madam Mayor, Madam Comptroller, members of the Board of Estimates.

Mr. Kleine Presents the Preliminary Budget for 2013, as follows:

"I am here today to present the Board with the Finance Department's Fiscal 2013 Preliminary Budget Plan.

The preliminary plan includes:

\$2.299 billion for operating expenses, an increase of \$1.8 million or 0.1% above the Fiscal 2012 adopted budget. General Fund revenues are 1% below the Fiscal 2012 level.

MINUTES

Department of Finance - cont'd

\$766 million dollars for capital expenses, an increase of \$360 million or 88.6% from the Fiscal 2012 adopted budget. The primary reason for the increase is revenue bonds for water and wastewater infrastructure projects pursuant to the consent decree plan.

- Fiscal 2013 will be the fifth year of fiscal challenge for the City in the wake of the Great Recession.
- General Fund revenues, which now include Highway User Revenues, have not recovered to their pre-recession levels, and in Fiscal 2013 property tax revenue will drop for the first time since the economic downturn began.
- After four years of service reductions, revenue enhancements, and other tough budget balancing actions, the preliminary budget closes another \$48 million dollars gap between projected revenue and the cost of maintaining current services.
- The preliminary budget plan maintains core public safety, education, health and sanitation services and includes the first installment of the Mayor's Targeted Homeowners' Tax Credit, which will effectively reduce property tax rates on owner occupied homes by 20 cents over the next eight years.
- The preliminary budget plan takes additional steps to control the rising costs of employee and retiree health benefits. This budget proposes a 20% prescription drug premium co-share for employees and retirees and a new standard health care plan that will enable the City to continue comprehensive, competitive and affordable coverage at lower costs.
- Past actions by this administration to reform the Fire and Police pension system and retiree prescription drug benefits are saving the City nearly \$100 million dollars a year, but more changes are needed to address the City's structural budget deficit.

MINUTES

Department of Finance - cont'd

- The preliminary budget plan freezes pay for all employees but discontinues the employee furlough plan that has been in place for three years. Ending furloughs will restore some 25,000 productive days worked on behalf of the citizens of Baltimore and mean a 1-2 percent increase in take-home pay for employees.
- The City used Outcome Budgeting to prioritize spending around the Mayor's six Priority Outcomes for Growing Baltimore:
 - Better Schools
 - Safer Streets
 - Stronger Neighborhoods
 - A Growing Economy
 - Innovative Government
 - A Cleaner and Healthier City
- The preliminary plan:
 - Fully funds the Maintenance of Effort contribution to the schools.
 - Funds out-of-school-time programs that are proven effective
 - Maintains all school-based health centers and health suites
 - Continues the Mayor's police hiring plan and maintains fire and EMS response times, converting three rotating fire company closures to permanent closures
 - Supports the Mayor's Vacants to Value program and other blight elimination efforts

MINUTES

Department of Finance - cont'd

- o Maintains pay as you go capital investment in roads and bridges without reliance on fund balance
 - o Assists Baltimore's most vulnerable citizens through maternal and child health and homeless services
 - o Promotes economic recovery through workforce development, small business assistance, and tourism, including new job hubs in depressed neighborhoods and an expanded YouthWorks program
 - o Maintains 1+1 trash and recycling collection and makes business district cleaning more efficient
 - o Makes a \$2 million Innovation Fund investment to extend a high speed broadband network in the City
- Funded full-time permanent positions in the preliminary plan total 14,057, a reduction of 231 positions from the Fiscal 2012 adopted budget.
 - The preliminary plan does not include funding for a shift of teacher pension costs from the State to local jurisdictions, the details of which are still being debated in Annapolis.
 - That concludes my presentation. I would be happy to answer any questions."

President: "Any questions?"

(No response)

President: "Thank you."

Mr. Kleine: Thank you.

MINUTES

Office of Civil Rights - Governmental/Charitable Solicitation
& Wage Enforcement

ACTION REQUESTED OF B/E:

The Board is requested to endorse a governmental/charitable solicitation application to the Board of Ethics of Baltimore City for donations to benefit the 2012 International Festival. The period of the campaign will be effective upon Board approval through August 31, 2012.

AMOUNT OF MONEY AND SOURCE:

No general funds are involved in this transaction.

The collected funds will be deposited and expenditures paid through the Baltimore City Foundation's International Festival account - 054-00.

BACKGROUND/EXPLANATION:

The Office will be soliciting corporations for donations to help pay for the festival costs. The Baltimore International Festival acknowledges and celebrates the cultural and ethnic diversity present in our great City. Throughout its history, Baltimore has been home to Americans of various backgrounds who have found a way to blend their talents, hopes, and dreams into making this City a place of progress and opportunity.

For two days the contributions, experiences, and expressions of all the communities present in our City are highlighted through performances, education, food, sport and games. The International Festival provides an opportunity for attendees to enjoy the wonders of the world in their own backyard. Global perspectives become more meaningful, cultural appreciation more enhanced, and the promise of unity more obtainable.

The International Festival is a microcosm of who we are as a nation and what we can become as a community.

MINUTES

Office of Civil Rights - cont'd
& Wage Enforcement

The Board of Ethics of Baltimore City requires approval from the Board of Estimates before approval of the submitted Ethics Board application.

Baltimore City Code Article 8, Section 6-26, prohibits solicitation or facilitating the solicitation of a gift. An exception was enacted in 2005 to permit certain solicitations that are for the benefit of an official governmental program or activity, or a City-endorsed charitable function or activity that has been pre-approved by the Ethics Board. Ethics Regulation 96.26B sets out the standards for approval, which includes the requirement that the program, function, or activity to be benefited and the proposed solicitation campaign must be endorsed by the Board of Estimates or its designee.

(FILE NO. 57133)

UPON MOTION duly made and seconded, the Board endorsed the governmental/charitable solicitation application to the Board of Ethics of Baltimore City for donations to benefit the 2012 International Festival. The President **ABSTAINED**.

MINUTES

Office of the City Council - Governmental/Charitable
President Solicitation Application

ACTION REQUESTED OF B/E:

The Board is requested to approve a governmental/charitable solicitation application to the Board of Ethics of Baltimore City to benefit the Maryland/Southern Delaware Chapter of the Muscular Dystrophy Association (MDA). The period of the campaign is effective upon Board approval through April 26, 2012.

AMOUNT OF MONEY AND SOURCE:

No general funds are involved in this transaction.

BACKGROUND/EXPLANATION:

Mr. Damion Cooper will solicit donations from friends, family members and associates to benefit the "Baltimore Lock-up 2012". Each participant in the fundraising event to be held on April 26, 2012 is being asked to raise \$3,000.00.

The MDA combats neuromuscular diseases through programs of worldwide research, comprehensive medical and support services, and far-reaching professional and public health education. With national headquarters in Tucson, AZ, the MDA has more than 200 offices across the country, sponsors some 200 hospital-affiliated clinics and supports more than 330 research projects around the world.

The MDA supports more research on neuromuscular disease than any other private sector organization in the world. The MDA scientists are in the forefront of gene therapy research and have uncovered the genetic defects responsible for several forms of muscular dystrophy, Charcot-Marie Tooth disease, and a form of amyotrophic lateral sclerosis (ALS, or Lou Gehrig's disease), childhood spinal muscular atrophy, and several other neuromuscular conditions.

MINUTESOffice of the President - cont'd

The MDA's comprehensive services program includes diagnostic and follow-up medical consultations, flu shots, support groups, summer camps for youngsters, a medical equipment program, assistance with equipment repairs, and resource referral.

The Board of Ethics of Baltimore City requires approval from the Board of Estimates before approval of the submitted Ethics Board application.

Baltimore City Code Article 8, Section 6-26, prohibits solicitation or facilitating the solicitation of a gift. An exception was enacted in 2005 to permit certain solicitations that are for the benefit of an official governmental program or activity, or a City-endorsed charitable function or activity that has been pre-approved by the Ethics Board. Ethics Regulation 96.26B sets out the standards for approval, which includes the requirement that the program, function, or activity to be benefited and the proposed solicitation campaign must be endorsed by the Board of Estimates or its designees.

(FILE NO. 57133)

UPON MOTION duly made and seconded, the Board approved the governmental/charitable solicitation application to the Board of Ethics of Baltimore City to benefit the Maryland/Southern Delaware Chapter of the Muscular Dystrophy Association. The President **ABSTAINED**.

MINUTES

Health Department - Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a consultant agreement with Ms. Annette Saunders. The agreement is for the period May 1, 2012 through October 31, 2012.

AMOUNT OF MONEY AND SOURCE:

\$21,840.00 - 4000-436112-3255-316200-603026 (\$21.00 per hour)

BACKGROUND/EXPLANATION:

Ms. Saunders, as consultant for the Family Caregivers Program, will perform the following services: visit communities and neighborhoods, develop a relationship with community organizations and residents through frequent visits or telephone calls to foster, support, and encourage participation in the Grandparents as Parents (GAP) Program. She will oversee all aspects of the GAP support groups with the Baltimore City Public School, community support groups, and other contractual entities providing services to the target population, and perform related work.

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 consultant agreement with Ms. Annette Saunders.

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Health Department - cont'd

3. **LIGHT HEALTH AND WELLNESS** **\$ 58,743.00**
COMPREHENSIVE SERVICES, INC.

Account: 4000-427611-3042-273302-603051

The organization will provide health care for a minimum of 250 HIV exposed infants and perinatally infected, ages 0-12, as well as update at least 30 Community pediatric providers who regularly care for HIV-exposed infants. The organization will also provide primary health care for 200 HIV infected youth, ensure service coordination and retention in primary medical care for HIV-infected youth not in care or newly diagnosed. In addition they will provide 200 HIV-infected youth with comprehensive medical care.

The agreement is late because the Infectious Disease and Environmental Health Administration programmatically manages all Ryan White Part D services. Providers are selected through the Request for Proposal process. The Department prepares the agreements after receipt of an approved budget and scope of services and processes payments following approval.

MWBOO GRANTED A WAIVER

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

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

MINUTES

Health Department - Notification of Grant Award

ACTION REQUESTED OF B/E:

The Board is requested to approve a notification of grant award (NGA) from the Maryland Department of Aging (MDoA). The period of the NGA is July 1, 2011 through June 30, 2012.

AMOUNT OF MONEY AND SOURCE:

\$ 3,160.00	-	5000-535712-3024-268405-603051	-	Action in Maturity
840.00	-	5000-535712-3024-268417-603051	-	Cherry Hill Senior Center
15,000.00	-	5000-535712-3024-268414-603051	-	Edward A. Myerberg
6,000.00	-	5000-535712-3024-268409-603051	-	Greenmount Center
3,000.00	-	5000-535712-3024-268404-603051	-	Govans Senior Network
1,000.00	-	5000-535712-3024-268413-603051	-	Zeta Senior Center
\$29,000.00				

BACKGROUND/EXPLANATION:

On November 9, 2011, the Board approved the original FY12 Senior Center Operating Fund (SCOF) NGA in the amount of \$129,268.00. The period of the original NGA is July 1, 2011 through June 30, 2012.

The revised NGA provides additional SCOF funds to the above listed Senior Centers to cover supplies and materials for recreational activities, making the total award \$158,268.00.

The revised NGA is late because it was just received from the MDoA.

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 notification of grant award from the Maryland Department of Aging.

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

The Board is requested approve and authorize execution of a subscription agreement with Pinehurst International Ltd. (the Fund).

AMOUNT OF MONEY AND SOURCE:

No general funds are involved in this transaction.

\$29,000,000.00 - (approximately) of ERS assets

\$ 246,500.00/year - (approximately) management fee plus incentive fee of 10% of each year's annual profit in excess of a preferred return to investors

BACKGROUND/EXPLANATION:

The ERS Board of Trustees conducted a nationwide search for a "fund of funds" vehicle for investing in hedged equity investments. The Board narrowed the eligible firms to three finalists and conducted interviews. With the recommendation of the investment consultant, the Fund was selected.

MBWOO GRANTED A WAIVER.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the subscription agreement with Pinehurst International Ltd. The Comptroller **ABSTAINED**.

MINUTES

Fire and Police Employees' - Investment Management Agreement
Retirement System (F&P)

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an investment management agreement with Pugh Capital Management, Inc.

AMOUNT OF MONEY AND SOURCE:

No general funds are involved in this transaction.

Approximately \$24,000,000.00 in F&P funds.

BACKGROUND/EXPLANATION:

The F&P Board of Trustees conducted a search for two core fixed-income investment managers and as a result of that search, selected Pugh Capital Management, Inc. and another manager. The search and selection process was conducted with the assistance and advice of the F&P System's investment advisor, Summit Strategies Group.

Pugh Capital Management, Inc. will manage approximately \$24,000,000.00 of F&P funds in a portfolio of core, domestic fixed-income securities.

MWBOO GRANTED A WAIVER.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the investment management agreement with Pugh Capital Management, Inc. The Comptroller **ABSTAINED**.

MINUTES

Fire and Police Employees' - Investment Management Agreement
Retirement System (F&P)

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an investment management agreement with CS McKee, L.P.

AMOUNT OF MONEY AND SOURCE:

No general funds are involved in this transaction.

Approximately \$24,000,000.00 in F&P funds.

BACKGROUND/EXPLANATION:

The F&P Board of Trustees conducted a search for two core fixed-income investment managers and as a result of that search, selected CS McKee, L.P. and another manager. The search and selection process was conducted with the assistance and advice of the F&P System's investment advisor, Summit Strategies Group.

CS McKee, L.P. will manage approximately \$24,000,000.00 of F&P funds in a portfolio of core, domestic fixed-income securities.

MWBOO GRANTED A WAIVER.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the investment management agreement with

CS McKee, L.P. The Comptroller **ABSTAINED**.

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

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

Abel Recon, LLC.	\$ 7,119,000.00
AFRAM, Inc.	\$ 1,500,000.00
Carroll Tree Service, Inc.	\$ 1,500,000.00
Gabe's Services, Inc.	\$ 6,912,000.00
Inland Waters Pollution Control, Inc. guarantee of \$30,000,000.00 from the Inland Pipe Rehabilitation Holding Company, LLC and Subsidiaries	\$ 30,000,000.00
Kiewit Infrastructure, Co.	\$270,000,000.00
Mermaid Construction Company, Inc.	\$ 621,000.00
Monumental Paving & Excavating, Inc.	\$ 50,940,000.00
Rand Construction & Subsidiaries d/b/a Rand Construction Corporation	\$ 8,000,000.00
The Poole and Kent Corporation guarantee of \$100,000,000.00 from the parent corp., EMCOR Group, Inc.	\$100,000,000.00

2. Prequalification of Architects and Engineers

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

Comprehensive Structural Solutions, LLC.	Engineer
Michael J. Walkley, P.A.	Engineer

MINUTES**BOARDS AND COMMISSIONS**Prequalification of Architects and Engineers

Moffatt & Nichol Engineers, Inc.	Engineer
Slater Associates, Inc.	Landscape Architect
Williams Associates Engineers	Engineer

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

MINUTES

Mayor's Office of Human - cont'd
Services/Homeless Services

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

MWBOO GRANTED A WAIVER.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

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

MINUTES

Police Department - Expenditure of Funds

ACTION REQUESTED OF B/E:

The Board is requested to approve an expenditure of funds to pay The Leadership Association, c/o The Greater Baltimore Committee. The period of the training is January 2012 through October 2012.

AMOUNT OF MONEY AND SOURCE:

\$4,950.00 - 6000-611212-2013-197500-603020

BACKGROUND/EXPLANATION:

This expenditure of funds will pay The Leadership Association, c/o The Greater Baltimore Committee for the cost of tuition for Robert L. Booker, Jr. to attend leadership training.

The training is used to enhance the leadership and competency of members in upper level supervisory roles within the Department. This training provides a focus on accountability and responsibility within the ethical scope of the leading of other members of the Department. Focus is also given to community service and improving the relationship with the community through service.

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 pay The Leadership Association, c/o The Greater Baltimore Committee.

MINUTES

Police Department - Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an agreement with Barbara Harant. The period of the agreement is April 1, 2012 through March 31, 2013.

AMOUNT OF MONEY AND SOURCE:

\$22,500.00 - 4000-469812-2024-212600-603018

BACKGROUND/EXPLANATION:

On September 28, 2011, the Board approved acceptance of a grant award from the U.S. Department of Justice for the FY 10 "Forensic DNA Backlog Reduction Program". The period of the award is October 1, 2011 through March 31, 2013. The grant funds will assist the Department's Crime Laboratory in reducing forensic DNA backlog cases and samples turnaround time by maximizing available DNA technology.

Ms. Harant, consultant, will work as serologist on a case-by-case basis for the Department. Her responsibilities will include performing biological screening examinations to identify evidence samples suitable for DNA testing.

Ms. Harant will be paid at a rate of \$75.00 per burglary case, \$125.00 per sexual or physical assault case, and \$150.00 per homicide case, with a maximum salary of \$22,500.00 with no benefits.

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 agreement with Barbara Harant.

MINUTES

Police Department - Grant Adjustment Notice

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize acceptance of a grant adjustment notice (GAN) from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance. This GAN extends the period of the grant award through August 31, 2013.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

On October 6, 2010, the Board approved and authorized acceptance of a grant award from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance for the Baltimore City Gun and Gang Impact Program 2010. The period of the award is October 1, 2010 through September 30, 2012.

This GAN extends the period of the grant award through August 31, 2013. All other terms and conditions of the original grant award remain unchanged.

MBE/WBE PARTICIPATION:

N/A

APPROVED FOR FUNDS BY FINANCE

AUDITS NOTED THE TIME EXTENSION.

UPON MOTION duly made and seconded, the Board approved and authorized acceptance of the grant adjustment notice from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance.

MINUTES

Law Department - Opinion - Request for Refund of Real
Property Taxes

The Board is requested to approve a refund of real property taxes for Mr. Joseph M. Duffy, claimant.

It is the opinion of the Law Department that the claimant has met the qualifications for a real property tax exemption as a disabled veteran, and that the claimant is eligible to receive a refund of taxes paid because he was honorably discharged from the armed services, declared by the Veteran's Administration to have a permanent 100% service connected disability, and resided in a single family dwelling during the period in question. The dwelling is owned by the claimant and the claimant continues to live in the dwelling. It has been determined that the claimant is entitled to a refund of real property taxes, which were paid as follows:

<u>Claimant</u>	<u>Property</u>	<u>Taxable Year</u>	<u>Amount</u>
1. JOSEPH M. DUFFY	2825 Beechland Avenue	2011/2012	\$1,070.43

Pursuant to the Tax Property Article, Section 208(h)(2) it is required that interest shall be paid at the rate the county or municipal corporation charges on overdue taxes and that the interest shall accrue from the date the application is filed with the county or municipal corporation. In order to avoid interest being paid, the claimant's application for a refund must be made within 60 days of the application.

Mr. Duffy filed his application on February 8, 2012.

UPON MOTION duly made and seconded, the Board approved the refund of real property taxes for Mr. Joseph M. Duffy, claimant.

MINUTESDepartment of General Services - Minor Privilege Permit Application

The Board is requested to approve the following application for a Minor Privilege Permit. The application is in order as 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. 1806 Cherry Hill Road	Wheeling Associates, LLC	Retain awning w/signage 21' 5" x 2' 11", flat sign 5'x 2', four fluorescent tubes

Annual Charge: \$158.40

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

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

MINUTES

Department of General Services - Developer's Agreement No. 1255

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of developer's agreement no. 1255 with Omega Holdings, LLC.

AMOUNT OF MONEY AND SOURCE:

\$25,965.00

BACKGROUND/EXPLANATION:

The developer would like to perform street improvements to their proposed construction located in the vicinity of 5901 Eastern Avenue on a portion of Cornwall Street. This developer's agreement will allow the organization to do its own installation, in accordance with Baltimore City standards.

A Performance Bond in the amount of \$25,965.00 has been issued to Omega Holdings, 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. 1255 with Omega Holdings, LLC.

MINUTES

Department of General Services - Reduction of Bond for
Developer's Agreement No. 615

ACTION REQUESTED OF B/E:

The Board is requested to approve a reduction of an existing performance bond with Camden Associates, LLC., associated with developer's agreement no. 615.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

On December 4, 2002, the Board approved developer's agreement no. 615 with Camden Associates, LLC to perform improvements associated with its residential development known as, Camden Crossing.

As a condition of the approval of the developer's agreement, Federal Insurance Company issued a performance bond (No. 8188-55-05), in the amount of \$1,919,590.00, for the account of Camden Associates, LLC and Harkins Builders, Inc., its general contractor. The developer and Harkins Builders, Inc. desire to reduce the bond to \$200,000.00. The Department had the project inspected and the remaining \$200,000.00 will protect the interests of the City and ensure the completion of the project.

UPON MOTION duly made and seconded, the Board approved a reduction of the existing performance bond with Camden Associates, LLC., associated with developer's agreement no. 615.

MINUTESDepartment of General Services - Consultant Agreement**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a consultant agreement with Westholm & Associates, LLC. The agreement is effective upon Board approval for 120 days.

AMOUNT OF MONEY AND SOURCE:

\$46,500.00 - 9916-914933-9197-900000-703032

BACKGROUND/EXPLANATION:

The Department has been charged with the responsibility of conducting a market assessment of Baltimore City historical landmarks, in collaboration with a qualified real estate consultant. The Westholm & Associates, LLC responded to a request for proposals, documented extensive relevant experience and submitted a proposal for \$46,500.00 to evaluate marketing opportunities for the following landmarks:

- | | |
|---|--------------------------|
| 1. Superintendent's House | Clifton Park |
| 2. The Peale Museum | 225 N. Holliday St. |
| 3. Shot Tower | 801 E. Fayette St. |
| 4. Public Works Museum - Eastern Avenue Pumping Station | 701 Eastern Ave. |
| 5. Upton Mansion | 811 West Lanvale St. |
| 6. Valve House @ Clifton Park | 2803 Saint Lo Drive |
| 7. Roland Park Water Tower | 4201 Roland Avenue |
| 8. West Arlington Water Tower | 4025 Ridgewood Avenue |
| 9. Engine House No. 6 - Baltimore Fire Museum | 416 N. Gay Street |
| 10. Cylburn House and Park | 4515 Greenspring Ave. |
| 11. McKim Free School | 120 E. Baltimore St. |
| 12. War Memorial | 101 N. Gay St. |
| 13. Old Town Friends' Meeting House | 1201 E. Fayette St. |
| 14. Civil War Museum | President Street Station |
| 15. Orianda Mansion, Crimea Estate in Leakin Park | 4921 Windsor Mill Rd. |

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

MINUTES

President: "Madam Mayor"

Mayor: "Thank you very much, Mr. President. I wanted to I would like to talk about...to direct your attention to two items on the Board's -- on this Board of Estimates' agenda. The first is page 23-24. The City of Baltimore is in possession of dozens of historic properties. Some of these are currently leased while others remain vacant. Most of these historic properties are in need of significant repairs and one thing remains true is we are not in the business of selling our history but in order for these buildings to stand and tell Baltimore's story to our community and to visitors there's work that must be done on these buildings. In addition to these economic times, it would be unwise for us not to look at new ways of generating revenue. The Department of General Services issued RFP for the consultant work to work with us over the next year. They are doing an assessment of 15 of the City's historic properties and we selected these 15 as a representation of the buildings that we do have. Just to add to that, we have been conducting an assessment of all City-owned properties ah-to -to do an assessment just like with these buildings, the maintenance cost of the buildings, the value of the buildings, it is a wise thing for us to do to have value of the City's assets. This is the

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same as - this is being done in the same vein. DGS while they are skilled at many things; don't have expertise to value the buildings as well as to value the work that needs to be done on the buildings and that's why we are hiring a consultant to help us. The work with the existing partners and community groups, we are going to take a look at what work that needs to be done on the buildings, the value of the building as well as alternative views and potential revenue streams from the building. In addition to -- addition, all but three of the buildings are designated as Baltimore City's landmarks and no matter what right -- recommendation is given the buildings will remain Baltimore City's landmarks. I think that was it on that one. So again, we are looking at the physical condition, the occupancy, assess the current leases, we are looking at -- and energy efficiency for all of these buildings. I think the reporters got a little ahead of themselves with the headlines that we are selling these buildings. We are merely doing what we have been doing for every public building which is taking an assessment of the conditions so we can continue to protect the assets that we have.

MINUTES

UPON MOTION duly made and seconded, the Board approved and authorized execution of the consultant agreement with Westholm & Associates, LLC. The President voted '**No**".

MINUTES

Department of Planning - Fiscal Year 2013 - 2018 Capital Budget
and Capital Improvement Program

On March 8, 2012 the Planning Commission adopted the recommended Fiscal Year (FY) 2013 Capital Budget and FY 2013 - 2018 Capital Improvements Program.

The Board is requested to **NOTE** receipt of the recommended FY 2013 Capital Budget and the FY 2013 - 2018 Capital Improvement Program and to **REFER** both to the Director of Finance and the Board of Finance for review and to make a report and recommendations to the Board of Estimates.

The recommended program totals \$4,632,000,000.00 for capital projects during FY 2013 - 2018, and \$767,428,000.00 to be appropriated in July as part of the FY 2013 budget.

The Board is requested to **NOTED** receipt of the recommended FY 2013 Capital Budget and the FY 2013 - 2018 Capital Improvement Program and to **REFERRED** both to the Director of Finance and the Board of Finance for review and to make a report and recommendations to the Board of Estimates.

MINUTES

Department of Planning - Report on Previously
Approved Transfers of Funds

At previous meetings, the Board of Estimates approved Transfers of Funds subject to receipt of favorable reports from the Planning Commission, the Director of Finance having reported favorably thereon, as required by the provisions of the City Charter. Today, the Board is requested to **NOTE 18** favorable reports on Transfers of Funds approved by the Board of Estimates at its meetings on February 22, 29, and March 7, 2012.

The Board **NOTED** receipt of the 18 favorable reports.

MINUTES**EXTRA WORK ORDERS AND TRANSFERS OF FUNDS**

* * * * *

UPON MOTION duly made and seconded,

the Board approved the

Extra Work Orders and Transfers of Funds

listed on the following pages:

1038 - 1039

All of the EWOs had been reviewed and approved

by the

Department of Audits, CORC,

and MWBOO, unless otherwise indicated.

The Transfer of Funds was approved

SUBJECT to receipt of a favorable report

from the Planning Commission,

the Director of Finance having reported favorably

thereon, as required by the provisions

of the City Charter.

The President **ABSTAINED** on item nos. 4-6.

MINUTES

EXTRA WORK ORDERS

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

Department of Transportation

1. EWO #020, \$ 0.00 - TR 04311, Pennington Avenue Bascule Bridge Rehabilitation

\$145,306.27	\$10,999,903.01	Cianbro Corp.	60	-
			Days	

(FILE NO. 56451)

2. EWO #006, \$82,649.11 - Rehabilitate Roadways Around East Baltimore Life Science Park 1c, Project 1055

\$584,894.71	\$ 745,510.09	Whitman, Requardt & Associates	-	-
--------------	---------------	--------------------------------	---	---

3. TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$107,100.00	9950-902106-9528	9950-902335-9527-3
Fed	Constr. Res. - Canton Industrial Park	Design and Study EBDI Life Sciences

This transfer will fund the cost related to the BD 07309 Change Order 6, Project Rehabilitate Roadways Around EBDI Life Science Park for additional engineering design services.

(FILE NO. 57080)

Bureau of Water and Wastewater

4. EWO #018, \$ 36,584.65 SC 829, Primary Settling Tanks Rehabilitation at the Back River Wastewater Treatment Plant

\$9,720,000.00	\$1,936,130.39	Mid Eastern Builders, Inc.	0	57
----------------	----------------	----------------------------	---	----

5. EWO #006 \$ 0.00 - SC 829, Primary Settling Tanks Rehabilitation at the Back River Wastewater Treatment Plant

\$9,720,000.00	\$1,929,072.95	Mid Eastern Builders, Inc.	60	57
			Days	

MINUTES**EXTRA WORK ORDERS**

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

Bureau of Water and Wastewater

6. EWO #007, (\$60,462.00) - SC 829, Primary Settling Tank Rehabilitation at the Back River Wastewater Treatment Plant			
\$ 9,720,000.00	\$ 1,929,072.95	Mid Eastern Builders, Inc.	0 57

The contract documents indicated that the base slab in PST No. 7 was to be removed and replaced. Upon inspection, it was determined that the slab was structurally sound and did not need to be replaced. The contractor offered a credit back to the City, which was reviewed and found acceptable by the design consultant, Whitman, Requardt, and Associates. The work on this change order has been completed.

MINUTES

TRANSFERS OF FUNDS

* * * * *

UPON MOTION duly made and seconded,

the Board approved

the Transfers of Funds

listed on the following page:

1041

SUBJECT to receipt of favorable reports

from the Planning Commission,

the Director of Finance having

reported favorably thereon,

as required by the provisions of the

City Charter.

MINUTES

TRANSFER OF FUNDS

	<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Department of Transportation</u>			
1.	\$30,000.00	9962-941002-9563	9962-909052-9562-2
	Other	Constr. Reserve -	Contingencies
		Conduit Replace-	Washington Blvd. -
		ment Program	1-95 to Monroe St.

This transfer will fund the cost related to TR - 03313 Change Order Nos. 8 and 9, Reconstruction of Washington Boulevard: Monroe Street to 1-95 by Civil Construction, LLC.

2.	\$232,854.00	9962-941002-9563	9962-909052-9562-3
	Other	Constr. Reserve -	Design and Study
		Conduit Replace-	Washington Blvd. -
		ment Program	1-95 to Monroe St.

This transfer will cover the deficit in the account and fund the cost related to BD 08038 Task No. 29, On-Call Consultant Services for Reconstruction, Rehabilitation and/or Resurfacing Projects No. 1074 for Post Award Services for Washington Boulevard 1-95 to Monroe Street, by STV, Inc.

MINUTES**RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS**

* * * * *

On the recommendations of the City agencies
hereinafter named, the Board,

UPON MOTION duly made and seconded,
awarded the formally advertised contracts
listed on the following pages:

1043 - 1051

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

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

The Mayor **ABSTAINED** on item no. 14.

The President **ABSTAINED** on item nos. 3-6, and 14.

The Comptroller **ABSTAINED** on item no. 3-4.

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

Department of Transportation

- | | | | |
|----|---|--------------------------------------|-----------------|
| 1. | TR 08310, Re-habitation of Central Ave. & Storm Drain: Eastern Ave. to Madison Ave. | Monumental Paving & Excavating, Inc. | \$27,776,125.47 |
|----|---|--------------------------------------|-----------------|

DBE:

AJO Concrete Construction Co., Inc.	\$ 188,259.00	0.68%
Priority Construction Corp.	3,219,122.00	11.59%
C. Jones Trucking, LLC	468,348.00	1.69%
Holmes Lawn Care, Inc.	264,087.00	.95%
Just Drafting & Construction	70,200.00	.25%
Mayer Brothers, Inc.	13,962.00	.05%
Oelmann Electric Supply Co.	58,650.00	.21%
P&J Contracting Co., Inc.	1,603,051.00	5.77%
Janis Rettaliata	65,070.00	.23%
Road Safety, LLC	183,724.00	.66%
Shannon Baum Signs	56,007.00	.20%
T.E. Jeff, Inc.	696,195.58	2.51%
Urban Green Environmental	57,450.00	.21%
	\$6,944.125.58	25.00%

2. TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$ 1,848,051.54 MVR	9950-904185-9509 Constr. Reserve Central Avenue Reconstruction Reconstruction	

MINUTES**RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS**Department of Transportation - cont'd

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
14,000,000.00 Federal	9950-904185-9509 Constr. Reserve Central Avenue	
1,230,000.00 MVR	9950-903256-9509 Constr. Reserve Central Avenue Phase I	
800,000.00 Federal	9950-903256-9509 Constr. Reserve Central Ave., Phase I	
300,000.00 Bond	9950-901605-9509 Constr. Reserve Little Italy Streetscape	
2,787,000.00 Bond	9950-902363-9509 Constr. Reserve Sinclair Lane Over CSX	
331,120.25 Bond	9950-903550-9509 Constr. Reserve Neighborhood Street Reconstruction	
81,879.75 Bond	9950-904460-9509 Constr. Reserve York Road	

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

Department of Transportation - cont'd

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
11,865,080.45	9950-944002-9507	
<u>Federal</u>	Constr. Reserve	
\$33,243,131.99	Highway Reserve	
\$27,776,125.47	-----	9950-902256-9508-6
		Struc. & Improv.
4,166,418.82	-----	9950-902256-9508-5
		Inspections
<u>1,300,587.70</u>	-----	9950-902256-9508-2
\$33,243,131.99		Contingencies
		Rehabilitation of
		Central Avenue

This transfer will cover the costs associated with award of TR 08310, Rehabilitation of Central Ave. and Storm Drain; Eastern Avenue to Madison Avenue, to Monumental Paving & Excavating Inc.

Bureau of Water & Wastewater

- | | | | |
|----|---|---|-----------------------|
| 3. | SC 851, Painting
Rehab of Elevated
Water Tank & Lox
Tanks at Patapsco
Wastewater
Treatment Plant | Whiting-Turner
Contracting Co., Inc. | \$1,026,000.00 |
|----|---|---|-----------------------|

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

Bureau of Water & Wastewater - cont'd

MBE: Horton Mechanical Contractors, Inc. \$55,000.00 5.36%

WBE: Cherry Hill Fabrication and Machine shop, Inc. \$24,910.00 2.43%

MWBOO FOUND VENDOR IN COMPLIANCE.

4. TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$ 433,382.40	9956-905533-9549	
Wastewater	Constr. Reserve	
Utility Funds	Annual Facilities	
	Improve.	
920,937.60	" "	
County		
<u>Appropriations</u>		
\$ 1,354,320.00		
\$ 102,600.00	-----	9956-904606-9551-2
		Extra Work
102,600.00	-----	9956-904606-9551-3
		Design
61,560.00	-----	9956-904606-9551-5
		Inspections
1,026,000.00	-----	9956-904606-9551-6
		Construction
61,560.00	-----	9956-904606-9551-9
<u> </u>		Administration
\$ 1,354,320.00		

The funds are for the award of SC 851, Painting Rehab of Elevated Water Tank and Cox Tanks at Patapsco Wastewater Treatment Plant.

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

Bureau of Water & Wastewater

5. SC 895, Improvements to Maryland Avenue Sub-sewershed Sewers AM-Liner East, Inc. **\$3,561,472.35**

MBE: Daco Construction Corp. \$282,900.00 7.94%

WBE: T.F.E. Resources, Ltd. \$106,100.00 2.98%

MWBOO FOUND VENDOR IN COMPLIANCE.

6. TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$4,701,143.00	9956-906626-9549	
Wastewater	Constr. Reserve	
Revenue Bonds	Rehab Program	
Jones Falls		
\$ 356,147.00	-----	9956-904606-9551-2
		Extra Work
356,147.00	-----	9956-904606-9551-3
		Engineering
213,688.65	-----	9956-904606-9551-5
		Inspection
3,561,472.35	-----	9956-904606-9551-6
		Construction
<u>213,688.00</u>	-----	9956-904606-9551-9
\$4,701,143.00		Administration

The funds are required to cover the cost of the award of SC 895, Improvements to the Maryland Avenue Sub-Sewershed.

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONSDepartment of General Services

7. PB 10866, Canton The Michael Group, \$1,371,000.00
Library No. 4 Inc.
Renovations

MBE:	Accurate Plumbing, Inc.	\$ 40,000.00	2.92%
	Brick House Brown, Inc.	19,000.00	1.38%
	Colossal Contractors, Inc.		See note below*
	Bryant Concrete Construction, Inc.	59,491.80	4.34%
	Personal Electric, LLC	<u>275,000.00</u>	<u>20.06%</u>
		\$393,491.80	28.70%
WBE:	Cardinal Construction, Inc.	\$ 24,300.00	1.77%
	Calumet, Inc.	104,200.00	7.60%
	A2Z Environmental Group, LLC	34,437.00	2.51%
	Abby Enterprises, LLC	<u>34,000.00</u>	<u>2.48%</u>
		\$196,937.00	14.36%

*The Part B: Statement of Intent form for Colossal Contractors, Inc. does not list Work/Service or Materials/Supplies to be performed.

MWBO FOUND VENDOR IN COMPLIANCE.

8. GS11846, Stabili- J A Argetakis Con- \$ 349,000.00
lization of tracting Co., Inc.
Read's Drugstore

MBE:	BMW Construction Specialists, Inc.	\$ 45,370.00	13.00%
	Roberts 1 st , LLC	<u>27,920.00</u>	<u>8.00%</u>
		\$ 73,290.00	21.00%
WBE:	Annapolis Contracting, Inc.	\$ 24,430.00	7.00%

MWBO FOUND VENDOR IN COMPLIANCE.

MINUTES**RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS**

Department of Public Works/
Department of Recreation & Parks

- | | | | |
|----|--|----------------------------|--------------|
| 9. | RP 11865, Roofing
Replacement &
Related Work
Clifton Park
Maintenance Shop | J & K Contracting,
Inc. | \$ 99,500.00 |
| | MBE: Couser Supply, Inc. | \$11,940.00 | 12.00% |
| | WBE: Bay Assoc. Environmental,
Inc. | \$ 4,975.00 | 5.00% |

MWBOO FOUND VENDOR IN COMPLIANCE.

Bureau of Purchases

- | | | | |
|-----|---|--|---------------|
| 10. | B50002166, Inves-
tigative Resource
Software for Law
Enforcement for
the Police Dept. | West Publishing Corp.,
d/b/a West, a Thomas
Reuters Business | \$ 257,220.00 |
|-----|---|--|---------------|

MWBOO GRANTED A WAIVER.

- | | | |
|-----|--|---|
| 11. | B50002211, Fiber
Optic Cable In-
stallation, Maint.
& Repair Services | REJECTION - Vendors were solicited by
posting on CitiBuy and in local news-
papers. The five bids were received on
January 11, 2012. The Mayor's Office
of Information Technology will submit
revised specifications that better
reflect the City's needs. |
|-----|--|---|

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONSBureau of Purchases

12. B50002228, Environ- mental Remediation Services	<u>First call</u> EQ Northeast, Inc.	\$600,000.00
	<u>Second Call</u> Total Environmental Concepts, Inc.	<u>200,000.00</u> \$800,000.00

EQ Northeast, Inc.

MBE: K & K Environmental Services, LLC	5%
WBE: A2Z Environmental Group, LLC	2%

Total Environmental Concepts, Inc.

MBE: First Potomac Environmental Corp.	5%
WBE: Cleo Enterprises	2%

This is a requirements contract, therefore amounts will vary.

MWBOO FOUND VENDORS IN COMPLIANCE.

13. B50002282, Spring 2012 Supply and Deliver Trees for Tree Baltimore	Items Nos.: 2, 7, 22, 31 32, 41, 55, 58, 63, 71, 77, 78, 82, 84, 100, 101 103, & 108	
	<u>John Deere Landscapes</u>	\$ 17,512.00
	Items Nos. 1 - 109, Except items awarded <u>to John Deere Landscapes</u> Shemin Nurseries	<u>91,807.25</u> \$109,319.25

MWBOO GRANTED A WAIVER.

MINUTES**RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS**Bureau of Purchases

14. B50002284, Com- binded Services for Weatherization Assistance and Lead Abatement at Low Income Residences II	Living Classrooms Foundation	\$500,000.00
--	---------------------------------	---------------------

MBE: BMW Construction Specialist, Inc. 15.00%

WBE: S & S Levy Construction &
Investment, LLC 5.00%

MWBOO FOUND VENDOR IN COMPLIANCE.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

Bureau of Purchases

- | | | |
|--|-------------|---------------------------|
| 1. SHANNON BUSINESS SYSTEMS | \$26,257.28 | Selected Source/Agreement |
| Solicitation No. 06000 - Hasler Folder/Inserter Mailing Equipment - Department of Housing and Community Development - Req. No. R596323 | | |

The Board is requested to approve and authorize execution of an agreement with Shannon Business Systems. The period of the agreement is effective upon Board approval for three years.

This is a request for an upgrade from the Hasler M6000 to a Hasler M7000. The M7000 is compatible with the existing automated mailing system that is currently used and requires no down time in the agency's operation. Any interruption in the billings and violation notices that are mailed out daily would have an adverse effect on the City's collection and enforcement efforts.

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

(FILE NO. 57210)

- | | | |
|--|----------------|----------|
| 2. RUDOLPH'S OFFICE & COMPUTER SUPPLY, INC. | \$3,000,000.00 | Increase |
| Solicitation No. B50001027 - J.I.T. Office Supplies - Agencies - Various P.O. No. 511280 | | |

On July 1, 2009, the Board approved the initial award in the amount of \$1,423,280.00. Subsequent actions have been approved. This increase is to provide funds for the remainder of the contract period. This increase in the amount of \$3,000,000.00 will make the total award amount \$6,023,280.00. The contract will expire on July 31, 2014, with one 1-year renewal option remaining.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

Bureau of Purchases**MWBOO SET GOALS OF 5% MBE AND 0% WBE.**

MBE: Sutherland Data Products	4%
Sym, Inc.	1%

MWBOO FOUND VENDOR IN COMPLIANCE.

President: "The second item on the non-routine Agenda can be found on pages 40-41, item no. 2, JIT Office Supplies, will the parties please come forward. Is Mr. Jolivet here? I will entertain a motion."

City Solicitor: "Move approval to the item as submitted and in denial of the written protest."

Director of Public Works: "Second."

President: "All those in favor say 'Aye' those opposed 'Nay', Please note that I **ABSTAINED**. The motion carries."

3. <u>ELLIOT & FRANTZ, INC.</u>	\$ 50,000.000	Renewal
Solicitation No. B50001892 - Milling Machine Teeth - Department of Transportation - P.O. No. P516810		

On April 13, 2011, the Board approved the initial award in the amount of \$37,400.00. The award contained two 1-year renewal options. This renewal in the amount of \$50,000.00 is for the period April 13, 2012 through April 12, 2013, with one 1-year renewal option remaining.

MWBOO GRANTED A WAIVER.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

Bureau of Purchases

- | | | |
|--|--------------|----------------------|
| 4. MOHAWK RESOURCES, LTD | \$571,301.87 | Cooperative Purchase |
| Baltimore Regional Cooperative Purchasing Committee Contract
No. HGAC-#FL03-11 - Hunter Shop Equipment - Department of
General Services, Fleet Management - Req. No. R590371 | | |

This equipment is available under contract HGAC-#FL03-11 with the Baltimore Regional Cooperative Purchasing Committee and Houston-Galveston Area Council.

MWBOO GRANTED A WAIVER.

- | | | |
|--|--------------|----------------------------|
| 5. BECKLEY'S
CENTER | \$160,000.00 | CAMPING
Selected Source |
| Solicitation No. 06000 - Winnebago Units for the Needle
Exchange Program - Health Department - Req. Nos. R594179 and
R595598 | | |

The two units are required for the Health Department's Needle Exchange Program. These units were advertised for competitive bids twice with no bids received either time. The quote received from the recommended vendor is considered fair and reasonable.

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

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

Bureau of Purchases

MWBOO GRANTED A WAIVER.

UPON MOTION duly made and seconded, the Board approved the aforementioned awards, renewals, increases to contracts and extensions. UPON FURTHER MOTION duly made and seconded, the Board approved and authorized execution of the agreement with Shannon Business Systems (item no. 1). Clerk's Correction: The President Vote is 'AYE', the abstention was incorrect.

MINUTES

Department of Real Estate - Deed

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize the execution of a deed with Hilltop Development Associates, LLC, for the closing and conveyance of a portion of Tippett Avenue, Rockfield Avenue and unnamed alleys in the vicinity of Reisterstown Road and West Rogers Avenue, which have legally been closed.

AMOUNT OF MONEY AND SOURCE:

\$29,000.00 - appraised value

BACKGROUND/EXPLANATION:

On September 8, 2010, the City entered into a closing agreement with Hilltop Development Associates, LLC, for the closing and conveyance of a portion of Tippett Avenue, Rockfield Avenue and unnamed alleys in the vicinity of Reisterstown Road and West Rogers Avenue. Hilltop Development Associates, LLC is in the process of developing the new Motor Vehicle Administration building at this location. In the closing agreement, Hilltop Development Associates, LLC, agreed to pay the fair market value for the property.

The sale of the public right-of-ways was authorized by means of Sales Ordinance No. 11-496 approved on October 26, 2011. The street closing process is intricate, involves public notice and other procedures before the deed can be prepared for submission to the Board of Estimates. The process has now concluded and the deed was recently submitted by the Department of General Services to the Law Department. The Law Department has completed its review of the deed, and therefore it is being submitted to the Board of Estimates.

MINUTES

Department of Real Estate - cont'd

(FILE NO. 56664)

UPON MOTION duly made and seconded, the Board approved and authorized execution of the deed with Hilltop Development Associates, LLC, for the closing and conveyance of a portion of Tippet Avenue, Rockfield Avenue and unnamed alleys in the vicinity of Reisterstown Road and West Rogers Avenue, which have legally been closed.

MINUTES

Department of Real Estate - Deed

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize the execution of a deed with, The Johns Hopkins Hospital, for the closing and conveyance of the air-rights for a portion of Orleans Street, which has been legally closed.

AMOUNT OF MONEY AND SOURCE:

\$4,600.00 - appraised value

BACKGROUND/EXPLANATION:

On March 22, 2010, the City entered into a closing agreement with The Johns Hopkins Hospital, for the closing and conveyance of the air-rights for a portion of Orleans Street. The Johns Hopkins Hospital is in the process of constructing a pedestrian bridge to connect its facilities to its garage. The area to be closed contains 1,540 square feet of land. In the closing agreement, The Johns Hopkins Hospital, agreed to pay the fair market value for the property.

The sale of the public right-of-way was authorized by means of Sales Ordinance No. 11-499 approved on October 26, 2011. The street closing process is intricate, involves public notice and other procedures before the deed can be prepared for submission to the Board of Estimates. The process has now concluded and the deed was recently submitted by the Department of General Services to the Law Department. The Law Department has completed its review of the deed, and therefore it is being submitted to the Board of Estimates.

MINUTES

Department of Real Estate - cont'd

(FILE NO. 56664)

UPON MOTION duly made and seconded, the Board approved and authorized execution of the deed with, The Johns Hopkins Hospital, for the closing and conveyance of the air-rights for a portion of Orleans Street, which has been legally closed. The President **ABSTAINED**.

MINUTES

Department of Housing and - Grant Agreement
Community Development (DHCD)

ACTION REQUESTED OF B/E:

The Board is requested to approve a Grant Agreement with Park Heights Renaissance, Inc. (PHR). The period of the grant agreement is effective upon approval by the Board of Estimates and remains in effect through December 31, 2012, and cannot be extended.

AMOUNT OF MONEY AND SOURCE:

\$11,926.00 - 9910-908807-9588
29,516.00 - 9910-910815-9588
\$41,442.00

BACKGROUND/EXPLANATION:

This grant agreement will support community organizing activities that encourage and develop broad-based stakeholder representation throughout the Master Plan Area. In addition to forming a representative geographic network of community leaders, the PHR will continue supporting the Resident Community Council, including providing space for meetings, food, outreach, staff, and technical support to the six committees that implement the Council's activities. The funds will also be used to send up to six community leaders to the NeighborWorks America Building & Sustaining Community Training Conference.

The PHR will continue to encourage leadership development through a series of workshops designed to increase the effectiveness of resident involvement in community change. Workshop topics include: Identifying the Leader in You; Leading Your Community; Planning, Planning, Planning; and Evaluating, Documenting & Advocating.

An important component of creating broad-based representation is a strong communications network. A portion of the funds will be used to support the PHR's website, one call system and newsletters. The PHR is leveraging City funds with an additional \$24,480.00 from other sources.

MINUTES

DHCD - cont'd

The grant will also be used to continue providing funds for a "Clean and Green" manager who oversees bi-weekly cleaning of major corridors in the Park Heights community. In addition the manager will clean areas as identified by residents utilizing community service workers and will also work with local community organizations to schedule neighborhood cleanups. Additionally, this individual oversees the management of community gardens located at Woodland Avenue and Pimlico Elementary Middle School and works with the City and Americorp volunteers to execute the Power in Dirt initiative.

All funds must be expended by December 31, 2012.

The grantee is required to submit quarterly reports detailing expenditures and documenting how specific goals and objectives of the program are being met.

MBE/WBE PARTICIPATION:

Recipients of City funds are required to comply with Article 5, Subtitle 28-64, of the Baltimore City Code (2000 Edition). In accordance with the foregoing, the above referenced requirements may be waived by the Department as follows: a) In general - A contracting agency may waive the utilization requirements for a specific contract as provided in this section; (b) Sole Source - The Agency may waive the utilization requirements if, with the advice of the Minority and Women's Business Opportunity Office, it finds that (1) needed goods or services are available only from a sole source; and (2) the prospective contractor is not currently disqualified from doing business with the City. The amount of the Grant is less than \$50,000.00; therefore, MBE/WBE participation requirements do not apply.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

MINUTES

DHCD - cont'd

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$41,442.00	9910-995001-9587	
26 th Comm. Dev.	Unallocated Res. HCD	
\$11,926.00	-----	9910-908807-9588
26 th Comm. Dev.		PHR Community Engagement
29,516.00	-----	9910-910815-9588
26 th Comm. Dev.		PHR Clean and Green
<u>\$41,442.00</u>		

This transfer will support community development activities in the Park Heights Master Plan area.

(FILE NO. 57276)

UPON MOTION duly made and seconded, the Board approved the Grant Agreement with Park Heights Renaissance, Inc. The transfer of funds was approved **SUBJECT** to receipt of a favorable report from the Planning Commission, the Director of Finance having reported favorably thereon, as required by the Provisions of the City Charter. The Mayor **ABSTAINED**.

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 People's Homesteading Group, Inc. (PHG). The period of the agreement is July 1, 2011 through June 30, 2012.

AMOUNT OF MONEY AND SOURCE:

\$ 22,333.00	-	2089-208911-5930-512661-603051
72,334.00	-	2089-208911-5930-512662-603051
28,633.00	-	2089-208911-5930-512681-603051
<u>28,700.00</u>	-	<u>2089-208911-5930-512683-603051</u>
\$152,000.00		

BACKGROUND/EXPLANATION:

The PHG will conduct public meetings to deliver specific neighborhood information that will directly support housing development projects within the Greenmount-Barclay-Midway area. The funds will subsidize the agency's operating costs associated with the rehabilitation of vacant properties for sale to low- and moderate income households.

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. Emergency Shelter Grant Program (ESG)
4. Housing Opportunity for People with AIDS (HOPWA)

MINUTES

DHCD - cont'd

The DHCD began negotiating and processing the CDBG agreements effective July 1, 2011 and beyond, as outlined in the Plan, pending approval of the Resolution. Consequently, the agreement was delayed due to final negotiations and processing.

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 People's Homesteading Group, Inc.

MINUTES

Department of Finance, Office - Renewal of Insurance Policy
of Risk Management

ACTION REQUESTED OF B/E:

The Board is requested to approve the renewal of the insurance policy for Flood Insurance coverage with National Flood Services for the Baltimore City Police Headquarters and Annex Buildings. The period of the policy renewal is effective April 22, 2012.

AMOUNT OF MONEY AND SOURCE:

\$29,696.00 - 2043-000000-1450-162900-603014

BACKGROUND/EXPLANATION:

On September 13, 2003, storm surge and heavy rain from Hurricane Isabel flooded the basement of the Baltimore City Police Headquarters Building to a depth of 22". A claim was made with the Federal Emergency Management Administration (FEMA). Public Assistance reimbursement has been approved. Since the facility is located in a 100-year floodplain, distribution of FEMA Public Assistance is contingent on securing and maintaining coverage for floods.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved the renewal of the insurance policy for Flood Insurance coverage with National Flood Services for the Baltimore City Police Headquarters and Annex Buildings.

MINUTES

Department of Transportation - On-Call Task Assignment

ACTION REQUESTED OF B/E:

The Board is requested to approve an assignment of Task No. 30 to KCI Technologies, Inc. under Project No. 1074, On-Call Consultant Services Rehabilitation, Reconstruction and/or Resurfacing.

AMOUNT OF MONEY AND SOURCE:

\$ 23,760.00	-	6000-617212-2303-596000-603018
60,000.00	-	2024-000000-5480-395600-603018
60,000.00	-	9950-902315-9506-900020-703032
<u>\$143,760.00</u>		

BACKGROUND/EXPLANATION:

Under this task the consultant will perform engineering services in connection with the Red Line Support Services. The scope of services includes project management consulting services to support the planning and design phases of the Baltimore City Red Line.

MWBOO SET GOALS OF 21% FOR MBE AND 7% FOR WBE.

APPROVED FOR FUNDS BY FINANCE

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

(FILE NO. 56533)

UPON MOTION duly made and seconded, the approved the assignment of Task No. 30 to KCI Technologies, Inc. under Project No. 1074, On-Call Consultant Services Rehabilitation, Reconstruction and/or Resurfacing.

MINUTES

Department of Transportation - On-Call Task Assignment

ACTION REQUESTED OF B/E:

The Board is requested to approve an assignment of Task No. 05 to Louis Berger Water Services, Inc. under Project No. 1161, On-Call Construction Project Management.

AMOUNT OF MONEY AND SOURCE:

\$111,264.42 - 9950-915033-9527-900020-705032

BACKGROUND/EXPLANATION:

Under this task the consultant will provide a Construction Inspector to perform inspection during the construction phase of TR10018 Orchard Ridge, Phase 2.

MWBOO FOUND VENDOR IN COMPLIANCE.

APPROVED FOR FUNDS BY FINANCE

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

(FILE NO. 56533)

UPON MOTION duly made and seconded, the Board approved the assignment of Task No. 05 to Louis Berger Water Services, Inc. under Project No. 1161, On-Call Construction Project Management.

MINUTES

Department of Transportation - Traffic Mitigation Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a traffic mitigation agreement with Seawall Development Company, LLC.

AMOUNT OF MONEY AND SOURCE:

\$15,000.00 - 6000-617012-2391-596700-406001

BACKGROUND/EXPLANATION:

Seawall Development Company, LLC proposes to perform the scope of work for the Baltimore Design School at Lebow, located at 1500 Barclay Street. The developer will convert a vacant 114,000 sq. ft. manufacturing plant (garment factory) into a 114,000 sq. ft. Baltimore City Public Charter Middle/High School.

Under the terms of this agreement, Seawall Development Company, LLC agrees to make a one-time contribution in the amount of \$15,000.00 to fund multimodal transportation improvements in the project's vicinity.

MBE/WBE PARTICIPATION:

N/A

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved and authorized execution of the traffic mitigation agreement with Seawall Development Company, LLC.

MINUTESEnoch Pratt Free Library - TRANSFER OF LIFE-TO-DATE
SICK LEAVE

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

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

1. **BAYDA JACKSON** - Designated Employee

<u>Donors</u>	<u>No. of Days</u>
Devon Ellis	1
Ny'ilah Covington	2
Mable White	2
Frances Spears	2
Carla Hayden	2
Rhoda Ruggs	3
Marsha Butler	3
Willie J. Johnson, Jr.	5
Alprescia Rivers	5
Eunice Anderson	<u>5</u>
Total	30

2. **TAMARA JONES** - Designated Employee

<u>Donors</u>	<u>No. of Days</u>
Nathaniel Smith	5
Katherine Durner	5
Danette Prince	2
Caitlin Huddleston	3
Deborah Taylor	5
Willie J. Johnson, Jr.	5
Alprescia Rivers	<u>5</u>
Total	30

MINUTES

Enoch Pratt Free Library - cont'd

3. **CHANTHA LUY** - Designated Employee

<u>Donors</u>	<u>No. of Days</u>
Katherine Durner	3
Naomi Hilton	5
Kathleen J. Fay	2
Yvonne Patillo	5
Linnette Copeland	5
Phillip Myers	<u>5</u>
Total	25

4. **ELIZABETH WILLIAMS** - Designated Employee

<u>Donors</u>	<u>No. of Days</u>
Bobby Jones	2
Carolyn Delly	2
Eva Slezak	1
Cresercio Maralit	2
Eric Thornton	3
Emmarie Powell	2
Evelyn Wallace	3
Kennard Hopkins	5
Fran Smith	5
Lamont Wade	<u>5</u>
Total	30

APPROVED FOR FUNDS BY FINANCE

THE LABOR COMMISSIONER RECOMMENDED APPROVAL.

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

MINUTES

OPTIONS/CONDEMNATIONS/QUICK-TAKES:

	<u>Prior Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>Department of Law - Payment of Settlement</u>				
1.	William McIntyre and James L. Rouse, Jr.	423 E. 21 st St.	F/S	\$ 37,100.00

On March 30, 2011, the Board approved the acquisition of the fee simple interest in 423 E. 21st. St. for the amount of \$10,900.00, by condemnation. The approval was based upon the City's independent appraiser's fair market valuation of the property which included an exterior examination. The City obtained an Order of Possession which established the valuation date for the property as of May 2, 2011. The City's independent appraiser conducted an interior inspection and updated the valuation of the property to the valuation date. The City's valuation of the property increased to \$33,000.00. The previous owner offered an appraisal valuation of \$89,000.00. The parties agreed to settle the action for \$48,000.00. Therefore, the Board is requested to approve payment of an additional \$37,100.00 to settle this action.

Funds are available in State funds, account no. 9910-901780-9588-900000-704040.

MINUTES**TRAVEL REQUESTS**Department of Recreation and Parks

	<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
1.	Paul Huskey* Devon Brown Tracey Estep	MD Recreation & Parks Assoc. Ocean City, MD April 2 - 4, 2012 (Reg. Fee \$190.00 ea., *\$265.00)	Accessory Account	\$2,069.61

The registration fee for Messers. Huskey and Brown, and Ms. Estep have been prepaid on EA000087929. The disbursement to each attendee will be in the amount of \$474.87.

2.	Robert Wall Robert Signor** JoAnn Cason	MD Recreation & Parks Assoc. Ocean City, MD April 2 - 4, 2012 (Reg. Fee \$190.00 ea., **\$100.00)	Accessory Account	\$1,626.61
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The Department is requesting only \$40.00 for subsistence for Mr. Signor, he will be attending for one day and will not be staying overnight.

3.	Thomas Jeannetta Ronnie Daniels*	MD Recreation & Parks Assoc. Ocean City, MD April 2 - 4, 2012 (Reg. Fee \$190.00) (Reg. Fee*\$265.00)*	Accessory Account	\$1,406.87
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The registration fee for Messers. Jeannetta and Daniels were prepaid under EA000087029. Mr. Jeannetta will be staying for 3 nights. The disbursement to Mr. Jeannetta will be in the amount of \$633.87 and for Mr. Daniels \$318.00.

MINUTES**TRAVEL REQUESTS**

Clerk: "The Board received correspondence from Ms. Kim Trueheart, which was submitted to the Board for its review. As Ms. Trueheart does not have a specific interest that is different from that of the general public, the Board will not hear her objections. The agency, which is the Department of Recreation and Parks will respond directly to Ms. Trueheart's questions."

Baltimore Police Department

	<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
4.	Marc R. Partee	17 th Annual Greater Chesapeake Law Enforcement Executive Development Seminar Ocean City, MD April 29 - May 4, 2012 (Reg. Fee \$850.00)	Asset Forfeiture funds	\$ 950.00
5.	Rhonda L. McCoy Rena R. Rodgers Jeffrey R. Stauder	7 th Annual Conference on Crimes Against Women Dallas, TX Mar. 25 - 28, 2012 (Reg. Fee \$350.00 ea.)	Maryland Reimbursement Account	\$4,114.77

MINUTES**TRAVEL REQUESTS**

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>Health Department</u>			
6. Evelyn Rodriguez	Centers for Disease Control & Prevention PS12-1201 Grantee Orientation Atlanta, GA March 25 - 29, 2012	Federal Funds	\$1,192.02
7. Tanya Myers	Centers for Disease Control & Prevention PS12-1201 Grantee Orientation Atlanta, GA March 26 - 28, 2012	Federal Funds	\$1,135.72
<p>The airfare has been prepaid in the amount of \$290.90 for Ms. Rodriguez and for Ms. Myers in the amount \$234.60, respectively by City issued credit card assigned to Ms. Jacqueline Duval-Harvey. The disbursement to each attendee will be in the amount of \$901.12.</p>			
8. Carolyn Nganga-Good	Centers for Disease Control & Prevention PS12-1201 Grantee Orientation Atlanta, GA March 26 - 29, 2012	Federal Funds	\$1,073.44

MINUTES**TRAVEL REQUESTS**

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>Health Department</u>			
	Ms. Nganga-Good is one of the Program staff members that is required to attend this orientation. She will be travelling from Knoxville, TN because she was scheduled to be on vacation from March 22 - 27, 2012. Therefore, she will be leaving from her vacation to attend this mandatory conference.		
9. Patrick Chaulk	Centers for Disease Control & Prevention PS12-1201 Grantee Orientation and the *HIV/AIDS Prevention Services Conference Atlanta, GA March 26 - 30, 2012	Federal Funds	\$ 978.44

Mr. Chaulk will attend the UCHAPS Conference on March 29-30, 2012. The hotel cost and other expenses for two days will be covered by the UCHAPS.

The airfare has been prepaid in the amount of \$382.60 for Ms. Nganga-Good and for Mr. Chaulk in the amount \$287.60, respectively by City issued credit card assigned to Ms. Jacqueline Duval-Harvey. The disbursement to each attendee will be in the amount of \$680.84.

MINUTES

INCREASE IN PREVIOUSLY APPROVED TRAVEL AMOUNTDepartment of General Services

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
10. Theodore Atwood	Driving Gov. Performance: Leadership Strategies that Produce Results Cambridge, MA March 17 - 24, 2012 Reg. Fee \$6,600.00)	Gen. Funds	\$ 239.60

On February 29, 2012, the Board approved a travel request in the amount of \$6,600.00 for Mr. Atwood to travel to Cambridge, MA on March 18 - 23, 2012 to attend the one-week program at the Harvard Kennedy School. The Department is requesting approval of an additional \$179.60 for airfare, \$60.00 for parking and ground transportation which were not included in the original request. The increase will make the total travel request \$6,839.60. Mr. Atwood will arrive in Cambridge, MA one day prior to the start of class and depart the day after the end of classes. However, this will not affect the cost of the airfare.

MINUTES

Office of the Mayor - Mayoral Executive Order: Advancing Public Safety and Access to City Services

ACTION REQUESTED OF B/E:

The Board is requested to **NOTE** the Mayoral Executive Order entitled, "Advancing Public Safety and Access to City Services," which stands as the City's policy on the matters covered by this order.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

The City of Baltimore promotes public trust in all local government agencies and law enforcement, and the reciprocal respect for the rule of law, which are vital to promoting the City's mission of ensuring public safety and serving the needs of the entire community.

Immigrants from around the world, who have come here seeking peace, stability, and a better life for their families, have formed the City's core since its inception. During the 1920s, more than one in four City residents was a first or second generation immigrant; in the last twenty years, Baltimore City's diverse immigrant community has included immigrants from nations such as Trinidad and Tobago, Jamaica, Korea, Mexico, China, Nigeria, Germany, India, Ukraine, and the Philippines.

Today, African, Asian, and Latino populations are growing at a steady rate in Baltimore City and throughout the state of Maryland, making matters pertaining to foreign-born populations an ongoing matter of importance to this City. As an example, the Governor's Commission of Hispanic Affairs' Annual Report 2008-2009 states that Maryland's Hispanic population has increased by 65%. It is, therefore, essential that we redouble our efforts to ensure that the newest members of our community are extended the same rights and protections the rest of us seek to preserve and enjoy.

MINUTES

Office of the Mayor - cont'd

The City has devoted considerable resources to recognizing the contributions of immigrants to the City's social, religious, cultural, and economic life, and to eliminating obstacles to their effective transition to self-sufficiency. The City also has been a leader in creating innovative, efficient programs to ensure that immigrants are integrated into City life without fear or intimidation, and that they receive the benefits, services and opportunities that the City offers.

With these principles in mind, and by virtue of the authority vested in me, I have ordered that it is the policy of the City of Baltimore and its agencies that:

1. No City funds, resources, or personnel shall be used to investigate, question, apprehend, or arrest an individual solely for an actual or suspected civil violation of federal immigration law unless required by federal or state law.
2. No City Department, agency, officer, or employee shall condition the provision of City services or benefits on the immigration status of the individual seeking those services or benefits unless such conditions are lawfully imposed by federal or state law.
3. City of Baltimore Public Safety Agencies, subject to the authority of the Police Department and Police Commissioner provided for in the Maryland Public Local Law for Baltimore City, Subtitle 16, and their officials and employees shall not inquire about a person's immigration status or contact Immigration and Customs Enforcement ("ICE") for the purpose of initiating civil enforcement of immigration proceedings, unless required by federal or state law. It shall be the policy of these Agencies not to inquire about the immigration status of crime victims, witnesses, or others who call or approach the police or other city employees seeking assistance.

Commissioner Bealefeld has assured me that he and the members of the Baltimore Police Department share the values and goals expressed in this Executive Order. He has informed me, further, that these values and goals are reflected in the General Orders and administrative procedures of the Baltimore Police Department.

MINUTES**Baltimore City Executive Order
Advancing Public Safety and Access to City Services**

WHEREAS, The Mayor of Baltimore believes in the dignity of all of its residents and recognizes the importance of their contributions to social, religious, cultural, and economic life.

WHEREAS, Baltimore City has long been home to immigrants from around the world, who come here seeking peace, stability, and a better life for their families. During the 1920s, more than 1 in 4 City residents was a first or second generation immigrant; and, in the last 20 years, Baltimore City's diverse immigrant community has included immigrants from nations such as Trinidad and Tobago, Jamaica, Korea, Mexico, China, Nigeria, Germany, India, Ukraine, and the Philippines.

WHEREAS, Today, African, Asian, and Latino populations are growing at a steady rate in Baltimore City and throughout the state of Maryland, making matters pertaining to foreign born populations an ongoing matter of importance to this City. The Governor's Commission of Hispanic Affairs Annual Report 2008-2009 reports that Maryland's Hispanic population has increased by 65%. It is incumbent upon us to ensure that the newest members of our community are extended the same rights and protections the rest of us seek to preserve and enjoy.

WHEREAS, Baltimore City promotes public trust in all local government agencies and law enforcement and the reciprocal respect for the rule of law, which are vital to promoting the City's mission of ensuring public safety and serving the needs of the entire community.

WHEREAS, The mission of the Baltimore Police Department, in partnership with the Baltimore community, is to protect and preserve life, protect property, understand and serve the needs of the City's neighborhoods and to improve the quality of life of our community.

WHEREAS, The United States Constitution vests the federal government with the sole authority to prescribe laws governing which foreign nationals are granted entrance into the country and determining who among them may stay.

WHEREAS, The City of Baltimore has consistently sought to protect the rights of all of Baltimore's residents to be free from discrimination, abuse, violence, and exploitation, as shown through its dedication to protecting victims of crime.

WHEREAS, The City of Baltimore wishes to encourage all residents of Baltimore to report crimes to City law enforcement officials and to use City services.

WHEREAS, The Baltimore Police Department's general orders provide that "no member shall discriminate against any person based on race, religion, ethnicity, national origin, sexual orientation, gender, or disability." And the Baltimore Police

MINUTES

Department seeks "to ensure every person will be treated with dignity, fairness and respect, without regard to race, religion, sex, sexual orientation, national origin, or handicapping condition."

WHEREAS, The City of Baltimore remains committed to ensuring public safety, public health, and vital services on which the entire community depends and recognizes that these priorities are best achieved through the promotion of inclusiveness and trust between the government and all City residents.

NOW, THEREFORE, I, Stephanie Rawlings-Blake, Mayor of the City of Baltimore, by virtue of the authority vested in me by the Baltimore City Charter, do hereby promulgate the following EXECUTIVE ORDER for the CITY OF BALTIMORE:

1. No City Department, agency, officer or employee shall discriminate against any resident of Baltimore City based on confirmed or suspected race, ethnicity, religion, sex, sexual orientation, national origin, immigration status, and/or inability to speak English.
2. No City funds, resources, or personnel shall be used to investigate, question, apprehend, or arrest an individual solely for an actual or suspected civil violation of federal immigration law unless required by federal or state law.
3. No City Department, agency, officer or employee shall condition the provision of City services or benefits on the immigration status of the individual seeking those services or benefits unless such conditions are lawfully imposed by federal or state law.
4. City of Baltimore Public Safety Agencies, subject to the authority of the Police Department and Police Commissioner provided for in the Maryland Public Local Law for Baltimore City, Subtitle 16, and their officials and employees shall not inquire about a person's immigration status or contact Immigration and Customs Enforcement ("ICE") for the purpose of initiating civil enforcement of immigration proceedings, unless required by federal or state law. It shall be the policy of these Agencies not to inquire about the immigration status of crime victims, witnesses, or others who call or approach the police or other city employees seeking assistance.
5. The City of Baltimore calls upon ICE agents performing official business in the City to identify themselves as federal immigration officers and to make clear that they are not officers, agents, or employees of the City.

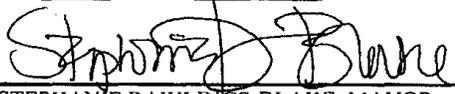
BE IT FURTHER RESOLVED that:

MINUTES

:
:

- 6. Nothing in this Executive Order shall be construed to prohibit any City officer or employee from participating in task force activities with federal criminal law enforcement authorities.
- 7. Nothing in this Executive Order shall be construed to prohibit any Baltimore Police officer from investigating violations of criminal law.
- 8. Nothing in this Executive Order shall be construed to prohibit any law enforcement officer from cooperating with federal immigration authorities in the investigation and apprehension of undocumented immigrants suspected of criminal activity.

AND, that this Order shall take effect on the date of its execution, and shall remain in effect until otherwise ordered.

IN WITNESS WHEREOF, I HAVE HEREUNTO PLACED
 MY HAND,
 THIS 1st DAY OF March, 2012,


 STEPHANIE RAWLINGS-BLAKE, MAYOR,
 CITY OF BALTIMORE

APPROVED AS TO FORM AND LEGAL SUFFICIENCY
BY THE BALTIMORE CITY DEPARTMENT OF LAW:



 GWEN B. TROMLEY,
 CHIEF SOLICITOR

MINUTES**Decreto Ejecutivo de la Ciudad de Baltimore
Desarrollo de la Seguridad Pública y Acceso a Servicios de la Ciudad****CONSIDERANDO:**

El Alcalde de Baltimore cree en la dignidad de todos sus residentes y reconoce la importancia de sus aportes a la vida social, religiosa, cultural y económica.

La Ciudad Baltimore ha sido durante un largo tiempo el hogar de inmigrantes provenientes de todo el mundo, quienes llegaron aquí en busca de paz, estabilidad y una mejor vida para sus familias. Durante la década de 1920, más de uno de cuatro residentes de la ciudad era un inmigrante de la primera o segunda generación; y en los últimos veinte años, la diversa comunidad de inmigrantes de la Ciudad de Baltimore se ha incluido inmigrantes procedentes de naciones como Trinidad y Tobago, Jamaica, Corea, México, China, Nigeria, Alemania, India, Ucrania y las Filipinas.

Actualmente, las poblaciones africanas, asiáticas y latinas están creciendo a un ritmo constante en la Ciudad de Baltimore y en todo el Estado de Maryland, de tal manera que los asuntos que involucran a las poblaciones nacidas en el extranjero son un tema recurrente y de importancia para esta ciudad. El Informe Anual 2008-2009 de la Comisión de Asuntos Hispánicos del Gobernador indica que la población hispanica de Maryland ha crecido en 65%. Es nuestro deber garantizar que los nuevos miembros de nuestra comunidad tengan los mismos derechos y protecciones que todos los demás buscamos conservar y disfrutar.

La Ciudad de Baltimore promueve la fe pública en todos los órganos gubernamentales y autoridades policiales locales, y el respeto recíproco del orden jurídico, lo que es vital para apoyar la misión de la Ciudad de asegurar la seguridad pública y atender las necesidades de toda la comunidad.

La misión del Departamento de Policía de Baltimore, en asociación con la comunidad de Baltimore, es proteger y preservar la vida, proteger la propiedad, entender y atender las necesidades de los vecindarios de la ciudad y mejorar la calidad de vida de nuestra comunidad.

La Constitución de los Estados Unidos confiere al gobierno federal la autoridad exclusiva para prescribir las leyes que establecen a qué ciudadanos extranjeros se les otorga la entrada al país y que determinan quién de ellos se puede quedar.

La Ciudad de Baltimore ha buscado sistemáticamente proteger los derechos de todos los residentes de Baltimore a estar libres de discriminación, abuso, violencia y explotación, como se demuestra en su dedicación a proteger a las víctimas de la delincuencia.

La Ciudad de Baltimore desea alentar a todos los residentes de Baltimore a denunciar los crímenes a las autoridades competentes de la ciudad y a usar los servicios de la ciudad.

MINUTES

Las disposiciones generales del Departamento de Policía de Baltimore establecen que "ningún miembro hará objeto de discriminación a ninguna persona por su raza, religión, identidad étnica, origen nacional, orientación sexual, género o discapacidad". El Departamento de Policía de Baltimore también busca "garantizar que todas las personas sean tratadas con dignidad, imparcialidad y respeto, independientemente de su raza, religión, sexo, orientación sexual, origen nacional o enfermedad discapacitante".

La Ciudad de Baltimore sigue comprometida con el fortalecimiento de la seguridad pública, salud pública y servicios vitales de los que depende toda la comunidad, y reconoce que la mejor manera de alcanzar estas prioridades es promocionando la inclusión y confianza entre el gobierno y todos los residentes de esta ciudad.

POR LO TANTO:

Yo, Stephanie Rawlings-Blake, Alcaldesa de la Ciudad de Baltimore, en virtud de la autoridad investida en mi persona por el estatuto de la Ciudad de Baltimore, por el presente promulgo el siguiente DECRETO EJECUTIVO de la CIUDAD DE BALTIMORE:

1. Ningún departamento, dependencia, funcionario o empleado de la Ciudad hará objeto de discriminación a ningún residente de la Ciudad de Baltimore por confirmación o sospecha de raza, identidad étnica, religión, sexo, orientación sexual, origen nacional, condición migratoria y/o incapacidad para hablar inglés.
2. No se usará ningún fondo, recurso o personal de la Ciudad para investigar, cuestionar, detener o arrestar a un individuo únicamente por una infracción civil presunta o real de la legislación migratoria federal, salvo que así lo exija la legislación federal o estatal.
3. Ningún departamento, dependencia, funcionario o empleado de la Ciudad condicionará la prestación de servicios o beneficios de la ciudad a la condición migratoria de la persona que solicite dichos servicios o beneficios, a menos que dichas condiciones sean exigidas lícitamente por la legislación federal o estatal.
4. Las Agencias de Seguridad Pública sujetos a la autoridad del Departamento de Policía y el Jefe Superior de la Policía de conformidad con la Ley General Local de Maryland para la Ciudad de Baltimore, Sección 16, y sus funcionarios y empleados no indagarán la condición migratoria de una persona o se pondrán en contacto con el Servicio de Inmigración y Control de Aduanas ("ICE") con el fin de entablar un proceso civil o migratorio, a menos que así lo exija la legislación federal o estatal. La política de estas agencias deberá ser no indagar sobre la condición migratoria de las víctimas, testigos u otras personas involucradas en un delito que llamen o acudan a la policía u otros empleados de la ciudad que necesiten asistencia.

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5. La Ciudad de Baltimore convoca a los agentes del ICE que realicen actos oficiales en la Ciudad a identificarse como funcionarios federales de inmigración y aclarar que no son funcionarios, agentes o empleados de esta ciudad.

IGUALMENTE, SE RESUELVE QUE:

6. Ninguna parte del presente Decreto Ejecutivo se interpretará como una prohibición a cualquier funcionario o empleado de la ciudad de participar en actividades de grupo de trabajo con las autoridades federales penales.
7. Ninguna parte del presente Decreto Ejecutivo se interpretará como una prohibición a cualquier efectivo policial de Baltimore de investigar infracciones del derecho penal.
8. Ninguna parte del presente Decreto Ejecutivo se interpretará como una prohibición a cualquier fuerza del orden de cooperar con las autoridades migratorias federales en la investigación y detención de inmigrantes indocumentados que sean sospechosos de actividad delictiva.

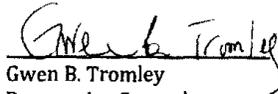
El presente Decreto Ejecutivo entrará en vigencia en la fecha de suscripción y tendrá efecto hasta que se ordene lo contrario.

EN FE DE LO CUAL,
AL Primer DÍA DE Marzo DE 2012, SUSCRIBE:



Stephanie Rawlings-Blake
Alcaldesa
Ciudad de Baltimore

APROBADO EN CUANTO A LA FORMA Y VALIDEZ JURÍDICA
POR EL DEPARTAMENTO DE JUSTICIA DE LA CIUDAD DE
BALTIMORE:



Gwen B. Tromley
Procurador General

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STEPHANIE RAWLINGS-BLAKE
Mayor

BALTIMORE POLICE DEPARTMENT



FREDERICK H. BEALEFELD, III
Police Commissioner

March 1, 2012

The Honorable Stephanie Rawlings-Blake
Mayor
City of Baltimore
250 City Hall
100 N. Holliday Street
Baltimore, Maryland 21202

Dear Mayor Rawlings-Blake:

I am pleased to see that you have issued an Executive Order, entitled "Advancing Public Safety and Access to City Services." As you know, this Order reflects values and goals that I share, and that are shared by all of the employees of the Baltimore Police Department. These goals and values are expressed formally in the Baltimore Police Department's General Orders and in administrative procedures. The Baltimore Police Department looks forward to working with the City of Baltimore to serve the needs of the entire community.

Sincerely,

A handwritten signature in black ink, appearing to read "Frederick H. Bealefeld, III".

Frederick H. Bealefeld, III
Police Commissioner

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Mayor: "On the Board of Estimates' agenda pages 61-69, the Board is officially noting an Executive Order that I signed earlier this month to protect new Americans from discrimination. I am pleased to recognize and thank the Hispanic Commission, Casa de Maryland as well as any International Rescue Committee and Lutheran Social Services. Do we have any representatives from these organization, would you please stand?"

(Applause, as Representative Stand)

Mayor: "Thank you. So, throughout Baltimore's great history, we strive to be a place to welcome foreign born residence participate -- invite them to participate for in specific life recognizing that our City Ethic and Cultural diversity is a key element to our strength as a City and certainly our future and the new Executive Order clarifies existing anti-discrimination policies and local law enforcement practices in Baltimore and makes it clear that discrimination of any kind will not be tolerated under any circumstances and most importantly, the executive order will make it clear that all victims as well as witnesses of crime should feel safe in reporting crime to City police officers regardless of their immigration status. Again, I would like to thank all of our partners in making this happen. I want to thank Commissioner Bealefeld for his full support of

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this order and for the work that he and the officers are doing to provide additional outreach to Baltimore's foreign born residence. Thank you very much."

President: Thank you.

UPON MOTION duly made and seconded, the Board **NOTED** the Mayoral Executive Order entitled, "Advancing Public Safety and Access to City Services," which stands as the City's policy on the matters covered by this order. The Mayor **ABSTAINED**.

MINUTES**TRAVEL APPROVAL/REIMBURSEMENT**

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>APPROVAL</u>			
<u>Police Department</u>			
John T. Brown	American Polygraph	Asset	\$3,196.00
Jimmy Hampton	Assoc. 46 th Nat'l Training Seminar and Workshop Austin, TX Sept. 11 - 16, 2011	Forfeiture	

Mr. Brown and Mr. Hampton were required to attend the American Polygraph Associations training seminar to remain certified and members in good standing with the American and Maryland Polygraph Association. Examiners are required to attend continuing education courses that will enhance their skills and keep them up to date on current policies, practices, laws, and disciplines in the polygraph profession.

The subsistence rate for this location is \$175.00 per day. The hotel cost was \$120.00 per night, not including occupancy taxes in the amount of \$21.21 per night.

On September 9, 2011, from the Emergency Fund Account, the Department issued Check No. 15917 to Mr. Brown in the amount of \$2,543.56 (included in this check is airfare and hotel for both members) and Check No. 15918 to Mr. Hampton in the amount of \$600.00.

This travel approval and reimbursement is late because of a delay in the administrative process. The Department was unable to meet the requirements of travel procedures outlined in the Administrative Manuel, Section 240 and regrets the late submission of this request and asks the Board's indulgence.

MINUTES**TRAVEL APPROVAL/REIMBURSEMENT****REIMBURSEMENT****John T. Brown:**

Airfare	\$1,237.51
Baggage Fee	50.00
Hotel	600.00
Occupancy Taxes	106.05
Meals and Inc. Exp.	140.06
Registration	450.00
Less Adv. Check Amt.	<u>(\$2,543.56)</u>
Amt. due Mr. Brown	\$ 40.06

Jimmy Hampton:

Baggage Fee	\$ 25.00
Meals and Inc. Exp.	137.46
Registration	450.00
Less Adv. Check Amt.	<u>(\$600.00)</u>
Amt. due Mr. Hampton	\$ 12.46

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

MINUTES**PROPOSALS AND SPECIFICATIONS**

1. Department of Transportation - TR 12302, Resurfacing Highways
at Various Locations Northwest
- Sector II
BIDS TO BE RECV'D: 04/18/2012
BIDS TO BE OPENED: 04/18/2012

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

* * * * *

President: "The Board is in recess until twelve o'clock noon for the opening and receiving of bids."

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

BIDS, PROPOSALS AND CONTRACT AWARDS

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

Bureau of Water & Wastewater - SC 879, Improvements to GRD Branch Interceptor in the High Level Sewershed (From Springdale Avenue to Liberty Heights Avenue at North Hilton Street and from North Hilton Street to Dukeland Street at Liberty Heights Avenue)
BIDS TO BE RECV'D: 04/04/2012
BIDS TO BE OPENED: 04/04/2012

Department of Transportation - TR 12303, Resurfacing Highways at Various Locations, Southwest-Sector III
BIDS TO BE RECV'D: 03/28/2012
BIDS TO BE OPENED: 03/28/2012

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Thereafter, UPON MOTION duly made and seconded, the Board received, opened and referred the following bids to the respective departments for tabulation and report:

Bureau of Water and Wastewater - SC 917, On Call Television Inspection, Cleaning and Lining Sanitary Sewers

AM-Liner East, Inc.
Pleasants Construction
Insituform Technologies, LLC
Spiniello Companies
Inland Waters Pollution Control, Inc.

Bureau of Purchases - B50002230, Repair Services for Level 300 Skylights

NO BIDS RECEIVED.

Clerk: "B50002230, Repair Services for Level 300 Skylights. I understand that there is also someone here who might want to address the Board. Would you please come forward sir, and state your name and your company?"

Mr. Cooper: "My name is Thomas Cooper and I work for a company called Harmony Incorporated. Um, my bid was late. I was here at 11:04. Um, trying to find a parking spot and then I went to the wrong building unfortunately. I just finished a project with the Baltimore Literature Center. We dealt with 200 N. Holliday Street. I went to the wrong building. I got to this building too late, so...We have been working with the Baltimore City along the

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Baltimore Visitors' Center, who we just finished. We did save the City at least a \$1,000,000.00 on that particular project. Um, with this particular project it's the Convention Center and we have been working with them all along; actually wrote the specifications for the City and help them bring this document along and...it's very upsetting for me to be four minutes late but I am late so.

Clerk: "But, sir again, I sorry but we have no discretion to accept your bid and we do appreciate the work you have done on behalf of the City in the past. This item...there are no bids, so at this point I am sure that the Convention Center will have to resubmit some specifications and at that point in time—

Mr. Cooper: "I will be here.

Clerk: "knowing where you have to be."

Mr. Cooper: "Thank you."

Clerk: "Thank you so much again, we are sorry."

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Bureau of Purchases

- B50002250, Selected Rest-
room Supplies

Fastenal Company
Central Poly Corp. w/sample
Holt Paper
Interline Brands, Inc.
Marathon, Inc.
ACME Paper

Clerk: "I understand that we have a gentleman here who wishes to address the Board on this item which is B50002250, Selected Restroom Supplies, if so, would you please come forward and state your name."

Mr. Kenneth Weese: "Hi, my name is Kenneth Weese and I wish to address the Board and ask that you guys please accept my late bid. Um, I showed up this morning not knowing that I was two or three minutes late and they said that you wouldn't take it but here I am just asking that if you guys would accept it. It's for Fitchco."

Clerk: "It's for Fitchco."

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Mr. Weese: "Yes."

Clerk: "Well, Sir I thank you very much for your honesty and saying that you were here late. The rule for accepting the bids is that you must be here by 11 o'clock. We have no authority -

Mr. Ralph: "Discretion."

Clerk: "Yes, thank you. No discretion at all. So, I thank you very much and I am sorry we may not accept it."

Mr. Weese: Okay. Thank you so much."

Clerk: "Thank you, Sir."

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Bureau of Purchases

- B50002255, Fabricate,
Deliver and Install Signs
For The Department of
Recreation And Parks

Triangle Sign & Service
Signart
Color-Ad Inc.

Bureau of Purchases

- B50002273, Mowing Main-
tenance & Landscaping

Scrubnik Lawn Care
Evergreen Landscape & Design Group.
With Anointed Hands, LLC
Consolidated Services, Inc.
Lorenz, Inc.
Tote-it, Inc.
LMC Landscaping Inc.

Bureau of Purchases

- B50002331 Self Loader
Wrecker Body Tow Trucks &
Roll Back Tow Trucks

*West End Service, Inc.
Chesapeake Ford Truck Sales, Inc.
Beltway International, LLC

*UPON MOTION duly made and seconded, Board considered the bid of West End Service, Inc. **NON-RESPONSIVE** due to the company's failure to proffer a bid guarantee as mandated by the solicitation instructions.

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Bureau of Purchases - B50002332, Dog food &
Supplies

Town & County Pet Supply

Mayor's Office of - Assessment of the City's
Information Technology (MOIT) Existing Mainframe
Applications

Navigator Management Partners LLC

There being no objections, the Board UPON MOTION duly made and seconded, the Board adjourned until its next regularly scheduled meeting on Wednesday, March 28, 2012.

JOAN M. PRATT
Secretary