

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.

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President: "I would direct the Board members attention to the memorandum from my office dated June 11, 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 of the items on the routine agenda."

Comptroller: "Second."

President: "All those in favor say AYE. All opposed NAY. Motion carries. The routine agenda items have been adopted."

MINUTES

BOARDS AND COMMISSIONS1. Prequalification of Contractors

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

Bay Town Painting, Inc.	\$ 1,500,000.00
Boyer, Inc.	\$ 21,240,000.00
C&W Construction Co.	\$ 1,500,000.00
Carl M. Weber Steel Service, Inc.	\$ 3,735,000.00
Clark Construction Group, LLC	\$1,615,905,000.00
Commercial Interiors, Inc./ Commercial Interior of Maryland, Inc.	\$ 8,000,000.00
Edwin A. and John O. Crandell, Inc.	\$ 5,823,000.00
Freeland Hoist & Crane, Inc.	\$ 1,500,000.00
Fru-Con Construction, LLC	\$ 500,000,000.00
Work Capacity Rating Underwritten by Blanket Guarantee of \$500,000,000.00 from the Parent Corporation	
Balfour Beatty LLC	
Handon Services, Inc.	\$ 270,000.00
Hunt Consulting, LLC	\$ 8,000,000.00
Locust Lane Farms, Inc.	\$ 1,500,000.00
PIM Corporation	\$ 8,000,000.00
Royale Construction, Inc.	\$ 2,835,000.00
SOJAM LLC d/b/a Martin J. Braun Co.	\$ 8,000,000.00

2. Prequalification of Architects and Engineers

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

Cambridge Systematics, Inc.	Engineer
Faisant Associates, Inc.	Engineer

MINUTES

BOARDS AND COMMISSIONSPrequalification of Architects and Engineers - cont'd

Gerhold, Cross & Etzel, LTD	Land Survey Property Line Survey
Geo-Technology Associates, Inc.	Land Architect Engineer
Hord Coplan Macht, Inc.	Architect Land Architect
Marks, Thomas Architects, Inc.	Architect
Morris & Ritchie Associates, Inc.	Architect Land Architect Engineer Land Survey Property Line Survey

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

MINUTES

EXTRA WORK ORDERS AND TRANSFER OF FUNDS

* * * * *

UPON MOTION duly made and seconded,

the Board approved the

Extra Work Orders and Transfers of Funds

listed on the following pages:

2167 - 2169

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 favorable reports

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. 9 thru 11.

MINUTES

EXTRA WORK ORDERS AND TRANSFERS OF FUNDS

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

Department of Transportation

1. EWO #001, \$155,504.52 - TR 10310, Pedestrian Lighting in Baltimore City - Hunting Ridge, Ten Hills, and Franklinton Communities

\$1,085,240.00	-	Allied Contractors, Inc.	60	-
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2. TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$187,175.00	9952-905034-9511	9952-906044-9510-2
MVR	Constr. Reserve	Contingencies
	Pedestrian Lighting	Street Lighting
		Historic District

This transfer will provide funds to cover the existing account deficit and fund the costs associated with Project TR 10310, Change Order No. 1, Pedestrian Lighting in Baltimore City - Hunting Ridge, Ten Hills, and Franklinton Communities by Allied Contractors, Inc.

3. EWO #001, \$45,500.00 - TR 12010, Conduit System Reconstruction at Various Locations Citywide JOC

\$2,211,048.00	-	Allied Contractors, Inc.	-	-
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(FILE NO. 56533)

4. EWO #001, \$0.00 - TR 08316, Construction of CCTV Camera & Signals Rewiring Citywide JOC

\$2,836,003.00	-	LAI Construction Services, Inc.	-	-
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MINUTES

EXTRA WORK ORDERS AND TRANSFERS OF FUNDS

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

Department of Transportation

- | | | | | |
|----|--|--------------------------------|---|---|
| 5. | EWO #002, \$37,550.00 - TR 10319, York Road Rehabilitation from 43 rd Street to Glenwood Avenue | | | |
| | \$2,783,413.10 (\$53,394.00) | P. Flanigan & Sons, Inc. | - | - |
| 6. | EWO #003, \$34,220.00 - TR 09301R, Installation of Variable Message Signs Citywide | | | |
| | \$1,492,770.86 \$491,356.75 | Bruce & Merrilees Electric Co. | - | - |

7. TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$94,000.00	9950-944002-9507	9950-902059-9512-2
Federal	Constr. Reserve for Closeout	Contingencies Variable Message Signs

This transfer will provide funds to cover the deficit in the account and fund the cost related to TR 09301, Change Order No. 3, Installation of Variable Message Signs Citywide, by Bruce & Merrilees Electric Co.

- | | | | | |
|----|---|-------------------------|-----|---|
| 8. | EWO #013, \$0.00 - TR 03313, Reconstruction Washington Blvd.: I-95 to Monroe Street | | | |
| | \$4,568,865.30 \$123,329.23 | Civil Construction, LLC | 150 | - |

MINUTES

EXTRA WORK ORDERS AND TRANSFERS OF FUNDS

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

Bureau of Water & Wastewater

- | | | | | |
|-----|---|-----------------------|-----------------------------------|--------------|
| 9. | EWO #003, \$0.00 - S.C. 881, On-Call Television Inspection, Cleaning and Lining Sanitary Sewers Using Cured-In-Place Pipe | | | |
| | <u>\$1,750,125.00</u> | <u>\$655,000.00</u> | <u>AM-Liner East, Inc.</u> | <u>180 -</u> |
| 10. | EWO #010, \$368,643.00 - W.C. 1160R, Montebello Plant 2 Finished Water Reservoir Cover | | | |
| | <u>\$36,922,950.00</u> | <u>\$4,794,835.63</u> | <u>Alan A. Myers, LP</u> | <u>0 78</u> |
| 11. | EWO #019, (\$71,781.00) - S.C. 829, Primary Settling Tanks Rehabilitation at the Back River Wastewater Treatment Plant | | | |
| | <u>\$9,720,000.00</u> | <u>\$1,972,715.04</u> | <u>Mid Eastern Builders, Inc.</u> | <u>0 57</u> |

MINUTES

Department of General Services - Developer's Agreement No. 1225

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of developer's agreement no. 1225 with the Maryland Economic Development Corporation, developer.

AMOUNT OF MONEY AND SOURCE:

\$15,104,081.30

BACKGROUND/EXPLANATION:

The developer would like to install various utilities to their new construction located in the vicinity of 1746-1770 Ashland Avenue. This new construction will become the Maryland Public Health Lab for the Department of Health and Mental Hygiene. This developer's agreement will allow the developer to do its own installation, in accordance with Baltimore City standards.

A Performance Bond in the amount of \$15,104,081.30 has been issued to the Maryland Economic Development Corporation, 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 the execution of the developer's agreement no. 1225 with the Maryland Economic Development Corporation, developer.

MINUTES

Department of General Services - Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an agreement with the Constellation New Energy-Gas Division, LLC. The agreement is effective upon Board approval for one year, with four 1-year renewal options.

AMOUNT OF MONEY AND SOURCE:

Cost based on usage of natural gas - Various account nos. and Departments to be charged.

BACKGROUND/EXPLANATION:

The Baltimore Regional Cooperative Purchasing Committee (BRCPC) has developed a strategy for purchasing natural gas in the Maryland deregulated marketplace. The new strategy will provide the opportunity to purchase natural gas on a wholesale market approach utilizing the services of a Maryland-licensed natural gas supplier. The natural gas price risk will be managed in conjunction with an approved risk management policy.

The BRCPC, a standing committee of the Baltimore Metropolitan Council (BMC) has recommended award to Constellation New Energy - Gas Division, LLC to provide natural gas for the BRCPC participating entities. The lead jurisdiction for the procurement was Baltimore County government. The City government is a participating entity in this procurement as a member of the BRCPC purchasing consortium.

MWBOO GRANTED A WAIVER.

UPON MOTION duly made and seconded, the Board approved and authorized the execution of the agreement with the Constellation New Energy-Gas Division, LLC.

MINUTES

Department of General Services - Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an agreement with the Castlebridge Group, LLC. The period of the agreement is effective upon Board approval for one year.

AMOUNT OF MONEY AND SOURCE:

\$50,000.00 - 9916-913900-9197-910025-703032

BACKGROUND/EXPLANATION:

The consultant will assist the Energy Division in the development of an aggregate power purchasing program for low-income families and multi-unit dwellings; analyze the economic and logistical feasibility of compressed natural gas vehicles and fueling infrastructure for Baltimore City's fleet; explore the economic feasibility of gas-fired cogeneration power plants; provide assistance on the generation and sales of Renewable Energy Certificates; and develop a City-wide plan to mitigate the increase in capacity charge that will take place in 2013.

MWBOO GRANTED A WAIVER.

UPON MOTION duly made and seconded, the Board approved and authorized the execution of the agreement with the Castlebridge Group, LLC.

MINUTES

Department of General Services - Minor Privilege Permit Applications

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

<u>LOCATION</u>	<u>APPLICANT</u>	<u>PRIVILEGE/SIZE</u>
1. 2448 N. Charles St.	2436 N. Charles St. LLC	Outdoor seating 12'6" x 7'
Annual Charge: \$452.30		
2. 1415 Aliceanna St. k/a 701 S. Eden St.	701 South Eden St. LLC	Outdoor seating 8' x 4' and 16' x 4'
Annual Charge: \$561.50		
3. 3316 Greenmount Ave.	Franklin Brothers Realty, LLC	Retain one cornice sign 32' x 2½', three tubes
Annual Charge: \$ 294.72		

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

MINUTES

TRANSFERS OF FUNDS

* * * * *

UPON MOTION duly made and seconded,

the Board approved

the Transfers of Funds

listed on the following pages:

2175 - 2176

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 FUNDSDepartment of Transportation

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
1. \$21,828.35 MVR	9950-901056-9512 Fiber Optic & Communication System	9950-904078-9512-3 Design & Studies ITS Improvements

This transfer will fund the local share on costs associated with award of Task #3 on Project 1142 to Rummel, Klepper & Kahl, LLP for design engineering services to improve pedestrian and vehicular safety by geometric improvements, signing, marking and traffic signal modification.

2. \$68,000.00 State Constr. Loan	9950-904313-9528 Constr. Res. - Midtown Street- scape/Traffic MG.	9950-910313-9527-3 Design and Study Midtown Street- scape/Traffic MG.
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This transfer will cover the deficit in the account and fund the cost associated with Project BD 34070, Task #1 Project 1162, for Erosion Sediment Control and Storm Water Management Plan Review by Sabra, Wang & Associates, Inc.

(FILE NO. 57282)

3. \$21,606.76 MVR	9950-901056-9512 Fiber Optic & Communication System	9950-904078-9512-3 Design & Studies ITS Improvements
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This transfer will fund the local share on costs associated with award of Task #3 on Project 1142 (B/D #34059) to Sabra, Wang & Associates, Inc. for CCTV Camera Design and fiber optic communication design for various locations Citywide.

MINUTES

TRANSFER OF FUNDSBaltimore Development Corporation

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
4. \$1,002.79	9910-994001-9600	9910-902879-9601
15 th Econ.	Constr. Reserve	Commercial Revit.
Development	Unallocated Reserve	
Fund		

This transfer will provide funds for the outstanding water meter charges and abandonment fees for the following City-owned property:

<u>Property Address</u>	<u>Abandonment Fee</u>	<u>Bill Balance</u>	<u>Total</u>
4612 Maine Avenue	\$350.00	\$652.79	\$1,002.79

MINUTES

OPTIONS/CONDEMNATION/QUICK-TAKES:

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>Dept. of Housing and Community Development (DHCD) - Condemnation</u>			
1. Sherri Hershfield	911 N. Duncan St.	G/R \$96.00	\$ 640.00

Funds are available in City Bond Funds, account no. 9910-906423-9588-90000-704040, EBDI Phase II Project.

(FILE NO. 56017)

2. Matthew E. Baldwin	714 Mura St.	L/H	\$ 6,733.00
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Funds are available in CDBG Funds, account no. 9990-907714-9593-900001-704040, Johnston Square Project.

(FILE NO. 57070)

3. Aeron Alberti	2793 Tivoly Ave.	F/S	\$22,000.00
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Funds are available in CDBG Funds, account no. 9910-904326-9588-900000-704040, Coldstream Homestead Montebello Project.

(FILE NO. 57188)DHCD - Options

4. Victor K. Motosaka, Victoria L. Motosaka, Thomas V. Motosaka, & Jamie L. Motosaka as Joint Tenants	2031 E. Biddle St.	G/R \$42.00	\$ 350.00
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Funds are available in account no. 9910-908087-9588-900000-704040, Broadway East Site.

(FILE NO. 57259)

MINUTES

OPTIONS/CONDEMNATION/QUICK-TAKES:

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>DHCD - Options</u>			
5. General German Aged Peoples Home of Baltimore	971 N. Chester St.	G/R \$54.00	\$ 450.00
Funds are available in account no. 9910-906416-9588-900000-704040, EBDI Phase II Project.			

(FILE NO. 56017)

6. Cary Green, Surviving Directors & Trustees of Assets of Queen Anne Corporation	3337 Woodland Ave.	L/H	\$ 4,050.00
Funds are available in account no. 9910-903187-9588-900000-704040, Park Heights Demo-Woodland/Virginia Corridor.			

(FILE NO. 57083)

7. Joan Willen Cohen	424 E. 20 th St.	G/R \$65.00	\$ 542.00
Funds are available in account no. 9910-904713-9588-900000-704040, Barclay Project.			

(FILE NO. 57066)

MINUTES

OPTIONS/CONDEMNATION/QUICK-TAKES:

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>DHCD - Rescission and Approval</u>			
8. Elizabeth Sullivan	3332½ Woodland Ave.	L/H	\$ 8,096.00

On February 22, 2012, the Board approved the acquisition of the leasehold interest in 3332½ Woodland Avenue by condemnation for the amount of \$7,360.00. However, the owner, Ms. Elizabeth Sullivan is now interested in settling the property by an option agreement. Therefore, the Board is requested to rescind its previous approval and approve the option in 3332½ Woodland Avenue.

Funds are available in account no. 9910-903187-9588-900000-704040, Park Heights Demo-Woodland/Virginia Corridor.

(FILE NO. 57083)

DHCD - Options

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

UPON MOTION duly made and seconded, the Board approved and authorized the foregoing options, condemnations, and recession and approval.

MINUTES

Department of Housing and - Contract of Sale
Community Development

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a contract of sale with the Housing Authority of Baltimore City. The Board is also requested to approve acquisition of this property subject to all municipal liens, interest, and penalties, except for water bills, that may accrue before the deed is recorded.

AMOUNT OF MONEY AND SOURCE:

\$ 1.00 - 9910-908087-9588-900000-704040

BACKGROUND/EXPLANATION:

This contract of sale with the Housing Authority of Baltimore City enables the City to acquire the fee simple interest in 1530 Baker Street, a vacant property in the Sandtown Winchester Urban Renewal Area, for resale through the planning and development efforts of the Department of Housing and Community Development. There are no liens other than a water bill.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved and authorized the execution of the contract of sale with the Housing Authority of Baltimore City. The Board also approved acquisition of this property SUBJECT to all municipal liens, interest, and penalties, except for water bills, that may accrue before the deed is recorded. The President **ABSTAINED**.

MINUTES

Department of Housing - Land Disposition Agreement
and Community Development (DHCD)

The Board is requested to approve and authorize execution of a land disposition agreement with TRF Development Partners-Oliver, LLC, developer, for the sale of 1101, 1103, 1117, 1119, 1201, 1201½, 1203, 1205, 1225, 1235, 1237, 1239, 1247, 1249, 1251, 1253, 1010, 1052 N. Broadway (including the descriptive lot to the rear of 1052 N. Broadway), 1216, 1226, 1242, 1246, 1254 N. Broadway, 1312, 1314, 1324, 1326 N. Caroline Street, 1215, 1217, 1219, 1221 N. Dallas St., 1610, 1626, 1628 E. Chase St., 1525 E. Biddle St., 1123, 1216 N. Bond St., 1612 and 1636 E. Preston St. located in the Oliver, Broadway East, Gay Street I, and Middle East Urban Renewal Areas.

AMOUNT OF MONEY AND SOURCE:

<u>Amount</u>	<u>Property</u>
\$1.00	1101 N. Broadway
1.00	1103 N. Broadway
1.00	1117 N. Broadway
1.00	1119 N. Broadway
1.00	1201 N. Broadway
1.00	1201 1/2 N. Broadway
1.00	1203 N. Broadway
1.00	1205 N. Broadway
1.00	1225 N. Broadway
1.00	1235 N. Broadway
1.00	1237 N. Broadway
1.00	1239 N. Broadway
1.00	1247 N. Broadway
1.00	1249 N. Broadway
1.00	1251 N. Broadway
1.00	1253 N. Broadway
1.00	1010 N. Broadway
1.00	1052 N. Broadway (including the descriptive lot to rear of 1052 N. Broadway)

MINUTES

DHCD - cont'd

<u>Amount</u>	<u>Property</u>
2,500.00	1216 N. Broadway
2,500.00	1226 N. Broadway
2,500.00	1242 N. Broadway
2,500.00	1246 N. Broadway
2,500.00	1254 N. Broadway
2,500.00	1312 N. Caroline St.
2,500.00	1314 N. Caroline St.
2,500.00	1324 N. Caroline St.
2,500.00	1326 N. Caroline St.
1,000.00	1215 N. Dallas St.
1,000.00	1217 N. Dallas St.
1,000.00	1219 N. Dallas St.
1,000.00	1221 N. Dallas St.
2,500.00	1610 E. Chase St.
2,500.00	1626 E. Chase St.
2,500.00	1628 E. Chase St.
2,500.00	1525 E. Biddle St.
2,500.00	1123 N. Bond St.
2,500.00	1216 N. Bond St.
2,500.00	1612 E. Preston St.
<u>2,500.00</u>	1636 E. Preston St
\$46,518.00	

BACKGROUND/EXPLANATION:

The City will convey all of its rights, title, and interest in eighteen properties in the EBDI Development Area for the price of \$1.00 each, seventeen vacant rowhouses for the price of \$2,500.00 each and four vacant lots for the price of \$1,000.00 for a total of \$46,518.00 to TRF Development Partners-Oliver, LLC, which will be paid to the City of Baltimore at the time of settlement.

The project will consist of the redevelopment of the properties as single family homes. The properties are located within and will be redeveloped in accordance with the Oliver, Broadway East, Gay Street I and Middle East Urban Renewal Plans.

MINUTES

DHCD - cont'd

Eighteen of the properties are contained in the East Baltimore Development, Inc. Land Disposition and Development Agreement (LDDA) dated April 22, 2004. The East Baltimore Development, Inc. has partnered with the TRF Development Partners-Oliver, LLC and will be joining in the transfer of the properties to TRF Development Partners-Oliver, LLC. These eighteen properties will still be subject to the terms and conditions of the EBDI LDDA including the \$1.00 purchase price. The purchase and improvements to the site will be financed through NSP3 Funds.

The provisions of Article II, Section 15 of the Charter of Baltimore City (2010 Edition); Article 13 of the Baltimore City Code (2010 Edition) which established the Department of Housing and Community Development; and Article 28, Subtitle 8 of the Baltimore City Code (2010 Edition); authorize the City to sell the property.

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

In accordance with the City's appraisal policy, the waiver valuation process was used in lieu of appraisals. The Department has determined the price of the properties using available real estate data. The vacant lots are priced at \$1.81 per square foot. The two two-story vacant row houses are priced at \$5,323.00 each. The 24 three-story vacant row houses are priced at \$8,000.00 each. Sale of these vacant lots and row houses at a price below the price determined by the waiver valuation process will be a benefit to the immediate community, eliminate blight, stimulate economic growth, create jobs during reconstruction and the property will be reoccupied and returned to the tax rolls.

MINUTES

DHCD - cont'd

MBE/WBE PARTICIPATION:

It should be noted that the purchaser has agreed to comply with the Minority and Women's Business Enterprise Program of Baltimore City.

(FILE NO. 56017)

THE PROTEST RECEIVED FROM THE BALTIMORE REDEVELOPMENT ACTION COALITION WAS WITHDRAWN.

UPON MOTION duly made and seconded, the Board approved and authorized the execution of the execution of a land disposition agreement with TRF Development Partners-Oliver, LLC, developer, for the sale of 1101, 1103, 1117, 1119, 1201, 1201½, 1203, 1205, 1225, 1235, 1237, 1239, 1247, 1249, 1251, 1253, 1010, 1052 N. Broadway (including the descriptive lot to the rear of 1052 N. Broadway), 1216, 1226, 1242, 1246, 1254 N. Broadway, 1312, 1314, 1324, 1326 N. Caroline Street, 1215, 1217, 1219, 1221 N. Dallas St., 1610, 1626, 1628 E. Chase St., 1525 E. Biddle St., 1123, 1216 N. Bond St., 1612 and 1636 E. Preston St. located in the Oliver, Broadway East, Gay Street I, and Middle East Urban Renewal Areas.

MINUTES

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

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize an intergovernmental agreement with the State of Maryland Department of Human Resources. The period of the intergovernmental agreement is July 1, 2012 through June 30, 2015.

AMOUNT OF MONEY AND SOURCE:

\$1,468,051.00 - FY2013
 1,508,701.00 - FY2014
1,540,051.00 - FY2014
\$4,516,803.00 - 5000-585913-5970-186800

The Department's Office of Home Energy Programs provides energy assistance grants to income eligible households to pay utility and fuel bills, minimize energy related crises and to assist in making utility and/or heating and cooling expenses more affordable. This program has been in operation in the City since 1976. It is funded through a federal grant administered by the State. Services provided by the Department include application intake, review and certification of household eligibility, community outreach and referrals to other related community services.

APPROVED FOR FUNDS BY FINANCE

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

MINUTES

Department of Housing and - Acquisition by Gift
Community Development (DHCD)

ACTION REQUESTED OF B/E:

The Board is requested to approve the acquisition of the property located at 115 McPhail Street by gift from Mr. Johnnie James, Jr., et al, owner, **SUBJECT** to any outstanding municipal liens other than current water bills.

AMOUNT OF MONEY AND SOURCE:

The owner agrees to pay for any title work and all associated settlement costs, not to exceed \$600.00 total.

BACKGROUND/EXPLANATION:

The DHCD, Land Resources Division, strategically acquires and manages vacant or abandoned properties, which enables these properties to be returned to productive use and improve neighborhoods in Baltimore City.

The owner has offered to donate title to the property located at 115 McPhail Street. The City will receive clear and marketable title to the property, subject only to certain City liens. The City's acceptance of this donation is less costly than acquiring the property by tax sale foreclosure or eminent domain.

MINUTES

DHCD - cont'd

The liens for 115 McPhail Street are itemized as follows:

Cumulative Real Property Taxes 2011-2012

Total Tax	\$ 214.20
Interest/Penalties	75.06
Other	62.53
Tax Sale Interest	0.00
Miscellaneous Bills	4,348.99
Metered Water (Tax Sale)	77.83
Environmental Citation	0.00
Alley Paving	0.00
Rental Registration	<u>0.00</u>
Total Municipal Liens	\$4,778.61

The listed municipal liens, other than the current water bills, will be administratively abated after settlement.

UPON MOTION duly made and seconded, the Board approved and the acquisition of the property located at 115 McPhail Street by gift from Mr. Johnnie James, Jr., et al, owner, **SUBJECT** to any outstanding municipal liens other than current water bills.

MINUTES

Department of Housing and - Acquisition by Gift
Community Development (DHCD)

ACTION REQUESTED OF B/E:

The Board is requested to approve the acquisition of the property located at 1722 N. Bradford Street by gift from Ms. Delisa C. Watkins, owner, **SUBJECT** to any outstanding municipal liens other than current water bills.

AMOUNT OF MONEY AND SOURCE:

The owner agrees to pay for any title work and all associated settlement costs, not to exceed \$600.00 total.

BACKGROUND/EXPLANATION:

The DHCD, Land Resources Division, strategically acquires and manages vacant or abandoned properties, which enables these properties to be returned to productive use and improve neighborhoods in Baltimore City.

The owner has offered to donate title to the property located at 1722 N. Bradford Street. The City will receive clear and marketable title to the property, subject only to certain City liens. The City's acceptance of this donation is less costly than acquiring the property by tax sale foreclosure or eminent domain.

MINUTES

DHCD - cont'd

The liens for 1722 N. Bradford Street are itemized as follows:

Cumulative Real Property Taxes 2011-2012

Total Tax	\$71.40
Interest/Penalties	0.00
Other	0.00
Tax Sale Interest	0.00
Miscellaneous Bills	0.00
Metered Water (Tax Sale)	0.00
Environmental Citation	0.00
Alley Paving	0.00
Rental Registration	<u>0.00</u>
Total Municipal Liens	\$71.40

The listed municipal liens, other than the current water bills, will be administratively abated after settlement.

UPON MOTION duly made and seconded, the Board approved the acquisition of the property located at 1722 N. Bradford Street by gift from Ms. Delisa C. Watkins, owner, **SUBJECT** to any outstanding municipal liens other than current water bills.

MINUTES

Department of Housing and - Acquisition by Gift
Community Development (DHCD)

ACTION REQUESTED OF B/E:

The Board is requested to approve the acquisition of the property located at 1945 W. North Avenue by gift from Mr. Richard A. Eckhard, et al, owner, **SUBJECT** to any outstanding municipal liens other than current water bills.

AMOUNT OF MONEY AND SOURCE:

The owner agrees to pay for any title work and all associated settlement costs, not to exceed \$600.00 total.

BACKGROUND/EXPLANATION:

The DHCD, Land Resources Division, strategically acquires and manages vacant or abandoned properties, which enables these properties to be returned to productive use and improve neighborhoods in Baltimore City.

The owner has offered to donate title to the property located at 1945 W. North Avenue. The City will receive clear and marketable title to the property, subject only to certain City liens. The City's acceptance of this donation is less costly than acquiring the property by tax sale foreclosure or eminent domain.

MINUTES

DHCD - cont'd

The liens for 1945 W. North Avenue are itemized as follows:

Cumulative Real Property Taxes 2011-2012

Total Tax	\$142.80
Interest/Penalties	38.92
Other	51.71
Miscellaneous Bills	2,498.96
Metered Water (Tax Sale)	150.80
Environmental Citation	500.00
Alley Paving	0.00
Rental Registration	<u>166.34</u>
Total Municipal Liens	\$3,549.53

The listed municipal liens, other than the current water bills, will be administratively abated after settlement.

UPON MOTION duly made and seconded, the Board approved the acquisition of the property located at 1945 W. North Avenue by gift from Mr. Richard A. Eckhard, et al, owner, **SUBJECT** to any outstanding municipal liens other than current water bills.

MINUTES

Department of Housing and - Acquisition by Gift
Community Development (DHCD)

ACTION REQUESTED OF B/E:

The Board is requested to approve the acquisition of the property located at 407 S. Calhoun Street by gift from The Vizion, LLC, owner, **SUBJECT** to any outstanding municipal liens other than current water bills.

AMOUNT OF MONEY AND SOURCE:

The owner agrees to pay for any title work and all associated settlement costs, not to exceed \$600.00 total.

BACKGROUND/EXPLANATION:

The DHCD, Land Resources Division, strategically acquires and manages vacant or abandoned properties, which enables these properties to be returned to productive use and improve neighborhoods in Baltimore City.

The owner has offered to donate title to the property located at 407 S. Calhoun Street. The City will receive clear and marketable title to the property, subject only to certain City liens. The City's acceptance of this donation is less costly than acquiring the property by tax sale foreclosure or eminent domain.

MINUTES

DHCD - cont'd

The liens for 407 S. Calhoun Street are itemized as follows:

Cumulative Real Property Taxes 2011-2012

Total Tax	\$137.80
Interest/Penalties	0.00
Other	0.00
Miscellaneous Bills	199.91
Metered Water (Tax Sale)	0.00
Environmental Citation	0.00
Alley Paving	0.00
Rental Registration	<u>0.00</u>
Total Municipal Liens	\$337.71

The listed municipal liens, other than the current water bills, will be administratively abated after settlement.

UPON MOTION duly made and seconded, the Board approved the acquisition of the property located at 407 S. Calhoun Street by gift from The Vizion, LLC, owner, **SUBJECT** to any outstanding municipal liens other than current water bills.

MINUTES

Department of Housing and - Acquisition by Gift
Community Development (DHCD)

ACTION REQUESTED OF B/E:

The Board is requested to approve the acquisition of the property located at 1530 W. Lexington Street by gift from Mr. James K. Melcher, owner, **SUBJECT** to any outstanding municipal liens other than current water bills.

AMOUNT OF MONEY AND SOURCE:

The owner agrees to pay for any title work and all associated settlement costs, not to exceed \$600.00 total.

BACKGROUND/EXPLANATION:

The DHCD, Land Resources Division, strategically acquires and manages vacant or abandoned properties, which enables these properties to be returned to productive use and improve neighborhoods in Baltimore City.

The owner has offered to donate title to the property located at 1530 W. Lexington Street. The City will receive clear and marketable title to the property, subject only to certain City liens. The City's acceptance of this donation is less costly than acquiring the property by tax sale foreclosure or eminent domain.

MINUTES

DHCD - cont'd

The liens for 1530 W. Lexington Street are itemized as follows:

Cumulative Real Property Taxes 2011-2012

Total Tax	\$1,785.00
Interest/Penalties	697.20
Other	62.86
Miscellaneous Bills	294.31
Metered Water (Tax Sale)	0.00
Environmental Citation	515.00
Alley Paving	0.00
Rental Registration	<u>330.20</u>
Total Municipal Liens	\$3,684.57

The listed municipal liens, other than the current water bills, will be administratively abated after settlement.

UPON MOTION duly made and seconded, the Board approved the acquisition of the property located at 1530 W. Lexington Street by gift from Mr. James K. Melcher, owner, **SUBJECT** to any outstanding municipal liens other than current water bills.

MINUTES

Health Department - Agreements, Inter-Agency
Agreements, and Ratification

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the various agreements, inter-agency agreements, and ratification. The period of the agreement and inter-governmental agreement is July 1, 2011 through June 30, 2012, unless otherwise indicated.

AGREEMENTS

1. **THE CATHOLIC CHARITIES HOUSING, INC./BASILICA PLACE** **\$ 0.00**

The organization will serve as host agency for the Senior Community Service Employment Program (SCSEP). The SCSEP provides part-time work experience and training opportunities for low-income residents of Baltimore City, aged 55 years and older with no upper limit. The SCSEP seeks out new host agencies to facilitate placement of its participants in non-profit/governmental agencies to provide services which would otherwise not be met due to a lack of funds.

The period of the agreement is April 1, 2012 through June 30, 2013.

The agreement is late because it was just signed.

2. **THE JOHNS HOPKINS UNIVERSITY (JHU)** **\$ 227,639.00**

Account: 4000-427612-3042-273301-603051

The JHU's Pediatric & Adolescent HIV/AIDS Program will provide comprehensive, culturally sensitive, state-of-the-art, youth centered HIV medical care and support services.

MINUTES

Health Dept. - cont'd

The services include HIV primary care; teen mother-baby care; outreach; risk reduction/risk reduction education and HIV CTR (counseling, testing and referral services). Services will also include outreach to known positive youth who have fallen out of HIV care; peer support and referrals to peer training activities; youth community advisory board; care coordination and medical case management; treatment adherence support; psychosocial assessment and mental health counseling; complementary medicine services; and access to research opportunities.

MWBOO GRANTED A WAIVER.

3. **THE JOHNS HOPKINS UNIVERSITY (JHU)** **\$ 27,100.00**

Account: 4000-424512-3023-274412-603051

The JHU will provide two nurse medical case managers who will work intensively with selected clients to help them learn about their medications, proper dosing, remembering doses, refill education and assistance, and the importance of keeping clinic appointments in an effort to assess the effectiveness of their medication. The JHU will also provide in clinic Directly Observed Therapy to clients who express a desire for this service.

4. **THE JOHNS HOPKINS UNIVERSITY (JHU)** **\$141,964.00**

Account: 4000-424512-3023-274424-603051

The JHU will provide intensive medical case management and collaborative treatment planning for HIV-infected children and youth to promote adherence to care and treatment regimens; social work services; and life skills education.

MWBOO GRANTED A WAIVER.

MINUTES

Health Dept. - cont'd

The agreements are being presented at this time because the Infectious Disease and Environmental Health Administration (IDEHA) programmatically manages Ryan White Part B and D services. The IDEHA selects the providers through a competitive Request for Proposal process. The providers are asked to submit a budget, budget narrative, and scope of services. The Health Department thoroughly reviews the entire package before preparing a contract and submitting it to the Board of Estimates. These budgets are many times revised because of inadequate information from the providers. This review process is required to confirm the grant requirements.

5. **LIGHT HEALTH AND WELLNESS COMPREHENSIVE SERVICES, INC.** **\$ 23,000.00**

Account: 4000-424212-3030-513212-603051

The organization will hire a Prevention Specialist to conduct a minimum of 105 hours of multi-session HIV risk reduction interventions with 6-12 participants using the Enhanced SISTA curriculum provided by the Department. Services will include but not be limited to providing Health Education and Risk Reduction services to prevent new HIV infections among women in communities most impacted by HIV/AIDS or who engage in sexual and needle-sharing behaviors that put them at high risk for becoming HIV infected. Risks may include HIV-infected partners, injection drug user partners, multiple partners and history of substance abuse and/or other sexually transmitted disease. The period of the agreement is January 1, 2012 through June 30, 2012.

The agreement is late because the request was received April 7, 2012.

MINUTES

Health Dept. - cont'd

6. **GLENWOOD LIFE COUNSELING CENTER, INC.** **\$ 23,216.00**

Account: 4000-424212-3030-513201-603051

The organization will identify HIV/AIDS clients and their needs at admission time, decrease the incidence of "risky behavior" among clients, decrease the incidence of HIV/STD infection among intravenous drug user's and other substance abusers in Baltimore City. The period of the agreement is January 1, 2012 through June 30, 2012.

The agreement is late because the agreement request was received late in the grant year.

7. **PARK WEST HEALTH SYSTEMS, INC.** **\$ 52,500.00**

Account: 4000-424212-3030-513220-603051

The organization will provide STD/HIV rapid and conventional screening, confirmatory testing and linkage to care in non-traditional settings to high-risk heterosexuals. Also, coordination will be provided between businesses, health centers, government funded institutions and faith-based organizations located in the geographic area that will allow on-site testing of individuals encountered through street-based outreach. The period of the agreement is November 15, 2011 through June 30, 2012.

MWBOO GRANTED A WAIVER.

8. **SISTERS TOGETHER AND REACHING, INC.** **\$ 82,500.00**
(STAR)

Account: 4000-424212-3030-513215-603051

The organization will identify and provide Health Education and Risk Reduction services for the Men of Color Health Awareness Project. Service will include but not be limited

MINUTES

Health Dept. - cont'd

to counseling, testing and referral services to a minimum of 1,300 people of which 1,040 will be men, in order to identify new cases of HIV infection, and link all HIV positive cases to treatment and care. Persons will be linked to care by employing education, recruitment and retention strategies, and active street outreach. The period of the agreement is October 1, 2011 through June 30, 2012.

MWBOO GRANTED A WAIVER.

9. **BALTIMORE MEDICAL SYSTEM, INC.** **\$ 9,511.00**

Account: 4000-498611-3031-579200-603051

The organization will work with the Health Department's Healthy Homes and Community Division to implement the Bite Bed Bugs Back Initiative. The focus of the initiative is to promote communication and integrated pest management for bed bugs through interactions with neighborhood/community associations, targeted community-based trainings and distribution of supplies and equipment for low-income residents in pre-designated areas of Baltimore City. The period of the agreement is July 1, 2011 through June 30, 2012.

The agreement is late because it was just signed and returned to the Health Department.

10. **THE JOHNS HOPKINS UNIVERSITY** **\$492,642.00**
(JHU)

Account: 1001-000000-3023-605700-603051	\$270,764.00
1001-000000-3030-271500-603051	\$221,878.00

The JHU will provide clinical services that include but are not limited to sexually transmitted disease care, tuberculosis care, HIV counseling and testing, HIV primary

MINUTES

Health Dept. - cont'd

care, and contraceptive services for women. The medical care will include obtaining medical history and performing appropriate physical examinations. The period of the agreement is July 1, 2011 through June 30, 2012.

The agreement is late because the Health Department received the request on April 2, 2012.

MWBOO GRANTED A WAIVER.INTER-AGENCY AGREEMENTS

- | | | |
|---|----|------|
| 11. MAYOR'S OFFICE OF HUMAN SERVICES/
NORTHERN COMMUNITY ACTION AGENCY | \$ | 0.00 |
| 12. MAYOR'S OFFICE OF HUMAN SERVICES/
EASTERN COMMUNITY ACTION AGENCY | \$ | 0.00 |
| 13. MAYOR'S OFFICE OF HUMAN SERVICES/
SOUTHEASTERN COMMUNITY ACTION AGENCY | \$ | 0.00 |

The organizations will serve as host agencies for the Senior Community Service Employment Program (SCSEP). The SCSEP provides part-time work experience and training opportunities for low-income residents of Baltimore City, aged 55 years and older with no upper age limit. The SCSEP seeks out new host agencies to facilitate placement of its participants in non-profit/governmental agencies to provide services which would otherwise not be met due to a lack of funds.

The agreements are late because they were just returned.

INTER-GOVERNMENTAL AGREEMENT

- | | | |
|-------------------------------------|----|-----------|
| 14. HOWARD COUNTY HEALTH DEPARTMENT | \$ | 65,150.00 |
|-------------------------------------|----|-----------|

Account: 5000-568212-3150-271300-405001

The Baltimore City Health Department, Office of Field

MINUTES

Health Dept. - cont'd

Services will provide screening and approval for medical transport services. The services will be provided to eligible Medicaid/Health Choice recipients who reside in Howard County. Non-emergency ambulatory, wheelchair van and ambulance transportation will be provided to and from medically necessary covered medical appointments for eligible recipients who have no other means of transportation available. The agreement is for the period April 1, 2012 through June 30, 2012.

The inter-governmental agreement is late because it was prepared by Howard County Health Department and it was recently received.

RATIFICATION15. **HEALTH CARE FOR THE HOMELESS, INC. (HCH)** **\$23,000.00**

The organization provided Health Education and Risk Reduction (HERR) services. On August 5, 2011, the Department's program manager requested an agreement with the HCH for HERR services for the term July 1, 2011 through December 31, 2011. The initial budget was incomplete, but an acceptable budget was submitted to the Department on October 26, 2011. The agreement was prepared and mailed to the HCH on November 15, 2011 for signature. The signed agreement was returned to the Department on December 1, 2011, but during the Department's routing process the agreement expired. Therefore, the Board is requested to ratify the agreement and approve payment to the HCH.

APPROVED FOR FUNDS BY FINANCE**AUDITS REVIEWED AND HAD NO OBJECTION FOR ITEM NO. 5.**

UPON MOTION duly made and seconded, the Board approved and authorized the execution of the foregoing agreements, inter-agency agreements, and ratification. The President **ABSTAINED** on items no. 2 through 4, and 10.

MINUTES

Fire and Police Employees' - GreatBanc Collective Investment
Retirement System Trust I Adoption Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an adoption agreement with GreatBanc Trust Company.

AMOUNT OF MONEY AND SOURCE:

Approximately - \$66,000,000.00

All funds and expenses will be expended from the Fire and Police Employees' Retirement System.

No General Fund monies are involved in this transaction.

BACKGROUND/EXPLANATION:

The Fire and Police Employees' Board of Trustees conducted a search for a "core plus" fixed income commingled fund, and as a result of that search, selected Artio Total Return Bond Collective Investment Fund. Artio Global Management LLC will be managing Fire and Police Employees' Retirement System funds in Artio Total Return Bond Collective Investment Fund, a "core plus" fixed income commingled fund. The search and selection process was conducted with the assistance and advice of the Fire and Police Employees' System's investment advisor, Summit Strategies Group.

MWBOO GRANTED A WAIVER

UPON MOTION duly made and seconded, the Board approved and authorized the execution of the adoption agreement with GreatBanc Trust Company. The Comptroller **ABSTAINED**.

MINUTES

Law Department - Settlement Agreement and Release

The Board is requested to approve the settlement agreement and release for the following claim:

1. Lillian Parker v. Officer Calvin Moss, \$100,000.00
et al.
United States District Court

The settlement agreement and release has been reviewed and approved by the Settlement Committee of the Law Department.

Funds are available in account no. 1001-000000-2041-195500-603070.

UPON MOTION duly made and seconded, the Board approved and authorized the execution of the settlement agreement and release.

MINUTES

Department of Finance - Targeted Homeowners Tax Credit Rate

ACTION REQUESTED OF B/E:

The Board is requested to approve the rate of the Targeted Homeowners Tax Credit at \$0.0300 per \$100.00 of improved assessed value, pursuant to Article 28 § 10-16.

ACTION REQUESTED OF B/E:

The Targeted Homeowners Tax Credit will result in a reduction of an estimated \$3,800,000.00 from the City's real property tax collections.

The Targeted Homeowners Tax Credit is available to all owner occupied homes in the City that qualify for the Homestead Credit under State Property Tax Article § 9-105. The Targeted Homeowners Credit is calculated by multiplying the Targeted Homeowners Tax Credit rate by the eligible property's improved assessment. The credit when taken singularly or with other credits will limit the City tax liability and will not cause a refund to any taxpayer.

UPON MOTION duly made and seconded, the Board approved the rate of the Targeted Homeowners Tax Credit at \$0.0300 per \$100.00 of improved assessed value, pursuant to Article 28 § 10-16.

MINUTES

Department of Finance/ - Renewal
Office of Risk Management

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize the renewal of the Fine Arts Insurance Policy. The period of the renewal is effective on July 1, 2012.

AMOUNT OF MONEY AND SOURCE:

\$251,803.00 - 2043-000000-1450-162900-603014

BACKGROUND/EXPLANATION:

This policy is unique and superior to the standard Fine Arts Insurance Policy. It provides Fine Art's replacement cost and transit coverage to the Baltimore Museum of Art, The Walters Art Museum and any location owned, occupied or controlled by the City. Coverage is being renewed per expiring rates, with the incumbent broker, Aon Hunting T. Block Fine Arts Insurance.

APPROVED FOR FUNDS BY FINANCE

A PROTEST WAS RECEIVED FROM MS. KIM TRUEHEART.

* * * * *

As Ms. Trueheart does not have a specific interest that is different from that of the general public, the Board will not hear her questions. Her correspondence has been sent to the appropriate agencies and/or committee which will respond directly to Ms. Trueheart.

* * * * *

UPON MOTION duly made and seconded, the Board approved and authorized the execution of the renewal of the Fine Arts Insurance Policy.

MINUTES

Bureau of the Budget and - FY 2013 Budget and Property Tax
Management Research (BBMR) Surcharge Rate - Waterfront
Management District

ACTION REQUESTED OF B/E:

The Board is requested to approve the FY 2013 budget and property tax surcharge rate for the Waterfront Management District (District).

AMOUNT OF MONEY AND SOURCE:

\$1,710,000.00 - estimated revenue

The proposed FY 2013 property tax surcharge rate is \$0.17 per \$100.00 of assessed value. The surcharge rate is exactly the same as it was for FY 2012.

BACKGROUND/EXPLANATION:

The District submitted its request for FY 2013 to the Bureau of the Budget and Management Research.

Overall, FY 2013 revenues have increased by \$1,575,382.00 or 65.1% from FY 2012. Revenue from the surcharge is anticipated at \$1,710,000.00 and represents 42.8% of the total budget. The surcharge revenue has increased by \$24,382.00 or 1.4% from FY 2012. Other revenue increased from FY 2012 by \$1,881,100.00 primarily due to restricted grants received for special projects related to the Healthy Harbor Initiative, including funds for JF Water Wheel, the Chase Pier design, monitoring and report card.

The BBMR has concerns about the sustainability of the assessment amounts driving the surcharge income. Given the current economic climate, the BBMR would anticipate reduced property assessments in the future and correspondingly, reduced surcharge revenue.

MINUTES

BBMR - cont'd

Close attention will need to be paid to these conditions and maintaining budget reserves. The BBMR encourages the District to work toward building a reserve fund at a minimum of approximately three months of its annual budget.

The District's fiscal management has been sound and it has been a positive force in the Waterfront area since its inception. The Department of Finance recommends that the Board approved this budget and surcharge tax rate.

<u>Revenue</u>		<u>Expenses by Program</u>	
Tax Surcharge	\$1,710,000.00	Maintenance	\$ 432,578.00
City Grant/Leases	406,000.00	Landscaping	396,000.00
Other	<u>1,881,100.00</u>	Hospitality &	
Total	\$3,997,100.00	Safety	941,833.00
		Marketing	348,738.00
		Sustainability	1,650,000.00
		Administration	186,100.00
		Deprec. & Res.	<u>41,851.00</u>
		Total	\$3,997,100.00

THE BUREAU OF THE BUDGET AND MANAGEMENT RESEARCH REVIEWED AND RECOMMENDED APPROVAL OF THE BUDGET AND THE PROPERTY TAX SURCHARGE RATE.

UPON MOTION duly made and seconded, the Board approved the FY 2013 budget and property tax surcharge rate for the Waterfront Management District (District). The Mayor **ABSTAINED**. The Comptroller **ABSTAINED**.

MINUTES

Bureau of the Budget and Management Research (BBMR) - FY 2013 Budget and Property Tax Surcharge Rate - Charles Village Community Benefits District

ACTION REQUESTED OF B/E:

The Board is requested to approve the FY 2013 budget and property tax surcharge rate for the Charles Village Community Benefits District (CVCBD).

AMOUNT OF MONEY AND SOURCE:

\$781,630.00 - Estimated Revenue

The proposed FY 2013 property tax surcharge rate is \$0.1200 per \$100.00 of assessed value. The surcharge rate is exactly the same as it was for FY 2012.

BACKGROUND/EXPLANATION:

The CVCBD submitted its request for FY 2013 to the Bureau of the Budget and Management Research.

FY 2013 revenues decreased 3.8% or \$30,705.00 to \$781,630.00. The property tax surcharge represents a 0.4% reduction from Fiscal 2012 levels. The Fiscal 2013 budget shows a 49% reduction in grant funding awarded to the CVCBD. The organization is currently seeking additional grant funding to support their initiatives; final decisions regarding the award amount were not available at the time this budget was developed. The FY 2013 budget includes utilizing \$20,000.00 from the CVCBD reserves to support operating expenses.

The BBMR has concerns about the sustainability of the assessment amounts driving the surcharge income. Given the current economic climate, the Bureau would anticipate reduced property assessments in the future and correspondingly, reduced surcharge revenue. Close attention will need to be paid to these conditions and maintaining budget reserves.

MINUTES

BBMR - cont'd

The management team for the CVCBD has been a positive force in the Charles Village area since it began operations, and it has taken positive steps to assure a sound financial operation. The CVCBD currently has \$120,000.00 in their reserve fund. This reserve funding will support two months of the CVCBD operations as budgeted in FY 2013.

<u>Revenue</u>		<u>Expenses by Program</u>	
Prop. Tax Surcharge	\$ 676,530.00	Administration	\$ 77,158.00
Contributions	65,000.00	Sanitation	501,090.00
Other	40,100.00	Safety	166,305.00
Total	\$ 781,630.00	Outreach	37,077.00
		Total	\$781,630.00

THE BUREAU OF THE BUDGET AND MANAGEMENT RESEARCH REVIEWED AND RECOMMENDED APPROVAL OF THE BUDGET AND THE PROPERTY TAX SURCHARGE RATE.

PROTESTS HAVE BEEN RECEIVED FROM MR. STEPHEN J. GEWIRTZ, MR. CHRISTIAN H. WILSON, MS. PAMELA WILSON, AND FROM MS. JOAN FLOYD.

President: "The first item on the non-routine agenda can be found on pages 46 to 47, FY 2013 Budget and Property Tax Surcharge Rate for Charles Village Community Benefits District. Will the parties please come forward? Mr. Black."

Mr. Black: "President Young, Madam Mayor, Madam Comptroller other members of the Board. I am Harry Black Director of Finance for the City. uh - These three letters of protests primarily deal with an internal uh - uh - business district management issue. However, there is one potentially finance related issue and that's regarding the budget that's been reviewed and approved by the Finance Department. Uh - The budget has been

MINUTES

approved and reviewed and the surcharge rate is the same proposed for 2013 as it is for 2012, so there's been no change in the surcharge rate. I believe there was confusion that the District had increased or requested an increase in the Surcharge Rate and that is not the case. We have briefed the Director of the District David Hill and I believe he's here so he can speak to the other items."

President: "Okay. You have to talk in the mic. Identify yourself."

Mr. David Hill: "My name is David Hill, Executive Director of the Charles Village Community Benefits District. You have a good summary in your Board packet, so I can be brief. As just mentioned, the proposed budget for fiscal year 2013 is based upon no increase in the surcharge rate it will remain at \$0.12 per 100 of assessed value. As far as our services are concerned, uh - we uh - will be basically performing the same services in the next fiscal year that we are performing this year, uh - with two enhancements regarding safety. One is the installation of 12 surveillance cameras, uh - which we're able to install due to recently receiving a grant of \$133,000.00 from the Abell Foundation and the other is to begin a PILOT Targeted Security Patrol Program sometime in August or September utilizing the

MINUTES

services of off-duty policeman. uh - We are maintaining administrative cost at 10%. Now, I will answer any questions."

Mr. Wilson: "Good morning. My name is Christian Wilson. I am located at --."

City Solicitor: "You need to speak into the microphone Mr. Wilson."

Mr. Wilson: "I'm sorry."

Mayor: "And start again with your name, please."

Mr. Wilson: "Okay. My name is Christian Wilson. I reside at 9 E. 27th Street, and my concern is that the budget that has been written up was predicated without having a baseline agreement with the City, and the City Charter requires excuse me."

President: "You have to speak into the mic."

Mr. Wilson: "Okay, I am trying to. The City Charter requires prior to imposing and collecting the supplemental tax authorized by the sub-title, the Authority shall enter into a memorandum of understanding with the Mayor and the City regarding the level of services to be maintained by the City as the City's partnership obligation to the Authority and the district taxpayers. Mr. David Hill has announced at the budget hearing that he has not had a baseline agreement with the City for the last four years and does not currently have a baseline agreement. So, the budget that you've looked at and reviewed is a budget that has

MINUTES

been created without knowing the absolute services that the City is going to provide to the residents of our community called Charles Village. Therefore, we say that the budget that has been presented is totally inappropriate and Mr. Hill has not done his primary responsibility as legislated with the enactment of the benefits district, and that was to prepare a budget to be approved. Without the existence of a baseline agreement, he cannot establish a basis of a budget. That's my --."

President: "Mr. Hill."

Mr. Hill: "Councilwoman Mary Pat Clarke and I are working with uh - CitiStat to generate a revised baseline agreement with the City. It is true that we have not had a renewed one or revised one for several years, that is also true of Midtown by the way. But, my understanding is that the existing one remains in force unless it's revised. Meanwhile we have had and continue to have a very positive relationship with the Maryland Police District, Department of Public Works, and all other City agencies."

Mr. Wilson: "But it does not constitute an agreement between the authority and the City, and therefore the budget that has been prepared is not in line with the responsibilities as agreed upon between the two partners. So, it has really no validity whatsoever. It makes no sense and the Code states that prior to preparing this and I told Mr. Hill this at the hearing. That you

MINUTES

should cease having this hearing on the budget because you did not have a baseline agreement, but he continued the hearing well into the evening."

Comptroller: "Mr. Nilson could you speak to that."

City Solicitor: "My understanding is that the baseline agreement with the City remains in effect and survives from previous years that that baseline agreement is the agreement that the Benefits District relies on. That's the agreement that has been in place during the last several years that we have approved on annual budgets for the District and that they are working on a revised agreement that strikes me as perfectly appropriate."

Mr. Wilson: "Okay. Previously, each year a baseline agreement was entered into by the previous administrators and the City. Now, all of a sudden a baseline agreement that was written up several years ago and passed back and forth between the various agencies is supposed to be the existing baseline agreement. I simply just don't understand it as a resident. One year it's one thing and the next year all of a sudden because they don't have one its fine."

City Solicitor: "I think the baseline agreement has been -- I think the earlier baseline agreement has been the governing document for the last three or four years for each and every one of the submissions by the District of its proposed annual budget

MINUTES

and they are now updating it and revising it. That's why it's perfectly appropriate."

President: "And plus the budget has not changed from the last fiscal year to this year. No changes."

City Solicitor: "There is no changes in the supplemental tax amount is another consideration."

Mr. Wilson: "But the way that the funds are being distributed."

President: "Okay. I will entertain a Motion oh."

City Solicitor: "Do we want to hear all of the protests?"

President: "I thought he was speaking for everyone. Okay. Go ahead."

Ms. Pamela Wilson: "My name is Pamela Wilson and I am a resident homeowner. Previously a business owner and employer in Charles Village and uh - thank you, and I first wanted to just follow-up on the baseline agreement and the reason that is has to be done every year is because there are changes in the services the City provides. The City used to provide twice a week garbage pick-ups and so forth and these changed and that is why every year a new baseline agreement is supposed to come into effect with the benefits district so that they know that they are not duplicating which they are, right now they're duplicating services. Other communities get their trash cans on the corners emptied. While we've the Benefits District has taken away our

MINUTES

trash cans so that they can pick-up the trash. So we are paying for a City services and we're not getting them because the Benefits District has taken them over, which is exactly what the Charter said there would be no reduction in City services and the Code specifically outlines this in detail because we were promised we would not miss City services paying double tax which is what happened now. The other thing I wanted to comment on is that although Mr. Hill has said that uh - if they get, if, if is the big if, they get certain donations along with a small amount from the budget they will give us some off-duty policeman. Well flyers that promoted the adoption of the establishment of the Benefits District promised 24/7 patrols and the CVCBD was founded when it was promoted on the idea that someone was killed and do you want another murder in Charles Village and that's why people voted for it and yet the patrols have disappeared from our community. When the benefits district admitted it had -- it failed to reduce crime and Midtown has proven success of using off-duty police in its district and we are being denied this, or we might get it if, and then it's a Pilot program which Mr. Hill told us at the budget hearing could in three months be dissolved. You know it is up to them to decide whether they wanted it or not. So that's not a promise of what we should have from our taxes. At least 50% of the budget should be for

MINUTES

off-duty policeman uh - helping the community and this is what my demand is. That's my testimony. Thank you."

President: "Do you want to respond Mr. Hill?"

Mr. Hill: "Yes. uh - I can't speak to what promises may or may not have made eighteen years ago in 1994. I can only attest that the current Board has gone -- made extraordinary efforts to solicit and consider input from the community meeting and public hearing in late March which is required by law but also prior to that to going back to early February at community meetings, via emails, solicitations, and association meetings. The Board has concluded that the majority of the residents want to maintain the current level of sanitary services and gradually increase safety services as we, as surcharge revenue increases and/or we're able to uh - obtain cost to support them. This is the approach we took this year and also that we are proposing to take next year."

Ms. Wilson: "I can just say that the amount of people that attend the community association meetings and that know about solicitation of input is minor, absolutely minor compared to the community of Charles Village. That's my comments."

Mr. Gewirtz: "I'm Steven Gewirtz, I've lived in Charles Village, well I have there since 1970, and actually lived in Charles Village since 1967. I can say that since they dropped security

MINUTES

patrols and did all sanitation I haven't seen any difference on my block. You know there's still you see sidewalks that are a mess and I would add that it's the responsibility of homeowners to take care of their own sidewalks and own alleys and why we have to pay extra for that. At the same time, I don't think what they are spending on safety patrols comes anywhere close to what we need, and you know within the budget if they would reduce the number of trash cans, reduce the sanitation work and I would like to see it eventually because an all safety with off-duty police and we could it within the present budget. We could have 24/7 two police at all times. I wouldn't mind if they shifted around so it isn't all 24 hours and have more sanitary hours, if the data required that. But we need safety and we have seen number of murders. I don't know how many at Yah Brothers for example, we need patrols. The other issue I have is that way back and we submitted a timeline on it and you know at some point way back the Benefits District leadership set up a foundation, it acquired a building from another foundation which I believe was controlled by the President of the Benefits District, Tom Schafer who since has moved elsewhere. But you know they - so that building was flipped to the Charles Village Community Foundation. Huge profit for the other foundation and then over the years the Benefits District has paid a mortgage on

MINUTES

it. That was the lease that agreed that the mortgage payments, maintain the building which basically let go to sand, wasn't the greatest building it was very inaccessible for anybody who was physically challenged. I mean I am in good shape and I could not that easily walk up the steps into the main floor. But you know they maintained this and then after occupying it ten years, they wound up the Benefits District moved to its present location and they had the building on the market. They wound up selling it for \$200,000.00 out of commission at auction as is and you know that money is still controlled by a Foundation. The money really should belong to the Benefits District, it was our money. I look at it as an example was there any conflict of interest laws. If the City elected officials play this sort of game they'd be in trouble. But, somehow the Benefits District can do anything it wants, so we have quite a considerable amount of money, well over \$100,000.00 that is sitting in this Foundation and it should belong to the Benefits District and that's the other thing. It doesn't stop them from asking for a tax rate increase when in this case by the way, I hope people realize they ask for a tax rate increase when they were told they wouldn't get it. They amended their budget to keep the same tax rate. But the fact is that for two years in a row they've tried to get a tax rate increase, and yet they've had this pot

MINUTES

of money sitting around. So, I don't know what we can do to get that money into the hands of the Benefits District, but that is where it ought to be."

City Solicitor: "Just to clarify though I think it is the case that we do not have before us a tax rate increase. Correct. You understand that?"

Mr. Gewirtz: "That's correct. Yeah we know that."

City Solicitor: "Thank you."

Mr. Hill: "May I respond very quickly? I think my previous response addresses most of what Mr. Gewirtz just said. However, just very quickly regarding the monies that are at the foundation. It is true that the sale of property at 2300 N. Charles realized a profit of about \$200,000.00. Those funds legally belong to the Charles Village Foundation, not to the Benefits District. However, the Benefits District like any other organization within the area is allowed to apply grants from the Foundation and we have done so. So far we've been given two awards and we expect to fully tap into those funds in the future. So, we will end up realizing some of that funding anyway."

Mr. Gewirtz: "Yeah, but I would note that that foundation, I mean you know the majority of its Board are people who have been very closely associated with the Benefits District. It was the

MINUTES

Benefits District people who set it up and I will say that was before Mr. Hill's time. But, the fact is this is the history and as I say if the people on the Board of Estimates played this sort of game of setting up a foundation I think the statewide prosecutor would take a great interest. But somehow, we have no protection from this kind of conflict of interest. So they basically, this group who control the Benefits District have given themselves control of a considerable amount of money."

City Solicitor: "I thought as you pointed out in --."

President: "We are discussing the surcharge."

Mr. Gewirtz: "Yeah, but I mean it help a lot if we had that money from the Foundation to you know even reduce the surcharge or increase services."

President: "Joan."

Ms. Joan Floyd: "Thank you. Joan Floyd, 2828 N. Howard Street I am going to keep it very simple and I express my protest today in the form of a question. Can anybody here please explain or you know attempt to explain how this levy of this surcharge, surtax does not fall into the category of taxation without representation?"

City Solicitor: "Well, I know that the -- I am generally familiar with the system that exists in the Benefits District and the manner in which representatives are appointed to the

MINUTES

Benefits District Board. That is representation to be sure the members of the Board of Estimates serve the interest of the entire City not exclusively the Charles Village Community but we are charged under the law with reviewing the annual budget and more simply doing what the Charter and the laws of the City require us to do, which is to act on a submission from the District which does have members on its Board who represent the District, even if imperfectly in your view."

Ms. Floyd: "Do I -- do I understand that response to mean that based on the make-up of the Benefits District Board and the make-up of the Board of Estimates it is not taxation without representation?"

City Solicitor: "It's taxation consistent with the law both the Charter and the statutory law and the City."

Mr. Hill: "I won't add anything to that. Thank you."

President: "Okay. I call for a vote. I will entertain a Motion."

City Solicitor: "I MOVE approval of the recommendation of the Department of Finance and denial of the four protests."

Director of Public Works: "Second."

President: "All those in favor say AYE. All opposed NAY. Please note that I **ABSTAIN**. The Motion carries."

Mr. Hill: Thank you very much."

MINUTES

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INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS
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Bureau of Purchases

- | | | |
|--|-------------|---------|
| 1. IDEXX DISTRIBUTION, INC. | \$26,000.00 | Renewal |
| Solicitation No. 08000 - IDEXX Products - Department of Public Works - Req. No. P.O. No. P517997 | | |

On August 22, 2011, the Board approved the initial award in the amount of \$10,344.00. The award contained two 1-year renewal options. This renewal in the amount of \$26,000.00 is for the period September 1, 2012 through August 31, 2013, with one 1-year renewal option pending.

- | | |
|---|------------------|
| 2. ALTURA COMMUNICATION | Selected Source/ |
| SOLUTIONS | Agreement |
| \$41,742.00 | |
| Solicitation No. 06000 - Voice Mail Maintenance and Xpress Care Software Services - Municipal Telephone Exchange - Req. No. R603244 | |

The Board is requested to approve and authorize execution of an agreement with Altura Communication Solutions. The period of the agreement is effective upon Board approval for three years with two 1-year renewal options.

The vendor is uniquely positioned to provide proprietary software maintenance and upgrade changes.

- | | | |
|---|-------------|---------|
| 3. BELAIR ROAD SUPPLY CO., INC. | \$20,000.00 | Renewal |
| Solicitation No. B50002087 - Sewer Brick Storm Water - Various - P.O. No. P518004 | | |

On August 22, 2011, the City Purchasing Agent approved the initial award in the amount of \$12,000.00. The award contained two 1-year renewal options. This renewal in the amount of \$20,000.00 is for the period August 25, 2012 through August 24, 2013, 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>
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Bureau of Purchases

4. AMERICAN LIMOUSINES, INC.	\$49,495.88	Low Bid
Solicitation No. 0700 - Bus/Van Transportation for Children with Disabilities - Department of Recreation and Parks - Req. No. R598647		

5. ST. BERNARD SOFTWARE d/b/a EDGEWAVE	\$54,097.00	Sole Source
Solicitation No. 08000 - Iprism Annual Software Maintenance - Police Department - Req. No. R602133		

EdgeWave is the sole source of support, expansion and upgrades required for the Iprism system which is currently in use by the Police Department. The period of the award is June 13, 2012 through June 12, 2015.

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

6. JOBS, HOUSING & RECOVERY, INC.	\$1,000,000.00	Renewal
Solicitation No. B50001664 - Management of the Harry and Jeanette Weinberg Housing and Resource Center - Department of Housing and Community Development - P.O. No. P516814		

On March 30, 2011, the Board approved the initial award in the amount of \$4,713,853.00. The award contained four 1-year renewal options. This renewal in the amount of \$1,000,000.00 is for the period July 1, 2012 through June 30, 2013, with three 1-year renewal options remaining.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

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

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

MBE: Worldwide Investigations, LLC	0.09%
Down to the Dust Cleaning, LLC	4.50%
Sandtown Laundry, LLC	8.80%

MWBOO FOUND VENDOR IN COMPLIANCE BASED ON A GOOD FAITH EFFORT.

- | | | |
|--|---------------------|----------------|
| 7. <u>METTLER-TOLEDO, INC.</u> | <u>\$ 37,000.00</u> | <u>Renewal</u> |
| Solicitation No. B50001543 - Automated Titration System and Accessories - Department of Public Works, Bureau of Water and Wastewater - P.O. No. 514906 | | |

On August 11, 2010, the Board approved the initial award in the amount of \$29,618.10. The award contained three 1-year renewal options. On August 10, 2011, the Board approved the first renewal in the amount of \$20,000.00. This renewal in the amount of \$37,000.00 is for the period August 31, 2012 through August 30, 2013, with one 1-year renewal option remaining.

MWBOO GRANTED A WAIVER.

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|---|---------------------|----------------|
| 8. <u>IDEXX DISTRIBUTION, INC.</u> | <u>\$ 28,906.00</u> | <u>Renewal</u> |
| Solicitation No. 08000 - IDEXX Products - Department of Public Works, Bureau of Water and Wastewater - P.O. No. P517931 | | |

On August 10, 2011, the Board approved the initial award in the amount of \$28,906.00. The award contained two 1-year renewal options. This renewal in the amount of \$28,906.00 is for the period September 9, 2012 through September 8, 2013, 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>
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Bureau of Purchases

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

- | | | |
|---|---------|---------|
| 9. PETERBILT OF BALTIMORE | \$ 0.00 | Renewal |
| Solicitation No. 06000 - OEM Parts, Service and Warranty Repairs for Peterbilt Heavy Trucks - Department of General Services - P.O. No. P509023 | | |

On August 12, 2009, the Board approved the initial award in the amount of \$150,000.00. The award contained two 1-year renewal options. This renewal is for the period August 12, 2012 through August 11, 2013, with one 1-year renewal option remaining.

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

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|--|--------------|---------|
| 10. DATA UNLIMITED INTERNATIONAL, INC. | \$600,000.00 | Renewal |
| Solicitation No.08000 - Annual System Support - Police Department - P.O. No. P514480 | | |

On August 18, 2010, the Board approved the initial award in the amount of \$382,747.98. The award contained three 1-year renewal options. Subsequent actions have been approved. This renewal in the amount of \$600,000.00 is for the period August 18, 2012 through August 17, 2013, 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>
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Bureau of Purchases

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

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|---|--------------|---------|
| 11. HARBOR TRUCK SALES &
SERVICE, INC. T/A BALTIMORE
FREIGHTLINER
CHESAPEAKE FORD
TRUCK SALES, INC.
JOHNSON & TOWERS,
INC. | \$100,000.00 | Renewal |
| Solicitation No. B50001098 - O.E.M. Parts and Service for
Detroit Engines and Allison Transmissions - Department of
General Services - PO P509140, P509141, & P509142 | | |

On July 15, 2009, the Board approved the initial award in the amount of \$200,000.00. Subsequent approvals have been made. This first renewal in the amount of \$100,000.00 is for the period August 01, 2012 through July 31, 2013, with one one-year renewal option remaining.

MWBOO GRANTED A WAIVER.

UPON MOTION duly made and seconded, the Board approved the foregoing informal awards, renewals, increases to contracts and extensions. The President **ABSTAINED** on items nos. 7 and 8. The Comptroller **ABSTAINED** on item no. 11.

MINUTES

Baltimore Municipal Golf Corporation - Financial Statements

The Board is requested to **NOTE** receipt of the financial statements for the Baltimore Municipal Golf Corporation for the:

1. three months ended March 31, 2012 and 2011, and
2. year ended 2011

UPON MOTION duly made and seconded, the Board **NOTED** receipt of the financial statements for the Baltimore Municipal Golf Corporation for the three months ended March 31, 2012 and 2011 and year ended 2011.

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:

2230 - 2255

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 President **ABSTAINED** on
item nos. 4, 5, 6, and 10.

Item no. 9 was **DEFERRED** for 3 weeks.

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

Department of Transportation

- 1. TR 10301, N. Charles Concrete General, \$23,255,202.10
 St. Reconstruction Inc.
 from 25th St. to
 University Pkwy.

A PROTEST AND SUPPLEMENTAL PROTEST WERE RECEIVED FROM P. FLANIGAN & SONS, INC.

A PROTEST WAS RECEIVED FROM CIVIL CONSTRUCTION, LLC.

AN OPPOSITION TO THE PROTEST OF P. FLANIGAN & SONS, INC. WAS RECEIVED FROM CONCRETE GENERAL, INC.

A SUPPLEMENTAL PROTEST WAS RECEIVED FROM CONCRETE GENERAL, INC.

DBE: Shannon-Baum Signs, Inc.	\$ 108,415.00	0.47%
Traffic Systems, Inc.	3,133,582.00	13.47%
Stella May Contracting, Inc.	4,292,373.19	18.46%
Samuel Trucking, Inc.	1,000.00	0.0043%
	<u>\$7,535,370.19</u>	<u>32.40%</u>

2. TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$4,464,234.97	9960-907101-9558	
Water Rev. Bonds	Constr. Reserve	
	Small Water Mains	
\$ 338,199.62	-----	9960-907652-9557-2
		Extra Work
338,199.62	-----	9960-907652-9557-3
		Design
202,919.77	-----	9960-907652-9557-5
		Inspection

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

Department of Transportation - cont'd

3,381,996.19	-----	9960-907652-9557-6 Construction
<u>202,919.77</u>	-----	9960-907652-9557-9 Administrative
<u>\$4,464,234.97</u>		

The funds are required to cover the cost of the award for TR 10301, North Charles Street Reconstruction.

3. TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$ 929,600.62 FED	9950-917001-9507 Constr. Reserve Highways Federal	9950-904208-9514-6 Structure & Improvements Charles St. Reconstr.

This transfer will cover the shortage to fund the cost associated with the award of Project (BD 34074) Charles Street Reconstruction from 25th Street to University Parkway awarded to Concrete General, Inc.

President: "The second item on the non routine agenda can be found on Pages 55 to 56 items 1 through 3, North Charles Street Reconstruction from 25th Street to University Parkway and associated Transfer of Funds. Will the parties please come forward?"

Mr. Kendrick: "Good morning Mr. President, members of the Board, Jamie Kendrick, Deputy Director Department of Transportation. The subject project is for the reconstruction of Charles Street between 25th Street and University Parkway, long in its development for about 10 years now in partnership with Johns Hopkins University and the communities of Charles Village. This

MINUTES

project is funded using 80% federal funds and I would note that once the first federal dollar is into a project we must defer to State Highway and Federal Highway which is the grantor of the funds to their rules of procurement. In this instance as part of our review of the subject bid package, DOT identified what we believe to be an issue of responsiveness regarding the DBE package of Concrete General. This Board has consistently agreed with MWBOO that when the MBE package is deficient the bid is non-responsive. Although SHA initially concurred in this award with the recommendation of Flanigan, SHA reversed course upon appeal from Concrete General and provided that a cure period is permissible under the State's interpretation of DBE laws. The City was then directed to submit Concrete General for concurrence award, which has since been given to the City. I would also point out that the City, the Department of Transportation has allowed both parties approximately 60 days to make their case if you will to the State Highway Administration for review and appeal, and the State Highway has repeatedly declined to change its opinion, 23 CFR 635114 provides that the Federal participation may only occur in a contract when the Federal Highway Division Administrator concurs in the award. Simply put, if the City desires to move ahead using plus or minus \$20,000,000.00 in federal funds, we must

MINUTES

accept the bid of Concrete General and we ask for your approval of the contract."

President: "Okay."

Mr. Coe: "Good morning Mr. President, Mayor, Madam Comptroller, Honorable members of the Board. I am Ward Coe of Gallagher Evelius & Jones. I represent P. Flanigan and Sons who protested the award to Concrete General. Uh - We were initially informed, well not initially but we were informed that the bid was going to Flanigan. The State Highway as we understand it actually recommended Flanigan at one point. Subsequent to that on April 11th, we were advised that CGI was being permitted to amend its bid, and we filed our protest on April 17th within six days of receiving that information. Our protest is that under State law and Federal law, they should not be permitted to amend their bid. The invitation for bids here established a 30% DBE goal. The invitation also stated that a bid must include both a completed and executed certified DBE utilization and fair solicitation affidavit and DBE participation schedule and that failure to do so shall render a bid not responsive. The bid package included MDOT DBE forms. These are forms by the Maryland Department of Transportation and required the bidders to fill these out. MDOT DBE form A, which is the certification, DBE utilization and fair solicitation affidavit says this affidavit

MINUTES

must be included with the bid. If the bidder fails to accurately complete and submit this affidavit as required, the bid shall be deemed not responsive. CGI submitted their bid certifying that they had met the 30% DBE goal. MDOT form B which is the participation schedule, also required to be submitted with the bid says that if the bidder fails to accurately and complete and submit this with the bid proposal as required, the bid shall be deemed not responsive. It also directs the bidders to refer to the DOT directory for qualified DBE's. The MDOT Form B part 2, repeats that if the bidder fails to accurately complete and submit part 2 with the bid as required, the bid shall be deemed not responsive and on part 2, CGI listed E&F Landscaping LLC as a DBE contractor. The certificate submitted by DBE which is part 3 certifies that they have submitted DBE's which have met the bid's requirements and state's that the undersigned prime contractor hereby certifies and agrees that it has fully complied with the State Minority Business Enterprise law referring to the State Finance Article §14-308. What happened here was that on March 26, 2012, Steven Marciszewski of State Highway, the Director of Office of Construction, sent a memo to the City indicating that CGI's participation schedule does not meet the 30% requirement. It states that the MDOT directory lists E&F as a minority business

MINUTES

enterprise certified only. E&F Landscaping is not certified as a DBE. This distinction between MBE certification under the State's MBE program and DBE certification is significant on this federally funded contract. That amounted to a finding, that the bid was not responsive both under the request for bids and under the bid documents themselves. That is what the bid documents say in fact, three times. So the question becomes how do you get by having a non-responsive bid and get the award? Apparently, at first, the Department -- uh - State Highway, relied on the State Finance Article §14-303 (b)(13) it requires all bidders to submit their bids and utilization affidavit that identifies the certified minority business and a percentage and contract value of each MBE or in their case DBE and that the failure to accurately comply renders a bid not responsive. That what specifically and the State Highway Administration in administrating the DBE program on behalf of the Federal government treats MBE's and DBE's as the same for purpose of these regulations. That is what the State Highway Administration said specifically in its November 16, 2011 letter to Concrete General denying its protest in the Inner County Connector contract, and of course the forms themselves indicate that the State Highway Administration considers state law applicable to the DBE compliance issue. So, there's really no credible issue

MINUTES

as to whether this bid was responsive or not. Initially, the State Highway indicated that §14-307(a)(2) and COMAR 21.11.03.12 allow a bidder to change its bid after opening under these circumstances. An examination of the text of these - - this statute and regulation indicates that that is not what it allows. What it allows under the statute is if the bidder identifies a DBE or MBE which has become or will become not available or is ineligible, then it is required to notify State Highway or the Procurement Officer within 72 hours and it may provide an opportunity to find a substitute. This does not permit -uh MBE - - it does not permit an amendment to the bid itself. It permits uh - a clarification with respect to whether the MBE or DBE is actually qualified to do the work that it's designated to do. The provisions in both the Code and the uh - Regulations do not say that if the MBE or DBE is not certified at all, the bidder gets to amend its bid. This year the General Assembly passed House Bill 1370, which clarifies this. It eliminates the language from - uh §14-303 302(a)(7) which says 'that if a bidder is ineligible - uh action can be taken'. It eliminates the "is". It requires that it has become or will become unavailable. We understand now that State Highway has come around to the view that this is all controlled by Federal Regulation. Federal Regulation is uh - not helpful though to

MINUTES

any contractor who wants to amend their bid. What Federal Regulation does is require the State Highway Administration to uh - receive the information that is already required by State law with respect to minority contractors and it states that in the discretion of the State Highway Administration that it can either require that compliance with DBE requirements is a matter of responsiveness in the bid or a matter of responsibility. The State Highway Administration and all you have to do is look at the form has clearly provided that it's a matter of responsiveness in the bid. They say three times on their forms if you don't comply, your bid is not responsive and the Code of Federal Regulations does not permit a contractor to amend the bid. It simply gives the contractor a right to an audience before the State Highway Administration if the State Highway Administration either determines that they haven't met the goal or determines that they haven't made good faith efforts to meet the goal. Neither the Federal Regulation nor the State Regulation permits anywhere for a contractor to amend a bid after submission and opening which is exactly what has happened here. We are asking the Board not to award the contract to CGI and to request that State Highway forward Flanigan's bid to the Federal Highway Administration as the lowest responsive bidder. Thank you."

MINUTES

President: "Okay. You want to respond, Jamie. Mr. Kendrick do you want to respond?"

Mr. Kendrick: "Sure. Let me say this, I think both counsel for both Concrete General and Flanigan make compelling arguments. At the end of the day we provided a 60 day period for both firms to kind of make their best case to State Highway and Federal Highway Administration. I have not heard anything from the protestant that obviates that the City's required to follow the recommendation or the concurrence of the State and Federal Highway Administration. So, all of the arguments notwithstanding seem that the City is in a position where if we wish to proceed with the contract, we must follow with concurrence of award of State and Federal Highway all of the arguments notwithstanding, and I have not heard anything from the protestant that counters that."

City Solicitor: "Mr. Coe just a question for you. Would I be correct in the assumption or understanding that the substance of your arguments have been tendered in one way or other to the responsible State Highway officials?"

Mr. Coe: "Yes. You would be correct."

City Solicitor: "And am I correct that they have not to anyone's knowledge to your knowledge I suppose is the only fair question to ask you, that they have not changed their position on

MINUTES

concurrence from the one previously expressed as of approximately one week ago?"

Mr. Coe: "I'm not sure what their position is and uh - uh I have never understood it to begin with. So I can't tell you what they are."

City Solicitor: "I know that you have --."

Mr. Coe: "I think you are correct that I haven't changed anything."

City Solicitor: "Right, you have the vast disagreement with their position which certainly as of a week ago was they are concurring with a recommended award to Concrete General, and you weren't aware that they have changed that position, were you?"

Mr. Coe: "No."

City Solicitor: "Okay."

President: "Okay."

Mr. Dashiell: "Mr. President, Madam Mayor, Mr. Nilson. Their position has not changed. I represent -- my name is Robert Dashiell along with Scott Livingston. I represent Concrete General. The State Highway Administration's position has not changed, neither has the position of the Federal Highway Administration by the way, which has concurred in SHA's opinion of the matter. We urge the Board to follow the practice that the Board has consistently followed here and as indicated by Mr.

MINUTES

Kendrick which is to accept the recommendation from the State Highway Administration."

President: "Okay. I call for a Motion."

City Solicitor: "I would MOVE in light of the importance of the project in light of the fact that its depending on significant outside funding, in light of my understanding that Federal Law requires us if we wish to obtain that funding to accept the concurrence of the State Highway's officials which has already been provided to us in support of Concrete General, that the recommendation to proceed with Concrete General be approved and the protest be denied."

Director of Public Works: "Second."

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

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MINUTES

Bureau of Water and Wastewater

- 4. S.C. 917, On-Call Spiniello Companies \$2,833,850.00
 Television Inspection, Cleaning and
 Lining Sanitary
 Sewers using Cured-
 In-Place Pipe
 (Bureau of Water
 and Wastewater)

MBE SET GOALS OF 7% MBE AND 0% WBE.

MBE: Pipeline Investigations, \$200,000.00 7.05%
 Inc.

MWBOO FOUND VENDOR IN COMPLIANCE.

5. TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$ 588,757.76	9956-904404-9549	
W.W. Revenue	Constr. Reserve	
Bonds	Inflow & Infil-	
	tration	
3,151,924.24	9956-933001-9549	
W.W. Revenue	Constr. Reserve	
Bonds	Unallocated	
\$3,740,682.00		
\$ 283,385.00	-----	9956-910859-9551-2
		Extra Work
283,385.00	-----	9956-910859-9551-3
		Engineering
170,031.00	-----	9956-910859-9551-5
		Inspection
2,833,850.00	-----	9956-910859-9551-6
		Construction
170,031.00		9956-910859-9551-9
\$3,740,682.00		

The transfer will provide funds to cover costs associated with the award of SC 917, O/C TV Inspection, Cleaning and Lining Sanitary Sewers by Cured-In-Place Pipe.

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONSBureau of Purchases

6. B50002037, Annual	<u>First Call</u>	\$150,000.00
Inspection and	Overhead Crane	
Code Deficiency		
Repairs for Cranes	<u>Second Call</u>	
and Hoists	Crane 1 Services	20,000.00
(Bureau of Water		<u>\$170,000.00</u>
and Wastewater)		

MWBOO GRANTED A WAIVER.

7. B50002250, Selected	Fastenal Company	\$169,492.00
Restroom Supplies		
(Department of		
General Services)		

MWBOO SET GOALS OF 10% MBE AND 0% WBE.

The bidder did not achieve the MBE goal and did not request a waiver.

The award is recommended contingent upon the vendor coming into compliance within 10 days after the award.

MWBOO FOUND VENDOR IN NON-COMPLIANCE.

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

Bureau of Purchases

8.	B50002398, Skid Steer Loader with Attachments (Department of General Services)	JESCO, Inc.	\$ 89,289.00
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MWBOO GRANTED A WAIVER.

9.	B50001894, Tele-communication Improvement & Procurement Project (TIPP) (Department of Communication Services)	International Business Machines Corporation (IBM)	\$7,451,644.00
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DEFERRED

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

MBE:	Obverse, Inc.	0.91%*
	Matek, Inc.	6.04%

WBE:	Alliance Technology Group, LLC	3.30%
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*Obverse, Inc. is not in good standing with the Department of Assessment and Taxation. IBM will be allowed to substitute an approved MBE if Obverse, Inc. is not in good standing at the time the work commences.

MWBOO FOUND VENDOR IN COMPLIANCE.

* * * * *

MINUTES

President: "The next item on non-routine agenda is found on 59, item 9, Telecommunications Improvement and Procurement Project, Madam Comptroller."

Comptroller: "I would like to say, I know that the Mayor wants to defer this but I would like to uh-- say a couple of things--"

President: "The mic"

Comptroller: "several things- - we have representatives here from IBM and Avaya, could you please stand? Because the recommended awardee, they received notification from Mr. Joe Mazza, the Bureau of Purchases on Monday that this item would be presented to the Board of Estimates. This firm - you may sit down now - - this firm worked through the City Charter's mandated process for procurement. It was open. It was competitive and IBM was determined by the Bureau of Purchases to be responsible and responsive bidder. As Comptroller I am independently elected official with responsibilities for the communication services. This effort today for the Mayor is an effort for the Mayor to take over the duties of the Comptroller. Under the Mayor's direction, Mr. Rico Singleton, who was found by the Auditor of the State of New York to have violated procurement rules by side deals with vendors, took the same illegal action in the City of Baltimore with the approval of the Mayor. Rico Singleton violated the City charter in several ways."

MINUTES

He bought -- he purchased, he bought Cisco, a competitor of IBM, and purchased telephone equipment. Number 2, the contract that Mr. Singleton used was B50001442, which was awarded to multiple vendors for the procurement of computers, hardware, etc., to purchase telephones from Cisco through Digicon. Digicon was awarded items 1-5, 7, 9 and 12 under this contract. None of the items of this contract allowed for the purchase of telephone equipment. I am going to be brief, but Madam Mayor, I called you and I said to you were you aware that your Office of Information Technology was trying to usurp the responsibilities of the Comptroller, you told me that you were not aware of that but you would get back to me. At that time, I knew that you had Digicon install telephone systems in your office and your various agencies. When I requested of MOIT to give me a list of all the agencies that had telephones installed, they said, "What do you want it for?" - and Mr. President has a telephone system been installed in your office?

President: "Yes."

Comptroller: Did you request it?

President: "No."

Comptroller: "Why was it installed?"

President: "It was installed",

MINUTES

Comptroller: "Why? How did it come about? You did not request it."

President: "I didn't request it, but it was in my office."

Comptroller: "It just showed up?"

President: "Yeah."

Comptroller: "Rico Singleton spent \$659,000.00 of taxpayers' money illegally to perform Cisco's trial on a bare bone system. When -- The Mayor and I had a meeting on Wed -- Friday. The Mayor sent message that she wanted to meet with me one-on-one. I was willing to meet with her. She never got back in touch with me. First of all, you told an untruth and said that you did not know that the equipment was installed, and you did, because it was on your desk. Then you said that you had it installed because you wanted to independently do your due diligence which you could have done with HABC, you could have done it with the Telephone Exchange, if that wasn't independent enough for you, or you could have done it with the Enoch Pratt Free Library, but you didn't. So, you approved for Rico Singleton to spend \$659,000.00 of City funds illegally to perform Cisco's trial on a bare bone system. This was not necessary, as I said because you could have tested the program- equipment in other departments. The - - This very important -- this is the

MINUTES

responsibility of the Comptroller's Office as mandated by the Charter. The Mayor - uh -"

Mayor "Can you cite the Charter provision please?"

President: "Can you talk through the mic, Madam Comptroller."

Comptroller: "Yes, uh-- Harriette, can you find it for me?"

Mayor: "I will wait for it"

Comptroller: "Okay. It is for these reasons that I do not support the deferral. The Mayor is trying to usurp the responsibilities of the Telecommunications Department. As evidenced by uh--Can you (Deputy Comptroller) hand me that book? MOIT has already prepared a website that outlines the duties and responsibilities of the Comptroller. Here it is here, it was just pulled off the website, off the City's website and it says, "Telecommunication Services - MOIT offers a range of telecommunication services including voice, videoconferencing, call center services, voice mail and mobile solutions over voice over IP service. Our goal is high quality, reliable, robust and effective communications within the government and with the public. This is why MOIT has worked hard to institute Citywide voice over IP services, saving considerable money on telephone bills and introducing new and innovative technology to the City. Madam Mayor, were you aware of this site on MOIT's--?"

MINUTES

Mayor: "No, but I am very proud of the work that MOIT has done in working to save the taxpayer money."

Comptroller: But, they are not saving taxpayers money and how can the --how can you purchase, let me ask you this --"

Mayor: "I thought - I was waiting for the Charter provision."

Comptroller: "Okay. It is from the Charter and Public Local Laws of Baltimore City, Flack, and it reads, "It is contemplated that those activities now under the supervision of the Comptroller such as the Municipal Telephone Exchange, Municipal Post Office will remain in that Department. But, as they are not of sufficient importance to the Bureau status, they are not specifically referred to in the Charter."

City Solicitor: "Correct. It's not in the Charter."

Comptroller: "Right, because it says it shall remain--"

City Solicitor: "It's in budget language periodically."

Comptroller: "What do you mean budget language?"

City Solicitor: "In Budget language, periodically the moneys are appropriated to your office that's the basis for the telephone authority. uh -- Mr. President are we going to turn to the item in question? --"

Comptroller: " uh- -Harriette --"

President: "I am going to hear the Comptroller. She is an elected official, she's a member of this Board."

MINUTES

Comptroller: "Harriette as the attorney in the Comptroller's office can you speak to this?"

Deputy Comptroller: "B. Harriette Taylor, Office of the Comptroller. The item that the Madam Comptroller is referring to is uh - information from the publication which is the Charter and Public Local Laws of Baltimore City. This is from 1949 and it is the Report of the Charter Revision Committee. In this report it delineates, as Madam Comptroller has said that the duties of the Comptroller would include the Telephone Exchange and the Post Office. This is in 1949 at a time when communication services were not as significant and vibrant and used the way they are today. Uh--For those who were around at that time and if you were born then, some may be in this room, telephone services were delivered very differently. It was primarily from the telephone company. You got your line just like at your home and that was it. And also during that period of time that was many years ago, it was determined at that time the duties were such that it was not of an agency or department level and therefore, was not specifically included in the Charter but that those duties would remain with the Office of the Comptroller. Uh--There has been no change to that since that time and the Comptroller as stated here, has continued with

MINUTES

that particular responsibility for the communication services and for the Municipal Post Office.

Comptroller: "What I would like to say is uhm-"

Mayor: "Can Mr. Nilson speak?"

Comptroller: "Sure"

President: "Sure"

Solicitor: "If it is timely, I would like to make a motion on the item and that is that it be deferred for three Board meetings."

Comptroller: "I am not-"

Director DPW: "Second"

Comptroller: "I am not finished yet-"

City Solicitor: "Call the Motion."

President: "She's not, she is not finished speaking yet-,"

City Solicitor: "That's fine."

President: "You asked me to let the Comptroller(sic) speak. But, I did not know that you were going to call for a motion and she is not finished with her comments."

City Solicitor: "Okay, that's fine."

President: "When she finishes you can call for a motion."

Comptroller: "Mr. Nilson isn't it a violation of the City's Charter, the City's constitution to have recommended by the Mayor's Office of Bureau of Purchases a vendor who has gone

MINUTES

through the competitive process to be awarded the contract and then have Cisco use a backdoor approach and purchase telephone systems and implement those systems in the City when they were not--when they did not competitively bid?"

City Solicitor: "Nobody, Madam Comptroller has proposed that Cisco get a contract that is going through the procurement process now and is a pending item for this or some future Board meeting. What was done in terms of the acquisition of some number of telephones through MOIT with or without Cisco does not violate the Charter. Just as, I might add that the involvement of MOIT in telephone matters does not violate any Charter provision from 1949 or thereafter. So, the answer is there is no Charter violation here that I see at all with all due respect, Madam Comptroller to you and to Deputy- your Deputy."

Comptroller: "But, why isn't it a violation when the--um --the the items that could be purchased did not include telephones--"

City Solicitor: "If you--if you would like to bring the actual facts to me"--

Comptroller: "Absolutely--"

City Solicitor: "about the Cisco --"

Comptroller: "Absolutely--"

MINUTES

City Solicitor: "Cisco/MOIT telephone unit acquisition and some number of telephones, I would be happy to consider your request, if it is presented in an appropriate fashion with factual back-up and I will consider it in an appropriate forum and setting. I would be happy to do that."

Comptroller: "Okay, I can give you that information as I stated in the record it is B50001442 and it states that it can purchase certain items --If you would like me to, I can give it to you now or I can give it to later--but it does exclude telephone systems."

City Solicitor: "I'm happy to review them."

Comptroller: "And in light of good government, the Mayor has always prided herself on being open and transparent, I would defer and since Madam Mayor you said you wanted to meet with me one-on-one on Friday, you never called."

Mayor: "Your office told us that you were out of town for a conference for the last two days."

Comptroller: "I was not out of town on Friday."

Mayor: "I am just telling you what we were told." I didn't, I don't have a GPS on you."

MINUTES

Comptroller: "But Madam Mayor, let me ask you a question. When I want to talk to you, I call you on the phone, you either answer or I leave you a message and you call right back. You never called."

City Solicitor: "Mr. President I am sorry I think the presentation of the Comptroller --"

Comptroller: "I am not finished--"

City Solicitor: "okay you want to continue the dialogue as a part of your statement--"

Comptroller: "Yes, and as I said --"

President: "And I would appreciate it, Mr. Nilson that you would not interrupt her unless she is speaking directly to you."

City Solicitor: "I thought she had finished her statement. I am sorry; she was speaking to me, by the way."

Comptroller: "I was speaking to the Mayor. So, the Mayor has always encouraged openness and transparency and accountability. So, what I would like to do, Mr. President, is to defer this item for one week only so that the Mayor and I can have a one-on-one as she requested on Friday, which she did not."

MINUTES

President: "In the spirit of good government, I would accept that."

Mayor: "There is already a motion on the floor and a second."

City Solicitor: "I have a motion that has been seconded in requesting for this to be deferred to three meetings."

President: "All those in favor, say AYE,"

Mayor "Aye"

City Solicitor: Aye

Comptroller: "Opposed"

President: "Those opposed Nay. Please note, I vote **NO**. The Motion carries.

* * * * *

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONSMayor's Office of Information Technology (MOIT)

10. MOIT - Assessment of the City's existing Mainframe Applications
- REJECTION** - On March 21, 2012, the Board opened one bid from Navigator Management Partners LLC for the Assessment of the City's existing Mainframe Applications. The proposal did not meet the requirements and the cost exceeded internal estimates. It is MOIT's determination that accepting this proposal would not be in the best interest of the City.

MINUTES

Mayor's Office of Information - Pole License Agreement
Technology (MOIT)

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the pole license agreement with the Baltimore Gas and Electric Company (BGE). The period of the agreement is effective upon Board approval through December 31, 2014 unless terminated or renegotiated by either party. The agreement has the option of continuing for two-year periods.

AMOUNT OF MONEY AND SOURCE:

\$200,000.00 - 2042-000000-1474-165700-603013

BACKGROUND/EXPLANATION:

This license agreement authorizes the City to attach its facilities to the BGE poles. The total attachment and occupancy fees will be based upon the number of poles for which the BGE issues licenses to the City. This agreement also includes all prior pole licenses with the BGE, superseding prior individual licensing agreements which had higher prices. This agreement enables the City to manage a fiber-optic communications network within the State of Maryland. This will allow the City to place and maintain equipment on the BGE poles for construction and operation of an advanced telecommunications broadband network for the provision of advanced telecommunications capabilities. This fiber may be utilized to serve some of the City's telecommunication needs as Baltimore City migrates to VOIP.

The City's use of the BGE poles and conduits is part of the One Maryland Broadband Network (OMBN), a planned 1,294 mile fiber optic broadband network that will link 1,006 government facilities and community "anchor institutions" in every county in the state, while interconnecting and extending three in-

MINUTES

MOIT - cont'd

dependent networks: networkMaryland, the statewide network operated by DoIT; the Inter-County Broadband Network (ICBN), a consortium of 10 central Maryland counties and cities, including Baltimore, and the Maryland Broadband Cooperative, a rural non-profit carrier. The City is a member of the ICBN. The ICBN has also negotiated a similar agreement with Verizon, Maryland for licensing of poles, conduits, and right of way. The contract with Verizon, MD was approved by the Board of Estimates on March 8, 2012. Verizon and BGE will work in collaboration on all poles. The OMBN will be built with \$115,240,581.00 in grant funding awarded in September 2010 through the Federal Broadband Technology Opportunities Program.

APPROVED FOR FUNDS BY FINANCE

(FILE NO. 55899)

UPON MOTION duly made and seconded, the Board approved and authorized the execution of the pole license agreement with the Baltimore Gas and Electric Company. The President **ABSTAINED**.

MINUTES

Mayor's Office - Services Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a services agreement between the Baltimore Development Corporation and the Downtown Partnership of Baltimore (DPOB). The period of the agreement is effective upon Board approval.

AMOUNT OF MONEY AND SOURCE:

\$140,000.00 - 9904-907794-9127

BACKGROUND/EXPLANATION:

This services agreement proposes matching grants up to \$10,000.00 each for eligible façade improvements.

This services agreement will enable the DPOB to administer a Façade Improvement Program (FIP).

The DPOB has undertaken an initiative to assist the owners and tenants of small and mid-size buildings in improving the exterior facades of their establishments, including making necessary repairs in order to address building code infractions. More than 100 façade improvement projects have been funded by the DPOB since 2002. To date, the total amount of matching funds paid to FIP recipients is \$1,576,218.59. The total amount of matching funds paid per funding cycle is as follows:

- 2002 through 2006 - \$815,215.16
- 2007 through 2008 - \$184,252.22
- 2009 through 2011 - \$516,751.21

MINUTES

Mayor's Office - cont'd

In past years, the sources of funds were contributed by the following entities:

- State of Maryland funds for the BDC's Westside Initiative
- BDC funds
- State of Maryland Neighborhood Business Works

This is the first façade improvement program to focus exclusively on targeted blocks of downtown's Westside. These are high-impact and low-cost façade improvements for strategic blocks and targeted, privately-owned buildings. The existing FIP funds administered by the DPOB are highly restrictive and do not allow for the basic improvements such as fresh paint and new signage.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

A PROTEST WAS RECEIVED FROM MS. KIM TRUEHEART.

* * * * *

As Ms. Trueheart does not have a specific interest that is different from that of the general public, the Board will not hear her questions. Her correspondence has been sent to the appropriate agencies and committee which will respond directly to Ms. Trueheart.

* * * * *

UPON MOTION duly made and seconded, the Board approved and authorized execution of the services agreement between the Baltimore Development Corporation and the Downtown Partnership of Baltimore. The Mayor **ABSTAINED**.

MINUTES

Bureau of Water and Wastewater (BW&WW) - Task Assignment

ACTION REQUESTED OF B/E:

The Board is requested to approve the assignment of task no. 009 to Transviron, Inc. under Project 1095T, Chlorination/Dechlorination Facilities Process Conversion at the Back River Waste Water Treatment Plant for S.C. 857.

AMOUNT OF MONEY AND SOURCE:

\$122,678.48 - Baltimore County
57,731.05 - Baltimore City
\$180,409.53 - 9956-903572-9551-000020-703031

BACKGROUND/EXPLANATION:

S.C. 857 was put on hold since 2008 at the final stage of design due to coordination issues with the ongoing Enhanced Nutrient Removal (ENR) projects. Under this task, the consultant will finalize the S.C. 857 design with additional scope to the High Pressure Effluent Water (HPEW) improvements.

The work includes the revisions to the S.C. 857 design to address changes/modifications to the temporary and permanent hypo-chlorite systems and coordination with the ENR Facilities Projects other design changes including modifications to the HPEW building to demo existing pumps and associated piping and replacing them with new ones, and bypass pump, repair and paint the interior and exterior wall, provide new exterior fiberglass doors, replace windows, and design roadway lighting for the access road to the HPEW. The consultant will prepare the final contract documents, construction cost estimates, and provide assistance during the bidding period.

MINUTES

BW&WW - cont'd

The consultant was approved by the Office of Boards and Commissions and the Architectural and Engineering Awards Commission for design services under this contract.

MWBOO FOUND VENDOR IN COMPLIANCE.

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

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$ 80,000.00	9956-906687-9549	
Wastewater	Constr. Res.	
Revenue Bonds	Patapsco Chlorine	
	Conversion	
170,000.00	" "	
<u>Counties</u>		
\$250,000.00	-----	9956-903572-9551-3
		Engineering

The transfer is required to fund the award of an engineering services contract for Project 1095T, Task No. 009 for S.C. 857, Chlorination/Dechlorination Facilities at the Facility at the Patapsco Wastewater Treatment Plant.

UPON MOTION duly made and seconded, the Board approved the assignment of task no. 009 to Transviron, Inc. under Project 1095T, Chlorination/Dechlorination Facilities Process

MINUTES

BW&WW - cont'd

Conversion at the Back River Waste Water Treatment Plant for S.C. 857. The Transfer of Funds was approved, SUBJECT to the receipt of a favorable report from the Planning Commission, the Director of Finance having reported favorably thereon, in accordance with the provisions of the City Charter. The President **ABSTAINED**.

MINUTES

Department of Transportation - On-Call Task Assignment

ACTION REQUESTED OF B/E:

The Board is requested to approve an assignment of Task No. 006 to Rummel, Klepper & Kahl, LLP under Project No. 1161, On-Call Construction Project Management Services.

AMOUNT OF MONEY AND SOURCE:

\$101,239.42 - 9950-908301-9527-900010-705032
66,627.15 - 9962-909052-9562-900000-705032
\$167,866.57

BACKGROUND/EXPLANATION:

Under this task, the consultant will provide for construction management services on TR 08046, Broening Highway contract and TR 03313 Washington Boulevard, I-95 to Monroe Street.

MBE/WBE PARTICIPATION:

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

APPROVED FOR FUNDS BY FINANCE

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

MINUTES

Department of Transportation - cont'd

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$60,000.00	9962-941002-9563	9962-909052-9562-2
Other	Constr. Reserve	Contingencies
	Conduit Replace-	Washington Blvd.
	ment Program	I-95 to Monroe St.

This transfer will provide funds to cover the costs related to Project 1161, Task No. 006 for construction management services by Rummel, Klepper & Kahl, LLP.

UPON MOTION duly made and seconded, the Board approved and authorized the execution of the assignment of Task No. 006 to Rummel, Klepper & Kahl, LLP under Project No. 1161, On-Call Construction Project Management Services. The Transfer of Funds was approved, SUBJECT to the receipt of a favorable report from the Planning Commission, the Director of Finance having reported favorably thereon, in accordance with the provisions of the City Charter.

MINUTES

CITY COUNCIL BILLS:

12-0023 - Charter Amendment - Municipal Elections for the purpose of providing for the election of the Mayor, the Comptroller, and the President and Members of the City Council in 2016 and in every succeeding fourth year; adjusting the terms of office for those elected in 2011; and submitting this amendment to the qualified voters of the City for adoption or rejection.

THE LAW DEPARTMENT RECOMMENDS THAT THE CITY COUNCIL BILL 12-0023 BE AMENDED TO CHANGE THE PURPOSE CLAUSE TO RECOGNIZE THE ACTION BY THE GENERAL ASSEMBLY. THE RECOMMENDED AMENDMENT IS: IN LINE 3, AFTER "PURPOSE OF" INSERT "CONFIRMING THE STATE LEGISLATION ENACTMENT." THE LAW DEPARTMENT APPROVED CITY COUNCIL BILL 12-0023 FOR FORM AND LEGAL SUFFICIENCY.

ALL REPORTS RECEIVED WERE FAVORABLE.

A PROTEST WAS RECEIVED FROM MS. KIM TRUEHEART.

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As Ms. Trueheart does not have a specific interest that is different from that of the general public, the Board will not hear her questions. Her correspondence has been sent to the appropriate agencies and committee which will respond directly to Ms. Trueheart.

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12-0092 - Charter Amendment - Stormwater Utility for the purpose of establishing a financially self-sustaining stormwater utility; authorizing supplemental legislation to implement the provisions governing water, sanitary wastewater, and stormwater utilities; correcting, clarifying, and conforming related language; providing for a special effective date; and submitting this amendment to the qualified voters of the City for adoption or rejection.

MINUTES

THE LAW DEPARTMENT RECOMMENDS ONE AMENDMENT TO CITY COUNCIL BILL 12-0092. IN SECTION 18(E) FOR CLARITY, ADD "AND NOT INCONSISTENT WITH THIS CHARTER" AFTER DESIRABLE. THE LAW DEPARTMENT APPROVED CITY COUNCIL BILL 12-0092 FOR FORM AND LEGAL SUFFICIENCY.

ALL REPORTS RECEIVED WERE FAVORABLE.

- 12-0093 - Charter Amendment - Minority Party Representation on Boards and Commissions for the purpose of allowing voters registered as unaffiliated or as third party members to sit on City boards and commissions as minority party representatives; defining a certain term; generally relating to minority party representation on City boards and commissions; and submitting this amendment to the qualified voters of the City for adoption or rejection.

ALL REPORTS RECEIVED WERE FAVORABLE.

- 12-0060 - An Ordinance Concerning Sale of Property - Former Bed of Toone Street For the purpose of authorizing the Mayor and City Council of Baltimore to sell, at either public or private sale, all its interest in a certain parcel of land known as the former bed of Toone Street, extending from Ponca Street easterly to the Right of Way Line of Interstate Route No. 895 (Baltimore Harbor Tunnel) no longer needed for public use; and providing for a special effective date.

THE DEPARTMENT OF GENERAL SERVICES SUPPORTS PASSAGE OF CITY COUNCIL BILL 12-0060 PROVIDED THE OPENING AND CLOSING ORDINANCES ARE APPROVED.

THE DEPARTMENT OF REAL ESTATE HAS NO OBJECTIONS TO THE PASSAGE TO CITY COUNCIL BILL 012-0079 ON THE CONDITION THAT CITY COUNCIL BILLS 12-0058 AND 12-0059 ARE ALSO APPROVED AND ENACTED.

ALL REPORTS RECEIVED WERE FAVORABLE.

MINUTES

CITY COUNCIL BILLS

12-0071 - An Ordinance Concerning Sale of Property - Former Bed of a 15-Foot Alley For the purpose of authorizing the Mayor and City Council of Baltimore to sell, at either public or private sale, all its interest in a certain parcel of land known as the former bed of a 15-foot alley laid out in the rear of the properties known as 4406 and 4410 Pall Mall Road and no longer needed for public use; and providing for a special effective date.

THE DEPARTMENT OF GENERAL SERVICES SUPPORTS PASSAGE OF CITY COUNCIL BILL 12-0071 PROVIDED THE CLOSURE ORDINANCE IS APPROVED.

ALL REPORTS RECEIVED WERE FAVORABLE.

12-0079 - An Ordinance Concerning Sale of Property - Former Beds of Certain Streets and Alleys Bounded by Sun Street, the CSX Transportation, Inc. Railroad Right of Way, Vera Street, and Chesapeake Avenue For the purpose of authorizing the Mayor and City Council of Baltimore to sell, at either public or private sale, all its Interest in certain parcels of land known as the former beds of certain streets and alleys bounded by Sun Street, the CSX Transportation, Inc. Railroad right of way, Vera Street, and Chesapeake Avenue and no longer needed for public use; and providing for a special effective date.

THE DEPARTMENT OF REAL ESTATE HAS NO OBJECTIONS TO THE PASSAGE TO CITY COUNCIL BILL 012-0079 ON THE CONDITION THAT CITY COUNCIL BILLS 12-0077 AND 12-0078 ARE ALSO APPROVED AND ENACTED.

THE DEPARTMENT OF GENERAL SERVICES SUPPORTS PASSAGE OF CITY COUNCIL BILL 12-0079 PROVIDED THE OPENING AND CLOSING ORDINANCES ARE APPROVED.

ALL REPORTS RECEIVED WERE FAVORABLE.

MINUTES

City Council - cont'd

UPON MOTION duly made and seconded, the Board approved bills 12-0023, 12-0092, 12-0093, 12-0060, 12-0071, and 12-0079, and directed that the bills be returned to the City Council with the recommendation that they also be approved and passed by that Honorable Body. The President **ABSTAINED**.

MINUTES

TRAVEL REQUESTSDepartment of Recreation and Parks

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
1. Melissa Grim Kate Bloom	American Public Gardens 2012 Conference Columbus, OH June 18 - 23, 2012 (Reg. fee \$884.00 ea.)	Accessory Acct.	\$4,445.22

The subsistence rate for this location is \$150.00 per day. The hotel cost is \$149.00 per night not including occupancy taxes in the amount of \$24.96 per night. The Department is requesting an additional \$39.00 per night to cover the cost of meals and incidental expenses.

Ms. Grim will be driving her personal vehicle to the conference; the Department is requesting an additional \$18.00 per day to cover the cost of parking.

Department of Public Works

2. Parvathy Murali Maxine Eriwein Shonte Eldridge	Lean Six Sigma Certification Washington, DC July 16 - 20, 2012 (Reg. Fee \$2,599.00 ea.)	General Funds	\$8,547.00
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The attendees will each travel by train to the conference at a cost of \$50.00 per day for each of the five days of training.

MINUTES

TRAVEL REQUESTSDepartment of Housing and Community Development

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
3. Julia Day* Wendi Redfern	2012 Reclaiming Vacant Properties Conference New Orleans, LA June 20 - 22, 2012 (Reg. fee 125.00*, \$250.00)	General Funds	\$2,095.20

The attendees will be continuing their stay in New Orleans through June 24, 2012 at their own expense.

Mayor's Office

4. Andrew Smullian	U.S. Conference of Mayors Orlando, FL June 13 - 16, 2012 (Reg. Fee \$900.00)	General Funds	\$2,198.24
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The subsistence rate for this location is \$153.00 per day. The hotel rate is \$199.00 per night not including occupancy taxes in the amount of \$24.87 per day. The Department is requesting an additional \$46.00 per day to cover the cost of the hotel and \$40.00 per day for meals and incidental expenses. The hotel cost in the amount of \$671.64, registration in the amount of \$900.00, and the airfare in the amount of \$446.60 has been prepaid on City issued Credit Card assigned to Ms. Kathe Hammond. The disbursement to Mr. Smullian will be \$180.00

MINUTES

TRAVEL REQUESTSPolice Department

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
5. John P. Skinner Anthony J, Guglielmi	COPCOM Conference Vancouver, Canada June 24 - 27, 2012 (Reg. Fee \$0.00)	Asset Forfeiture Funds	\$3,263.94

AM 240-5 Travel outside the Continental United States

The Department proposes an approximate subsistence rate of \$225.00 per day and certifies that the rates obtained are comparable to available accommodations in the vicinity of the conference. The Department representatives believe the subsistence amount to be both reasonable and economical.

6. William J. Manager Ethan R. Newberg	Crimes Against Children Conf. Dallas, TX Aug. 12 - 16, 2012 (Reg. Fee \$465.00)	Maryland Reimburse- ment Account	\$3,347.20
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Fire Department

7. James Potteiger Peter Hanna	ESRI Homeland Security Conf. San Diego, CA July 21 - 28, 2012	FY10 Urban Areas Security Initiative	\$4,515.82
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The Department has prepaid the cost of the airfare in the amount of \$701.60. The disbursement to each attendee will be in the amount of \$1,556.31.

The Board, UPON MOTION duly made and seconded, approved the travel requests. The Mayor **ABSTAINED** on item no 4.

MINUTES

Space Utilization Committee - Third Extension and Amendment
to Lease Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a third extension and amendment to lease agreement with Orion Properties I, LLC, landlord, for a portion of the property known as 231 E. Baltimore Street, being on the 2nd and 3rd floors, consisting of approximately 12,402 square feet. This third extension and amendment to lease agreement extends the period of the agreement for two years through September 30, 2017.

AMOUNT OF MONEY AND SOURCE:

	<u>Annual Rent</u>	<u>Monthly</u>
Year 1	\$167,427.00	\$13,952.25
Year 2	\$167,427.00	\$13,952.25
Year 3	\$179,829.00	\$14,985.75
Year 4	\$192,231.00	\$16,019.25
Year 5	\$192,231.00	\$16,019.25

Account: 1001-000000-1441-161800-603013

BACKGROUND/EXPLANATION:

The leased premises will be used for municipal purposes for the Bureau of Purchases. On April 28, 1999, the Board approved the original lease agreement. The original lease was amended on July 1, 2010 and September 22, 2010.

This third extension and amendment to the lease agreement will extend the term through September 30, 2017. All other terms and conditions of the original lease will remain unchanged.

MINUTES

Space Utilization Committee - cont'd

The Space Utilization Committee approved this third extension and amendment to lease Agreement on June 5, 2012.

APPROVED FOR FUNDS BY FINANCE

(FILE NO. 55526)

UPON MOTION duly made and seconded, the Board approved and authorized the execution of the execution of a third extension and amendment to lease agreement with Orion Properties I, LLC, landlord, for a portion of the property known as 231 E. Baltimore Street, being on the 2nd and 3rd floors, consisting of approximately 12,402 square feet.

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

The Board is requested to approve and authorize execution of an interdepartmental lease agreement between the Department of General Services, landlord, and the Mayor's Commission on Disabilities, tenant, for the rental of a portion of the property known as 401 E. Fayette Street, consisting of approximately 420 square feet on the first floor. The period of the interdepartmental lease agreement is effective upon Board approval through April 30, 2017.

AMOUNT OF MONEY AND SOURCE:

\$1.00 - Annually, if demanded

BACKGROUND/EXPLANATION:

The leased premises will be used for the administrative offices for the Executive Director of the Mayor's Commission on Disabilities. The landlord will be responsible for the maintenance of the interior and exterior of the building including the foundations, roof, walls, gutters, downspouts, air conditioning, ventilating and heating system, cleaning the floors, providing janitorial services, trash removal, pest control, and keeping the sidewalks adjacent to the premises and the entrances thereto clear of ice, snow, and debris. The landlord will be responsible for all interior and exterior lighting of the leased premises, except for damage caused by the sole negligence of the tenant, tenant's employees, guests, agents, invitees, and contractors. The landlord will also furnish and pay for all utilities that are supplied to or used at the leased premises, including oil, gas, electric, and water.

MINUTES

Space Utilization Committee - cont'd

The tenant will accept the leased premises in its existing condition. The tenant will provide all equipment, if applicable, necessary for the operation of the tenant's programs, including, but not limited to telephone and computer services to the leased premises. The tenant will be responsible for placing debris from the lease premises into trash receptacles, keeping the entrance, passageways, and areas adjoining or appurtenant to their leased premises in a clean and orderly condition, free of rubbish and obstruction.

The Space Utilization Committee approved this interdepartmental lease agreement on June 5, 2012.

UPON MOTION duly made and seconded, the Board approved and authorized the execution of an interdepartmental lease agreement with the Department of General Services, landlord, and the Mayor's Commission on Disabilities, tenant, for the rental of a portion of the property known as 401 E. Fayette Street, consisting of approximately 420 square feet on the first floor.

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

The Board is requested to approve and authorize execution of a lease agreement with the Maryland Transit Administration (MTA), tenant, for rental of four parcels (Lease Parcel Nos. A, B, C, and D). Lots A and B are existing parking lots, which lies between W. Mulberry Street, W. Franklin Street, N. Smallwood Street and N. Pulaski Street, Lot C lies between N. Pulaski Street and N. Monroe Street, Lot D lies between N. Payson Street and N. Monroe Street, containing 1.744 acres for Lot A; 1.89 acres for Lot B; 73,500 square feet for Lot C; 72,000 square feet for Lot D. Lots C and D are referred to as the "New Lots". The period of the agreement is 20 years, beginning July 1, 2012 through June 30, 2032, with the right to renew for three 10-year terms.

AMOUNT OF MONEY AND SOURCE:

\$1.00, if demanded

BACKGROUND/EXPLANATION:

The leased premises will be used for the surface parking for MTA patrons, employees and invitees of the West Baltimore MARC Commuter Rail Station.

The City is responsible for post construction maintenance to City streets, sidewalks, landscaped area, and other City-owned property outside of the "New Lots," cutting and trimming the grass, marking, signing and striping, pavement repair due to pavement failures, sealing and patching cracks, potholes, cleaning/removing of graffiti, cleaning and removal of trash leaves and trash cans, maintaining and operating lights on City streets, maintaining and repairing pedestrian crossings, maintaining storm drain system, and maintaining all landscape planting installed outside the lots' fences as part of the "New Lots."

MINUTES

Space Utilization Committee - cont'd

The tenant will be responsible for installing 660 paved parking spaces; reconstructing N. Payson Street between W. Franklin and W. Mulberry Streets, providing vehicular access to N. Pulaski and N. Payson Streets from Lot C, landscaping within and surrounding "New Lots", constructing new curbs, gutters and sidewalks within the "New Lots", ornamental fencing, storm water management facilities within the footprint of the "New Lots," reconstructing and upgrading the City's existing storm drain from intersection of N. Pulaski and W. Franklin Streets eastward to a point in W. Franklin Street approximately 240 feet west of the intersection with N. Monroe Street. The tenant will also provide appropriate features for the comfort and safety of riders (i.e. bus shelter and lighting), sidewalks and bus stop locations within lease premises, and liability insurance.

The Space Utilization Committee approved the lease agreement at its meeting of June 5, 2012.

UPON MOTION duly made and seconded, the Board approved and authorized the execution of the lease agreement with the Maryland Transit Administration (MTA), tenant, for rental of four parcels (Lease Parcel Nos. A, B, C, and D). Lots A and B are existing parking lots, which lies between W. Mulberry Street, W. Franklin Street, N. Smallwood Street and N. Pulaski Street, Lot C lies between N. Pulaski Street and N. Monroe Street, Lot D lies between N. Payson Street and N. Monroe Street, containing 1.744 acres for Lot A; 1.89 acres for Lot B; 73,500 square feet for Lot C; 72,000 square feet for Lot D. Lots C and D are referred to as the "New Lots".

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

The Board is requested to approve and authorize execution of a sublease agreement with the United Way of Central Maryland, Inc., sublandlord, for rental of a portion of the property known as 100 S. Charles Street, consisting of approximately 3,104 square feet of space along with two unassigned parking spaces. The sublease agreement is for the period July 1, 2012 through June 30, 2013.

AMOUNT OF MONEY AND SOURCE:

<u>Annual Payment</u>	<u>Monthly Rent</u>
\$43,145.60	\$3,595.47

BACKGROUND/EXPLANATION:

The sublease agreement will allow the subleased premises to be used as offices by the Baltimore City's Health Head Start Program under the Mayor's Office of Human Services.

The sublandlord will provide electric, water, drainage, gas, HVAC, lighting, restrooms and cleaning of restrooms, building security, and trash removal of the subleased premises. The sublandlord will allow the subtenant the use of the large conference room (Blair Room) upon prior scheduling with the sublandlord and use of the existing desks, chairs, credenzas and filing cabinets in the subleased premises to the subtenant. The subtenant will be responsible for liability insurance, telephone and computer services to the subleased premises.

The Space Utilization Committee approved the lease agreement at its meeting of May 22, 2012.

MINUTES

Space Utilization - cont'd

A PROTEST WAS RECEIVED FROM MS. KIM TRUEHEART.

* * * * *

As Ms. Trueheart does not have a specific interest that is different from that of the general public, the Board will not hear her questions. Her correspondence has been sent to the appropriate agencies and committee which will respond directly to Ms. Trueheart.

* * * * *

UPON MOTION duly made and seconded, the Board approved and authorized the execution of the execution of a sublease agreement with the United Way of Central Maryland, Inc., sublandlord, for rental of a portion of the property known as 100 S. Charles Street, consisting of approximately 3,104 square feet of space along with two unassigned parking spaces. The President **ABSTAINED**.

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

The Board is requested to approve and authorize execution of a lease agreement with Avalon Consulting Services, LLC, lessee, for the rental of two unimproved lots known as 301 & 311 N. Warwick Ave. totaling 32,278 sq. ft. The period of the agreement is June 1, 2012 through May 31, 2013, with an option to renew for one additional 1 year term.

AMOUNT OF MONEY AND SOURCE:

<u>Annual Rent</u>	<u>Monthly Rent</u>
\$6,000.00	\$500.00

BACKGROUND/EXPLANATION:

The lessee will use the leased premises for the installation of a temporary building structure to be used for offices and for parking. The lease agreement is subject to early termination should the City determine this site is needed for the Redline. The lessee will have first right of refusal should the City determine they have no further use for the premises and offers it for disposition.

The lessee will be responsible for maintaining the premises in first class condition and making all repairs at its sole cost and expense, and will comply with all applicable federal, state, and local laws, ordinances, rules and regulations.

The Space Utilization Committee approved this lease agreement on June 5, 2012.

MINUTES

Department of Real Estate - cont'd

A PROTEST WAS RECEIVED FROM MS. KIM TRUEHEART.

As Ms. Trueheart does not have a specific interest that is different from that of the general public, the Board will not hear her questions. Her correspondence has been sent to the appropriate agencies and committee which will respond directly to Ms. Trueheart.

* * * * *

UPON MOTION duly made and seconded, the Board approved and authorized the execution of the lease agreement with Avalon Consulting Services, LLC, lessee, for the rental of two unimproved lots known as 301 & 311 N. Warwick Ave. totaling 32,278 sq. ft.

MINUTES

Department of Real Estate - Renewal of Lease Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve the renewal option of the lease agreement with East Baltimore Enterprise, Inc., landlord, for the rental of a portion of the property known as the Chance Center located at 301 N. Gay Street. The period of the renewal is July 1, 2012 through June 30, 2013.

AMOUNT OF MONEY AND SOURCE:

Annual Rent

\$12,325.00

BACKGROUND/EXPLANATION:

On March 7, 2012, the Board approved the initial agreement for the period July 1, 2011 through June 30, 2012. The agreement contained a one 1-year renewal option. The Juvenile Division of the Circuit Court would like to exercise the renewal option.

All other terms, conditions and provisions of the lease agreement dated March 7, 2012 will remain in full force and effect.

(FILE NO. 56618)

A PROTEST WAS RECEIVED FROM MS.KIM TRUEHEART.

* * * * *

As Ms. Trueheart does not have a specific interest that is different from that of the general public, the Board will not hear her questions. Her correspondence has been sent to the appropriate agencies and committee which will respond directly to Ms. Trueheart.

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MINUTES

Space Utilization Committee - cont'd

UPON MOTION duly made and seconded, the Board approved the renewal option of the lease agreement with East Baltimore Enterprise, Inc., landlord, for the rental of a portion of the property known as the Chance Center located at 301 N. Gay Street.

MINUTESDepartment of Real Estate - Renewal Option of Sublease Agreement**ACTION REQUESTED OF B/E:**

The Board is requested to approve the first renewal of the sublease agreement with HealthCare Access Maryland, Inc. for the rental of a portion of the property known as the 201 E. Baltimore Street, being on the fifteenth floor, consisting of approximately 7,018 square feet and known as Suite 1500. The first renewal option extends the sublease agreement through June 30, 2013.

AMOUNT OF MONEY AND SOURCE:

The annual rent shall be as follows:

<u>Annual Rent</u>	<u>Monthly Rent</u>
\$117,551.52	\$9,795.96

Funds are available in Account No. 1001-000000-3024-268600-603013

BACKGROUND/EXPLANATION:

On May 16, 2012, the Board approved the sublease agreement with HealthCare Access of Maryland, Inc. The period of the agreement is September 01, 2010 through June 30, 2012 with the option to renew for three additional one-year periods and one seven month term. The premises are used by the Department of Health, Care Services Division of Advocacy and Client Services. All other rentals, conditions, and provisions of the sublease agreement dated May 16, 2012 will remain in full force and effect

APPROVED FOR FUNDS BY FINANCE

A PROTEST WAS RECEIVED FROM MS. KIM TRUEHEART.

MINUTES

Dept. of Real Estate - cont'd

As Ms. Trueheart does not have a specific interest that is different from that of the general public, the Board will not hear her questions. Her correspondence has been sent to the appropriate agencies and committee which will respond directly to Ms. Trueheart.

* * * * *

UPON MOTION duly made and seconded, the Board approved the first renewal of the sublease agreement with HealthCare Access Maryland, Inc. for the rental of a portion of the property known as the 201 E. Baltimore Street, being on the fifteenth floor, consisting of approximately 7,018 square feet and known as Suite 1500.

MINUTESSpace Utilization Committee - Transfer of Building Jurisdiction**ACTION REQUESTED OF B/E:**

The Board is requested to approve the transfer of building jurisdiction and reporting agency of four parcels listed below from the inventory of the Department of Recreation and Parks to the inventory of the Department of General Services (DGS).

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

<u>ADDRESS:</u>	<u>NEW JURISDICTION</u>	<u>REPORTING AGENCY</u>
Phoenix Shot Tower 801 E. Fayette Street (Block 1335 Lot 1)	DGS	DGS
Baltimore Visitor's Center including the adjacent Sondheim Fountain 401 Light Street	DGS	DGS
1400 E. Federal Street (Block 1115, Lot 15) Oliver Multi-Purpose Center	DGS	DGS
501 W. 30th Street (Block 3559, Lot 1) Wyman Multi-Purpose Center	DGS	DGS

MINUTES

Space Utilization Committee - cont'd

In accordance with the authority granted to the new Department of General Services by the City Charter (Art VII, §132), DGS is now responsible for all municipal buildings, unless otherwise provided by the City Charter. Transferring municipal buildings currently registered under the Department of Recreation and Parks is in keeping with this new mission.

(FILE NO. 56665)

UPON MOTION duly made and seconded, the Board approved the transfer of building jurisdiction and reporting agency of four parcels listed above from the inventory of the Department of Recreation and Parks to the inventory of the Department of General Services.

MINUTES

PERSONNEL MATTERS

* * * * *

UPON MOTION duly made and seconded,

the Board approved

all of the Personnel matters

listed on the following page:

2290

All of the Personnel matters has been approved

by the EXPENDITURE CONTROL COMMITTEE.

All of the contracts have been approved

by the Law Department

as to form and legal sufficiency.

The President **ABSTAINED** on item no. 2.

MINUTES

PERSONNEL

Department of Recreation and Parks

	<u>Hourly Rate</u>	<u>Amount</u>
1. SARAH HOPE	\$25.00	\$ 50,000.00

Account: 5000-577709-4780-369200-601009

Ms. Hope will work as a Playground Safety Coordinator. Her duties will include, but are not limited to inspection of all 128 playgrounds twice each year to assess deficiencies. She will note needed repairs and bring them into compliance with all safety standards. In addition, Ms. Hope will develop a maintenance regimen to include a maintenance tracking system and develop an efficient system for the procurement of replacement parts for playground equipment. The period of the agreement is effective upon Board approval through June 7, 2013.

Office of the City Council President

2. Create the following unclassified position:

10010 - Secretary City Council
 Grade 086 (\$35,947.00 - \$43,361.00)
 Job No. to be assigned by BBMR

Costs: \$54,805.30 - 1001-000000-1000-106900-601001

MINUTESDepartment of Public Works - Agreement**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of an agreement with the City of Baltimore Small Business Resource Center, Inc. (SBRC). The period of the agreement is effective upon Board approval for one year, with a renewal option of one additional one-year term.

AMOUNT OF MONEY AND SOURCE:

\$ 62,500.00	-	2070-000000-5541-399300-603026
62,500.00	-	2071-000000-5541-398600-603026
95,000.00	-	1001-000000-2301-248800-603026
30,000.00	-	2024-000000-5480-395700-603050
<u>\$250,000.00</u>		

BACKGROUND/EXPLANATION:

The Mayor's Office of Minority and Women-Owned Business Development created the Baltimore City Local Contractor's Development Program to provide financial and technical assistance to local, minority-owned and women-owned enterprises. The goal is to increase the potential pool of bidders eligible to participate on City contracts. The SBRC will provide continuity for the program as it specifically relates to City construction projects in the Departments of Public Works and Transportation. The Departments of Public Works and Transportation will fund this effort equally.

APPROVED FOR FUNDS BY FINANCE**AUDITS REVIEWED AND HAD NO OBJECTION.****(FILE NO. 57304)**

MINUTES

UPON MOTION duly made and seconded, the Board approved and authorized the execution of the agreement with the City of Baltimore Small Business Resource Center, Inc.

MINUTES

PROPOSAL AND SPECIFICATIONS

1. Department of Transportation - TR 12018, Structural Repairs on Bridges Citywide JOC I
BIDS TO BE RECV'D: 07/25/2012
BIDS TO BE OPENED: 07/25/2012

2. Department of Transportation - TR 20350, Replacement of Frederick Avenue Bridge Over Gwynns Falls & CSX Railroad
BIDS TO BE RECV'D: 08/08/2012
BIDS TO BE OPENED: 08/08/2012

3. Department of Transportation - TR 10311, Historic Preservation and Traffic Improvements along Liberty Heights Avenue in Druid Hill Park
BIDS TO BE RECV'D: 07/11/2012
BIDS TO BE OPENED: 07/11/2012

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

MINUTES

TRAVEL REQUESTS

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>Mayor's Office</u>			
1. Stephanie Rawlings-Blake	U.S. Conference of Mayors Orlando, FL June 14-16, 2012 (Reg. Fee \$700.00)	Gen. Funds	\$1,766.36

The allowed subsistence rate for this location is \$153.00 per day. The hotel rate is \$199.00 per night, plus occupancy taxes in the amount of \$24.88. The Mayor's Office is requesting an additional \$46.00 per day to cover the cost of the hotel and an additional \$120.00 for the cost of meals. The hotel cost in the amount of \$447.76, and the cost of registration in the amount of \$700.00 will be paid on City issued credit card assigned to Ms. Kathe Hammond. Subsequently, the disbursement amount will be \$567.76.

The Board, UPON MOTION duly made and seconded, approved the travel request. The Mayor **ABSTAINED**.

MINUTES

President: "As there is no more business before the Board, the Board will recess until bid opening at 12:00 noon. Thank you.

* * * * *

MINUTES

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

BIDS, PROPOSALS AND CONTRACT AWARDS

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

Department of Transportation - TR 05308, Dundalk Avenue
Streetscape from Eastern
Avenue to City Line
BIDS TO BE RECV'D: 06/20/2012
BIDS TO BE OPENED: 06/20/2012

MINUTES

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

1. Bureau of Purchases - B50002361, Compressed Gases

Praxair Distribution Mid-
Atlantic d/b/a GTS-Welco
Air Gas, Inc.

2. Bureau of Purchases - B50002437, Casting - Gray Iron
Manhole Covers & Frames

NACIP Inc. (NO BID)
Neenah Foundry Company
Capitol Foundry of VA., Inc.

MINUTES

There being no objections, the Board UPON MOTION duly made and seconded, the Board adjourned until its next regularly scheduled meeting on Wednesday, June 20, 2012.

JOAN M. PRATT
Secretary