

MINUTES**REGULAR MEETING**

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

The meeting was called to order by the President.

President: "I would direct the Board members attention to the memorandum from my office dated February 04, 2013, 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. Those opposed NAY.

Before we go any further, I want to recognize Mr. Lenwood Ivey who has joined us today from the Baltimore City Foundation. Thank you."

Mayor: "Thank you very much."

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

In accordance with the Rules for Prequalification of Contractors, as amended by the Board on October 31, 1991, the following contractors are recommended:

American Combustion Industries, Inc.	\$ 8,000,000.00
Brenford Environmental Systems, LP	\$ 1,500,000.00
Clean Venture, Inc. and Subsidiary	\$ 88,245,000.00
Combustioneer Corporation	\$ 10,000,000.00
Work Capacity Rating Underwritten by Blanket Guarantee from the Parent Corporation EMCOR Group, Inc.	
Lane Construction Corporation and Subsidiaries	\$821,961,000.00
R. E. Harrington Plumbing & Heating Company, Inc. and Affiliate	\$ 19,638,000.00
Scriba Welding, Inc.	\$ 1,500,000.00
Shook Construction Co. and Subsidiaries	\$ 96,516,000.00
Tito Contractors, Inc.	\$ 36,711,000.00

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

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

Jenny Engineering Corporation	Engineer
Malcolm Pirnie/ARCADIS	Engineer
RJN Group, Inc.	Engineer
STV Incorporation	Architect
	Landscape Architect
	Engineer
	Land Survey
Urban Design Group, LLC	Architect

There being no objection, 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

* * * * *

UPON MOTION duly made and seconded,

the Board approved the

Extra Work Orders

listed on the following page:

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All of the EWOs had been reviewed and approved

by the

Department of Audits, CORC,

and MWBOO, unless otherwise indicated.

The President **ABSTAINED** on item nos. 3-5.

MINUTES

EXTRA WORK ORDERS

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

Department of Transportation

- | | | | | |
|--|--------|---------------------------------|---|---|
| 1. EWO #003, \$0.00 - TR 08316, Construction of CCTV Cameras and Signals Rewiring Citywide JOC | | | | |
| \$2,836,003.00 | \$0.00 | LAI Construction Services, Inc. | - | - |

THE OVERRUNS AND UNDERRUNS CANCEL EACH OTHER OUT.

- | | | | | |
|--|--------|---------------------------------|-----|---|
| 2. EWO #004, \$0.00 - TR 08316, Construction of CCTV Cameras and Signals Rewiring Citywide JOC | | | | |
| \$2,836,003.00 | \$0.00 | LAI Construction Services, Inc. | 180 | - |

This EWO revises the completion date to July 16, 2013.

Bureau of Water and Wastewater

- | | | | | |
|--|----------------|----------------------------|-----|-------|
| 3. EWO #027, \$0.00 - S.C. 829, Primary Settling Tanks Rehabilitation at the Back River Wastewater Treatment Plant | | | | |
| \$9,720,000.00 | \$1,929,870.51 | Mid Eastern Builders, Inc. | 47 | 75.83 |
| | | | CCD | |
| 4. EWO #028, \$0.00 - S.C. 829, Primary Settling Tanks Rehabilitation at the Back River Wastewater Treatment Plant | | | | |
| \$9,720,000.00 | \$1,929,870.51 | Mid Eastern Builders, Inc. | 60 | 75.83 |
| | | | CCD | |
| 5. EWO #034, \$104,955.56 - S.C. 829, Primary Settling Tanks Rehabilitation at the Back River Wastewater Treatment Plant | | | | |
| \$9,720,000.00 | \$1,992,693.23 | Mid Eastern Builders, Inc. | 0 | 81.02 |

MINUTES

TRANSFERS OF FUNDS

* * * * *

UPON MOTION duly made and seconded,

the Board approved

the Transfers of Funds

listed on the following pages:

349 -350

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**TRANSFERS OF FUNDS**

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Department of Housing and Community Development (DHCD)</u>		
1. \$1,271,000.00 29th CDB	9910-904921-9587 American Brewery Periphery - Reserve	9910-908044-9588 Acquisition & Relocation FY 13

This transfer of funds from the American Brewery Project is necessary because demolition in the immediate area would require costly acquisition that would exceed funding levels at this time. Consequently, the funds would be better utilized for demolition south of the American Brewery site. This approach would be less costly than acquisition, but still augment the demolition and development achievements of both the American Brewery site and EBDI.

2. \$ 544,675.00 29th CDB	9910-902924-9587 Baker/Division - Reserve	9910-905788-9588 Baker/Division - Active
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This transfer will move appropriations for the Baker Division project from its reserve account to its active account. The transfer is necessary for acquisition and blight elimination efforts.

3. \$ 841,000.00 30th CDB	9910-901926-9587 Coldstream/Home- stead/Montebello - Reserve	9910-904326-9588 Coldstream Home- stead/Montebello - Active
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This transfer will move appropriations for the Coldstream/Homestead/Montebello project from its reserve account to its active account. The transfer is necessary for acquisition and blight elimination efforts, in particular, completing acquisition on Tivoly is critical as the block is mostly vacant and the remaining occupants are living among severe blight.

MINUTES**TRANSFERS OF FUNDS**

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Department of General Services</u>		
4. \$ 85,000.00	9916-904845-9194	9916-907816-9197
3rd Public Building Loan	Capital Constr. & Maintenance - Reserve	Engine 53 Renov. - Active

During a station inspection, it was discovered that the kitchen and lounge area needed major renovations to bring them into code compliance. This transfer will cover half the cost of renovations at Engine #53, as well as all associated in-house costs.

Department of Recreation and Parks

5. \$ 80,000.00	9938-902690-9475	9938-907820-9474
MVR	Street Tree Program FY06 - Reserve	Tree Baltimore Program - Active

This transfer will provide funds to cover the costs associated with the spring tree planting.

MINUTESMayor's Office of Human Services (MOHS) - Agreements

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

1. **MARIAN HOUSE, INC.** **\$ 46,740.00**

Account: 4000-496312-3573-591219-603051

Marian House, Inc. will utilize the funds to cover the costs of expanding its scattered sites housing for homeless low-income women and their families. The costs will offset the cost of rental assistance, including security deposits and utilities for four homeless families. The period of the agreement is December 1, 2012 through November 30, 2013.

The agreement is late because of a delay at the administrative level.

2. **THE SALVATION ARMY, A GEORGIA CORPORATION** **\$151,845.00**
(SA)

Account: 4000-496212-3572-591430-603051

The SA operates a 19 bed transitional housing program at Booth House, located at 1114 N. Calvert Street to provide homeless women with children transitional housing and supportive services. The SA will utilize the funds to cover salaries, transportation allowances, utilities for housing units, meals, maintenance and other operating costs to run the program. The period of the agreement is October 1, 2012 through September 30, 2013.

MINUTES

MOHS - cont'd

The agreement is late because of a delay at the administrative level.

MWBOO GRANTED A WAIVER.

APPROVED FOR FUNDS BY FINANCE

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

MINUTES

Circuit Court for Baltimore City - Cooperative Reimbursement Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a cooperative reimbursement agreement with the State of Maryland, Department of Human Resources, Child Support Enforcement Administration. The period of the agreement is October 1, 2012 through September 30, 2013.

AMOUNT OF MONEY AND SOURCE:

\$292,388.00 - 4000-401513-1100-116800-404001 (Reimbursement)

(Program costs total \$292,388.00 of which \$192,976.00 represents Federal participation at 66% and \$99,412.00 represents the local share at 34%. The amount of reimbursement for Program expenditures under the agreement is anticipated at \$181,930.00.)

BACKGROUND/EXPLANATION:

The Circuit Court received a Domestic Relations Cooperative grant award. This grant award will provide funds for operational costs and salary/OPC expenditures for the Domestic Relations Masters Program on a 34% to 66% basis.

Prior to Fiscal Year 1998, Baltimore City provided all funding for child support and custody enforcement, as required under spousal support obligations under this program.

APPROVED FOR FUNDS BY FINANCE

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

UPON MOTION duly made and seconded, the Board approved and authorized execution of the cooperative reimbursement agreement with the State of Maryland, Department of Human Resources, Child Support Enforcement Administration.

MINUTESHealth Department - Agreements and Amendment to Agreement

The Board is requested to approve and authorize execution of the various agreements and amendment to agreement. The period of the agreement is July 1, 2012 through June 30, 2013, unless otherwise indicated.

AGREEMENTS

1. **CARSON RESEARCH CONSULTING, INC.** **\$ 6,200.00**
(CRC)

Account: 6000-626613-3080-239600-603018

The CRC is responsible for the monitoring and evaluation of the Reading for Health Initiative. Their responsibilities include developing an evaluation measurement tool, setting up a system for tracking performance measures and reporting on program activities. The period of the agreement is October 1, 2012 through June 30, 2013.

The agreement is late because of a delay in receipt of the required documentation.

2. **PLANNED PARENTHOOD OF MARYLAND, INC.** **\$ 2,592.00**
(PPM)

Account: 6000-626613-3080-292303-603051

The PPM will collaborate with the Teen Pregnancy Prevention's Youth Advisory Council in engaging youth in leadership, sexual education and youth development activities. The period of the agreement is December 1, 2012 through June 30, 2013.

The agreement is late because it was requested in November and was just finalized.

MINUTES

Health Dept. - cont'd

3. **FOREST PARK SENIOR CENTER, INC.** **\$ 54,825.00**

Account: 4000-433513-3024-295903-603051

Forest Park Senior Center, Inc. will operate a senior program, which will serve as the community focal point for seniors and their caregivers. Services will include but are not limited to social, recreational, and educational programs, information and assistance, outreach, wellness and transportation. The period of the agreement is October 1, 2012 through September 30, 2013.

The agreement is late because the Health Department was waiting on finalization of the budget and signatures from the provider.

MWBOO GRANTED A WAIVER.

4. **THE JOHNS HOPKINS UNIVERSITY** **\$ 63,311.00**
(JHU)

Account: 5000-521113-3023-274002-603051

The JHU will provide quality assurance and staff support for the Needle Exchange Program through various activities designed to measure program success via client and staff feedback. The period of the agreement is October 16, 2012 through June 30, 2013.

MWBOO GRANTED A WAIVER.

MINUTES

Health Dept. - cont'd

5. **THE JOHNS HOPKINS UNIVERSITY** **\$116,025.00**
(JHU)

Account: 1001-000000-3030-271500-603051

The JHU will hire a physician to serve as a medical officer offering a variety of public health, research and clinical expertise and assistance in the area of sexually transmitted diseases, HIV and tuberculosis.

MWBOO GRANTED A WAIVER.

The agreements (Nos. 4 and 5) are late because of the need to obtain an acceptable budget and scope of services.

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

Account: 4000-424513-3023-599624-603051

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.

7. **TOTAL HEALTH CARE, INC.** **\$ 38,526.00**

Account: 4000-424513-3023-599635-603051

Total Health Care, Inc. will provide initial psychosocial assessments to identify barriers to adherence to maintaining engagement with medical/case management services and provide service care plans to address and resolve identified barriers to adherence. Case management staff will service 211 HIV positive individuals.

MINUTES

Health Dept. - cont'd

The agreements are late because the Infectious Disease and Environmental Health Administration (IDEHA) programmatically manages Ryan White Part B services. 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 often times revised because of inadequate information from the providers. This review process is required to comply with the grant requirements.

8. **MEALS ON WHEELS OF CENTRAL MARYLAND, INC.** **\$1,101,408.00**

Accounts: 4000-434312-3254-316200-604014	\$	704,963.00
6000-633512-3254-316200-604014	\$	311,643.00
4000-432913-3024-268400-604016	\$	84,802.00

The organization will provide nutritionally balanced meals to the projected number of homebound and/or frail elderly residents of Baltimore City. The provider will provide unique professional services in the Maryland area, which are available from no other vendor. The period of the agreement is October 1, 2012 through September 30, 2013.

The agreement is late because the Department was waiting on the final approval of the FY 13 grant award and signatures from the provider.

MWBOO GRANTED A WAIVER.

9. **HARBOR HOSPITAL, INC.** **\$ 176,172.00**

Account: 4000-497313-3041-688202-603051

Harbor Hospital, Inc. will provide up to 150 colonoscopies to clients eligible for colorectal cancer screening according to the Health Department policies.

MINUTES

Health Dept. - cont'd

The agreement is late because of a delay in the completion of the required documentation.

MWBOO GRANTED A WAIVER.

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

Account: 4000-433513-3024-295917-603051

The organization operates a senior program which serves as the focal point for seniors and their caregivers. Services will include but not be limited to transportation, social, recreational, and educational programs, information and assistance, outreach, and wellness. The period of the agreement is October 1, 2012 through September 30, 2013.

The agreement is late because the Health Department was waiting on a final budget and signatures from the provider.

11. **INDEPENDENT MARYLANDERS ACHIEVING GROWTH** \$ 28,000.00
THROUGH EMPOWERMENT, INC. (IMAGE)

Accounts: 5000-563013-3044-295900-603051	\$	15,000.00
5000-533813-3044-273300-603051	\$	13,000.00

The Health Department receives funding from the Maryland Department of Aging for the development of an Aging and Disability Resource Center through the Area Agencies on Aging (AAA), Maryland Access Point (MAP) and Money Follows the Person (MFP) programs.

The Health Department engages IMAGE to perform two services in the area MAP Enhancement and MFP Options Counseling for nursing home residents that want to explore the option to return to the community.

MINUTES

Health Dept. - cont'd

IMAGE will provide Options Counseling and Medicaid application assistance to all referred individuals between the ages 18-49 who are referred to the MAP/AAA by the Department of Health and Mental Hygiene or its designees. The agreement is effective upon Board approval through June 30, 2013.

AMENDMENT TO AGREEMENT

12. **ASSOCIATED BLACK CHARITIES, INC.** **\$ 78,600.00**
(ABC)

Account: 4000-427712-3023-273303-603051

On July 18, 2012, the Board approved the original agreement with the ABC in the amount of \$16,724,361.00, for the period of March 1, 2012 through February 28, 2013.

This amendment will allow the organization to provide additional administrative services.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the foregoing agreements and the amendment to agreement. The President **ABSTAINED** on item nos. 4-6. The Comptroller **ABSTAINED** on item no. 12.

MINUTESHealth Department - Ratification of Agreements

The Board is requested to ratify the various agreements and approve and authorize payment for services rendered.

1. **JOHNS HOPKINS BAYVIEW MEDICAL CENTER, INC. (JHBMC)** **\$ 97,821.00**

Account: 4000-422512-3030-271516-603051

The Johns Hopkins Bayview Medical Center, Inc. provided services for the Syphilis Elimination Project. The period of the agreement was January 1, 2011 through December 31, 2012.

On April 9, 2012, the Department's Program Manager requested an agreement with JHBMC. Because of a delay in receiving an acceptable budget and the agreement, it was not processed until August 2012. It was sent to the JHBMC on September 14, 2012 to sign, but it was not returned to the Department until December 7, 2012. During the Department's internal routing process, the agreement expired on December 31, 2012. The Department apologizes for the delay.

MWBOO GRANTED A WAIVER.

2. **SISTERS TOGETHER AND REACHING, INC.** **\$ 29,807.00**

Account: 4000-499012-3030-513200-603051

Sisters Together and Reaching, Inc. provided Health Education & Risk Reduction services to women in communities most impacted by HIV/AIDS who engage in behaviors that put them high risk for becoming HIV infected. The period of the agreement was July 1, 2012 through December 31, 2012.

MINUTES

Health Department - cont'd

3. **SISTERS TOGETHER AND REACHING, INC.** **\$ 27,500.00**

Account: 4000-422313-3023-294201-603051

Sisters Together and Reaching, Inc. provided services for the Health Education & Risk Reduction for the Men of Color Health Awareness Project. The period of the agreement was October 1, 2012 through December 31, 2012.

The agreements (Nos. 2 and 3) are late because 2012 was the first year of direct funding from the Centers for Disease Control to the City of Baltimore. The vendors had historically been funded by the State of Maryland. Lack of clear guidance on how to handle the transition from State to City funding delayed the initiation of contracts and compliance with new documentation requirements from the City further lengthened delays. The Health Department expects that these existing issues have been addressed and should not delay the contract process moving forward.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board ratified the foregoing agreements and approved and authorized payment for services rendered. The President **ABSTAINED** on item no. 1.

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) - Options</u>			
1. Robert Albert	1110 N. Bradford St.	G/R \$120.00	\$ 800.00
Funds are available in account no. 9910-904488-9588-900000-704040, Milton-Montford Project.			
2. Arnold H. Sampson	400 E. 23 rd St.	G/R \$180.00	\$ 1,500.00
Funds are available in account no. 9910-904713-9588-900000-704040, Barclay Project.			
3. Gerald & Sharon D. Jefferson	2717 Tivoly Ave.	L/H	\$32,486.00
4. Gerald & Sharon D. Jefferson	2723 Tivoly Ave.	F/S	\$33,000.00

Funds are available in account no. 9910-904326-9588-900000-704040, Coldstream Homestead Montebello Project.

Rescission of Condemnation and Approval of Option

5. Ross Harris Settlements, LLC	2709 Tivoly Ave.	L/H	\$ 7,920.00
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On October 10, 2012, the Board approved condemnation of leasehold interest in the property located 2709 Tivoly Avenue in the amount of \$7,200.00. Since the original Board approval, the owner has agreed to the City's offer price and will proceed with a voluntary settlement. As a result, the Department is requesting approval of an option in the amount of \$7,920.00.

MINUTES**OPTIONS/CONDEMNATION/QUICK-TAKES:**

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>Rescission of Condemnation and Approval of Option</u>			
6. Chezkal Mordechai Wiesel	2773 Tivoly Ave.	L/H	\$24,420.00

On November 14, 2012, the Board approved condemnation of leasehold interest in the property located 2773 Tivoly Avenue in the amount of \$22,200.00. Since the original Board approval, the owner has agreed to the City's offer price and will proceed with a voluntary settlement. As a result, the Department is requesting approval of an option in the amount of \$24,420.00.

Funds are available in account no. 9910-904326-9588-900000-704040, Coldstream Homestead Montebello Project.

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

DHCD - Condemnations

7. Taahirah Khalilah Matin, Antonio Dale Bradshaw, & Bashir Bradshaw	2724 Tivoly Ave.	L/H	\$ 7,110.00
8. Reginald Owens	2750 Tivoly Ave.	L/H	\$15,000.00
9. Harrichand Singh	2764 Tivoly Ave.	F/S	\$14,000.00

Funds are available in account no. 9910-904326-9588-900000-704040, Coldstream Homestead Montebello Project.

MINUTES**OPTIONS/CONDEMNATION/QUICK-TAKES:**

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>Rescission of Prior Condemnation and Re-approval</u>			
10. Roy C. Redd, Jr.	2702 Tivoly Ave.	F/S	\$24,000.00

On March 14, 2012, the Board approved purchase by condemnation of the fee simple interest in 2702 Tivoly Avenue in the amount of \$22,000.00. The owner requested an interior inspection. The fair market value is substantiated in appraisals made by independent appraisers contracted by the City. The amount requested is \$2,000.00 above the original approved value. Therefore, the Department is requesting approval to purchase by condemnation the fee simple interest for the amount of \$24,000.00.

Funds are available in account no. 9910-904326-9588-900000-704040, Coldstream Homestead Montebello Project.

UPON MOTION duly made and seconded, the Board approved the options, condemnations, quick-takes, rescissions, and re-approvals.

MINUTES

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

1. AMERICAN TEST CENTER \$48,000.00 Only Bid
Solicitation No. B50002778 - Annual Five Year Certification and Inspections Tests for Ladder Trucks - Department of General Services - Req. No. R619005

The period of the award is April 11, 2013 through April 10, 2016, with two 1-year renewal options.
2. TIM'S AUTO BATTERY AND ELECTRIC T/A TIM'S AUTOMOTIVE AND TOWING \$45,000.00 Low Bid
Solicitation No. B50002775 - OEM Parts and Service for Honda Vehicles - Department of General Services - Req. No. R619009
3. DISTINTIVE AFWS DESIGNS, INC. \$45,162.50 Only Bid
Solicitation No. B50002601 - Flood ALERT Repairs and Maintenance - Department of Public Works - Req. No. R605362
4. GEORGE ASSOCIATES \$100,000.00 Selected Source/ Agreement
Solicitation No. 06000 - OEM Parts and Service for Mauldin Manufactured Equipment - Department of General Services, Fleet Management - Req. No. R617845

The Board is requested to approve and authorize execution of an agreement with George Associates. The period of the agreement is February 1, 2013 through January 31, 2016, with two 1-year renewal options.

A notice of intent to waive competition was posted on CitiBuy and no objection was received. The vendor is the manufacturer's authorized dealer for the State of Maryland.

MINUTES

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

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

MWBOO GRANTED A WAIVER.

UPON MOTION duly made and seconded, the Board approved the informal awards. The Board also approved and authorized execution of the agreement with George Associates.

MINUTESDepartment of General Services - Minor Privilege Permit Applications

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

<u>LOCATION</u>	<u>APPLICANT</u>	<u>PRIVILEGE/SIZE</u>
1. 202 E. Redwood Street	Modern Globe Theatre Holdings, LLC.	One canopy 70 sq. ft., one ramp 140 sq. ft.
Annual Charge: \$266.30		
2. 217 E. Redwood Street	Redwood Towers	Retain marquee 14' x 11'
Annual Charge: \$862.40		
3. 529 S. Broadway	Charla Baklayan	Retain awning w/ signage 11'5" x 1'4", two tubes
Annual Charge: \$175.90		
4. 720 S. President Street	Harbor East Parcel D-Retail 2, LLC	Double face electric sign 20' x 3'
Annual Charge: \$318.00		
5. 2500 W. North Avenue	Coppin State University	Service connection 100 linear feet of duct bank in W. North Avenue, 76 linear feet of duct bank in W. Warwick Avenue
Annual Charge: \$616.00		

MINUTES

Department of General Services - cont'd

<u>LOCATION</u>	<u>APPLICANT</u>	<u>PRIVILEGE/SIZE</u>
6. 1448 Light Street	Steven Krensky	Retain one cornice sign 14' x 1', one banner sign 15' x 2'
Annual Charge: \$105.50		

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

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

MINUTESBaltimore City Foundation, Inc. - Audit Report

The Board is requested to **NOTE** receipt of the following Audit:

Baltimore City Foundation, Inc. Financial Statements
as of June 30, 2012 and Independent Auditor's Report

The Board **NOTED** receipt of the above Audit Report.

MINUTES

Department of Public Works/ - Task Assignment
Bureau of Water and Wastewater

ACTION REQUESTED OF B/E:

The Board is requested to approve the assignment of Task No. 005 to Moffatt & Nichol, under Project No. 1154.1, On-Call Storm Water Study and Engineering Design Services. The period of this task is effective upon Board approval for three months.

AMOUNT OF MONEY AND SOURCE:

\$188,911.08 - 1001-000000-5181-390516-609036

BACKGROUND/EXPLANATION:

The Bureau of Water and Wastewater, on a continuous basis, requires the technical support of civil engineering services to provide immediate response and investigation of various storm drain systems throughout the City. Task No. 005 provides continued emergency design services and repairs for the damaged 120-inch brick storm drain and associated sinkholes in the 2300 block of E. Monument Street, including the most recent failure that happened on August 26, 2012.

The consultant will provide emergency structural repair design and drawings, pre and post construction inspection and analysis, cost estimates, and on-site construction support.

MWBOO FOUND VENDOR IN COMPLIANCE.

APPROVED FOR FUNDS BY FINANCE

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

UPON MOTION duly made and seconded, the Board approved assignment of Task No. 005 to Moffatt & Nichol, under Project No. 1154.1, On-Call Storm Water Study and Engineering Design Services. The President **ABSTAINED.**

MINUTES

Bureau of Water & Wastewater - Payment of Outstanding Invoice

ACTION REQUESTED OF B/E:

The Board is requested to approve the payment of outstanding invoices from Team Service Corporation.

AMOUNT OF MONEY AND SOURCE:

\$3,065.00	Invoice No. 48357	02/16/2009
<u>4,181.16</u>	Invoice No. 48453	03/13/2009

\$7,246.16 - 2071-000000-5521-632407-603080 (Account Number)

BACKGROUND/EXPLANATION:

The Department of Public Works (DPW), Water Pumping Section used the vendor, Team Service Corporation on two separate occasions. Upon investigation, the Department found that Team Service Corporation had provided services to the DPW, Water Pumping Section, and that the invoices dated February and March 2009 in for the total amount of \$7,246.16 are true and valid. These items were procured before a valid purchase order was issued to the vendor. The employees were not fully trained in the new purchasing system and did not realize that they needed to do a release requisition to properly secure the funds and approval for materials they ordered. The agency apologizes for this error and requests approval of the invoices.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved the payment of outstanding invoices from Team Service Corporation.

The President **ABSTAINED.**

MINUTESBureau of Water & Wastewater - Employee Expense Statements**ACTION REQUESTED OF B/E:**

The Board is requested to approve the various expense statements for following employees:

- | | | | |
|----|--|----|---------------|
| 1. | JAMES JACOBS | \$ | 174.83 |
| | Account: 2071-000000-5471-609100-603002
October 2012 - mileage | | |
| 2. | DEMETRIUS BRUNSON | \$ | 175.38 |
| | Accounts: 2071-000000-5471-609100-603002
2071-000000-5471-609200-603002
October 2012 - mileage | | |
| 3. | LARRY ALSTON | \$ | 273.06 |
| | Account: 2071-000000-5471-609100-603002
October 2012 - mileage | | |
| 4. | DONELL ALLEN | \$ | 200.91 |
| | Account: 2071-000000-5471-609100-603002
May 2012 - mileage | | |
| 5. | BRANDON L. ADAMS | \$ | 326.34 |
| | Account: 2071-000000-5471-609100-603002
September 2012 - mileage | | |
| 6. | NICOLE ANDERSON | \$ | 185.37 |
| | Account: 2071-000000-5471-609100-603002
September 2012 - mileage | | |

MINUTES

BW&WW - cont'd

7.	TEVON GREEN	\$	109.34
	Account: 2071-000000-5471-609100-603002 September 2012 - mileage		
8.	ERIC DIGGS	\$	179.82
	Account: 2071-000000-5471-609100-603002 September 2012 - mileage		
9.	REGINALD SHERDEN	\$	106.01
	Accounts: 2071-000000-5471-609100-603002 2071-000000-5471-609200-603002 September 2012 - mileage		
10.	STEPHANIE STEWART	\$	71.04
	Accounts: 2071-000000-5471-609100-603002 2071-000000-5471-609200-603002 September 2012 - mileage		
11.	FELICIA TYLER	\$	228.66
	Accounts: 2071-000000-5471-609100-603002 2071-000000-5471-609200-603002 September 2012 - mileage		

The Division of Revenue Measurement and Billing inadvertently failed to have the employees' mileage expense reports processed in time to be received by the Bureau of Accounting and Payroll Services within the 40 working days from the last calendar day of the month in which the expenses were incurred as directed by the Administrative Manual.

MINUTES

BW&WW - cont'd

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

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved the expense statements for the foregoing employees. The President **ABSTAINED** on item nos. 1-11.

MINUTES

Bureau of Water and Wastewater - On-call Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an on-call agreement with EBA Engineering, Inc. for Project No. 1174 Material Testing and Inspection Services. The agreement is effective upon Board approval for two years.

AMOUNT OF MONEY AND SOURCE:

\$1,800,000.00 - Various depending on the task assignment

BACKGROUND/EXPLANATION:

The consultant will provide On-Call Material Testing and Inspection Services for all aspects of quality assurance for proposed improvements to the City's Water and Wastewater Systems and Facilities.

The consultant was approved by the Architect and Engineering Awards Commission.

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.

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

A PROTEST WAS RECEIVED FROM THE MARYLAND MINORITY CONTRACTOR'S ASSOCIATION.

President: "The first item on the non-routine agenda can be found on Page 30, Bureau of Water and Wastewater, On-call Agreement. Will the parties please come forward? Okay. Um --"

MINUTES

BW&WW - cont'd

Where is the protestor? (No response) I will entertain a Motion."

City Solicitor: "Move denial of the protest and approval of the item as submitted by Water and Wastewater."

President: "All those in favor say AYE. Those opposed NAY. The Motion carries. Do you (Madam Mayor) have any remarks?"

The President **ABSTAINED**.

* * * * *

MMCA- Maryland Minority Contractors Association, Inc.
A Chapter of the American Minority Contractors and Businesses Association, Inc.-AMCBA
Baltimore, Maryland 21210
443-413-3011 Phone
410-323-0932 Fax

February 5, 2013

Via Facsimile 410-685-4416

Honorable Bernard "Jack" Young
President, Baltimore City Board of Estimates
City Hall-Room 204
Baltimore, MD 21202
ATTN: Ms. Bernice Taylor, Esquire, Clerk to the Board

Dear Mr. President:

We wish to protest the City's Bureau of Water and Waste Water's proposed on-call contract agreement for City Project No. 1174-Material Testing and Inspection Services, found on page 30 of Your Honorable Board's 02/06/13 Agenda.

Our protest is based on the fact that the work tasks and elements contained in the proposed contract are fundamentally and intrinsically ordinary service in nature and are not of any engineering nature and character and thus, must be awarded to the "lowest responsive and responsible bidder" as specifically delineated in Article VI, Section 11(h)(1)(ii), of the City Charter.

Further, our protest is also based on the fact that the proposed contract fails to meet the City's M-WBE Utilization goals as specifically required by the City's M-WBE Ordinance, as codified in Article 5, Subtitle 28 et. Seq.

CONCLUSION

Whereas protestant MMCA's member, clients and constituents will suffer great and substantial injury if the Board approves this proposed contract, protestant MMCA respectfully request that this Board vote to reject this proposed contract.

Respectfully Submitted,

Arnold M. Jolivet
Managing Director

MINUTES

Baltimore City Fire Department - Memorandum of Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a memorandum of agreement with the State of Maryland Emergency Management Agency (MEMA). The period of the agreement is October 1, 2012 through September 30, 2013.

AMOUNT OF MONEY AND SOURCE:

\$10,883.00	-	4000-459913-2121-604900-404001
2,720.00	-	1001-000000-2121-226400-603020
<u>\$13,603.00</u>		

BACKGROUND/EXPLANATION:

The memorandum of agreement is regarding the 2012-2013 Hazardous Materials Emergency Preparedness Grant Program. This grant will cover the expenditures for hazardous materials planning, community outreach planning, and or training.

The memorandum of agreement is late because the Memorandum of Agreement was received from MEMA on January 4, 2013.

MWBOO GRANTED A WAIVER.

APPROVED FOR FUNDS BY FINANCE

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

A PROTEST WAS RECEIVED FROM MS. KIM TRUEHEART.

The Board of Estimates received and reviewed Ms. Trueheart's protest. As Ms. Trueheart does not have a specific interest that is different from that of the general public, the Board will not hear her protest. Her correspondence has been sent to the appropriate agency and/or committee which will respond directly to Ms. Trueheart.

MINUTES

Fire Department - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of the memorandum of agreement with the State of Maryland Emergency Management Agency.

Kim A. Trueheart

February 5, 2013

Board of Estimates

Attn: Clerk

City Hall, Room 204

100 N. Holliday Street,

Baltimore, Maryland 21202

Dear Ms. Taylor:

Herein is my written protest on behalf of the underserved and disparately treated citizens of the Baltimore City who appear to be victims of a lack of vision, poor fiscal planning and management and a complete failure to provide transparent communications about priorities and outcomes by the Mayor of Baltimore City and the various Departments and Agencies.

The following details are provided to initiate this action as required by the Board of Estimates:

1. Whom you represent: Self
2. What the issues are:
 - a. Page 31, Fire Department – Memorandum of Agreement – MEMA 2012-2013 Hazardous Materials Emergency Preparedness Grant Program, if approved:
 - i. Please provide access to the documents that disclose the Hazardous Materials Emergency Preparedness procedures for BCPSS school facilities which are hosting cellular communications equipment and their attendant backup power equipment which contain hazardous materials.
 - ii. Please provide access to the documents that delineate the emergency preparedness procedures for BCPSS school facilities which host hazardous materials associated with cellular communications equipment;
 - iii. Please provide access to the documents that delineate notification procedures that inform parents, guardians and surrounding neighbors of BCPSS school procedures concerning hazardous materials associated with the hosting of cellular communications equipment.
3. How the protestant will be harmed by the proposed Board of Estimates' action: This action presents a NO-Brainer opportunity for the City to recoup funds for this necessary expense which appears to have been overlooked by the Baltimore City Fire Department and the Baltimore City Public School System to date.
4. The remedy I seek and respectfully request is that this action NOT be approved until the data items requested in paragraph 2, above are provided to the public.

I look forward to the opportunity to address this matter in person at your upcoming meeting of the Board of Estimates on February 6, 2013.

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

Sincerely,

Kim Trueheart, Citizen & Resident

5519 Belleville Ave
Baltimore, MD 21207

MINUTES

Department of Housing and - TRANSFER OF LIFE-TO-DATE
Community Development SICK LEAVE

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

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

<u>NAMES</u>	<u>DAYS</u>
Karon Moore	3
Theresa DeSimone	1
Stanley Gordon	1
Monica Rode	1
Karen Gilmore	1
Julia Day	3
Joseph Kershner	2
Amy Oosterhoust	1
Mandy Breedlove	1
Jacinta Difourt	2
Angie Ennis	1
Latosha Roberston	1
David Kengere	1
Jill Dunham	2
Rashelle Celestin	3
Valerie Stewart	2
Irena Prifti	1
Wendi Redfern	1
Marilyn Blanding	<u>2</u>
	30

MINUTES

DHCD - cont'd

APPROVED FOR FUNDS BY FINANCE

THE LABOR COMMISSIONER RECOMMENDED APPROVAL.

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

MINUTES

Department of Housing and Community Development - Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an agreement with People's Homesteading Group, (PHG) Inc. The period of the agreement is July 1, 2012 through June 30, 2013.

AMOUNT OF MONEY AND SOURCE:

\$ 22,600.00	-	2089-208913-5930-512661-603051
26,100.00	-	2089-208913-5930-512681-603051
70,200.00	-	2089-208913-5930-512662-603051
26,100.00	-	2089-208913-5930-512683-603051
<u>\$145,000.00</u>		

BACKGROUND/EXPLANATION:

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

On May 2, 2012, the Board approved the Resolution authorizing the Commissioner of the Department of Housing and Community Development (DHCD), on behalf of the Mayor and City Council, to file a Federal FY 2012 Annual Action Plan for the following formula programs:

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

MINUTES

DHCD - cont'd

The DHCD began negotiating and processing the CDBG agreements effective July 1, 2012 and beyond, as outlined in the Plan, pending approval of the Resolution. Consequently, the agreements were delayed due to final negotiations and processing.

MWBOO GRANTED A WAIVER.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the agreement with People's Homesteading Group, Inc.

MINUTES

Department of Housing and - Land Disposition Agreement
Community Development

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a land disposition agreement with Etting Street Properties East, LLC, developer, for the sale of the property located at 2441 Etting Street.

AMOUNT OF MONEY AND SOURCE:

\$5,000.00 - Purchase price

BACKGROUND/EXPLANATION:

The developer has paid a good faith deposit in the amount of \$500.00.

The developer will purchase the vacant row house property known as 2441 Etting Street from the City of Baltimore, rehabilitate the row house along with the properties it already owns at 2401 through 2445 Etting Street, and maintain it as a rental property.

The properties are located within Penn North and will be redeveloped in accordance with the Penn North Transit Station Urban Renewal Plan.

The purchase price and improvements to the site will be financed through private sources. To accommodate the lender requirements, the LDA does not contain a reversion clause.

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

In accordance with the City's appraisal policy, the waiver valuation process was used in lieu of an appraisal. The Department has determined the price of the property using available real estate data. This row house is priced at \$6,200.00.

MINUTES

DHCD - cont'd

The sale of this vacant property at a price below the appraised value will eliminate blight, create jobs during construction, benefit the community, and the property will be returned to the tax rolls.

MBE/WBE PARTICIPATION:

Minority and Women's Business Enterprise Program participation is not applicable as the price for this property is less than \$50,000.00 and the developer will receive no City funds or incentives for the purchase or rehabilitation.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the land disposition agreement with Etting Street Properties East, LLC, developer, for the sale of the property located at 2441 Etting Street.

MINUTES

Department of Housing and - Land Disposition Agreement
Community Development

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a land disposition agreement with Mr. Ghassem Chatrchi, developer, for the sale of City-owned properties located at 513 N. Patterson Park Avenue and 509 N. Montford Avenue.

AMOUNT OF MONEY AND SOURCE:

\$1,500.00 - 513 N.Patterson Park Avenue
1,500.00 - 509 N. Montford Avenue
\$3,000.00 - Purchase Price

BACKGROUND/EXPLANATION:

The City will convey all of its rights, title, and interest in the properties to the developer for the amount of \$3,000.00. The developer has paid a good faith deposit in the amount of \$300.00 the purchase price will be paid at the time of settlement.

Mr. Chatrchi will purchase the vacant row houses known as 513 N. Patterson Park Avenue and 509 N. Montford Avenue from the City and will rehabilitate these row houses into low-income rental units. The properties are located within the McElderry Park neighborhood and will be redeveloped in accordance with the Middle East Urban Renewal Plan. The purchase price and improvements to the site will be financed through private sources.

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

In accordance with the City's appraisal policy, the waiver valuation process was used in lieu of an appraisal. The DHCD determined the price of the properties using available real estate data.

MINUTES

DHCD - cont'd

MBE/WBE PARTICIPATION:

These row houses are priced at \$10,000.00 (\$5,000.00 each). The sale of these vacant properties at a price below the price determined by the waiver valuation process will eliminate blight, create jobs during construction, benefit the community, and the properties will be returned to the tax rolls.

Mr. Chatrchi will purchase the properties for a price that is less than \$50,000.00 and will receive no City funds or incentives for the purchase or rehabilitation, therefore MBE/WBE is not applicable.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the land disposition agreement with Mr. Ghassem Chatrchi, developer, for the sale of City-owned properties located at 513 N. Patterson Park Avenue and 509 N. Montford Avenue.

MINUTES

Department of Housing and - Land Disposition Agreement
Community Development

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a land disposition agreement with N. Carlton Street, LLC, developer, for sale of City-owned properties located at 3 N. Carlton Street and 9 N. Carlton Street.

AMOUNT OF MONEY AND SOURCE:

\$ 750.00	- 3 N. Carlton Street
750.00	- 9 N. Carlton Street
\$1,500.00	- Purchase Price

BACKGROUND/EXPLANATION:

The City will convey all of its rights, title, and interest in the properties to the developer for the amount of \$1,500.00. The developer has paid a good faith deposit in the amount of \$150.00 the purchase price will be paid at the time of settlement.

The developer will purchase the vacant lots known as 3 N. Carlton Street and 9 N. Carlton Street from the City and add them to the lots it already owns at 5 N. Carlton Street and 7 N. Carlton Street to maintain them as green space. The properties are located within and will be redeveloped in accordance with the Poppleton Urban Renewal Plan. The purchase price and improvements to the site will be financed through private sources.

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

In accordance with the City's appraisal policy, the waiver valuation process was used in lieu of an appraisal. The DHCD has determined the price of the properties using available real estate data. The vacant lots are priced at \$1,700.00 (\$850.00 each).

MINUTES

DHCD - cont'd

MBE/WBE PARTICIPATION:

The sale of these vacant properties at a price below the price determined by the waiver valuation process will eliminate blight, create jobs during construction, benefit the community, and the properties will be returned to the tax rolls.

N. Carlton Street, LLC will purchase the properties for a price that is less than \$50,000.00 and will receive no City funds or incentives for the purchase or rehabilitation, therefore MBE/WBE is not applicable.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the land disposition agreement with N. Carlton Street, LLC, developer, for sale of City-owned properties located at 3 N. Carlton Street and 9 N. Carlton Street.

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 Housing Authority of Baltimore City (HABC), for the fee simple interest in 502 - 504 E. North Avenue. The Board is also requested to approve the acquisition of 502 - 504 E. North Avenue, SUBJECT to all municipal liens except water bills that may accrue before a deed can be recorded.

AMOUNT OF MONEY AND SOURCE:

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

BACKGROUND/EXPLANATION:

The contract of sale enables the City to acquire the fee simple interest in 502-504 E. North Avenue, a vacant property in the East Baltimore Midway Urban Renewal Area for resale through the planning and development efforts of the Department of Housing and Community Development (DHCD).

Pursuant to the provisions of Article 13, § 2-7 of the Baltimore City Code and/or the provisions of the East Baltimore Midway Urban Renewal Plan established by City Ordinance No. 1076 and approved June 20, 1979, along with any and all amendments thereto, and subject to the prior approval of the Board of Estimates, the DHCD may acquire, for and on behalf of the Mayor and City Council of Baltimore, any single-family or multi-family dwelling unit or other structure or lot within the City, for development and redevelopment. The Commissioner of Housing has made the required determination with regard to the properties. The properties will be redeveloped.

MINUTES

DHCD - cont'd

Pursuant to the provisions of Article 13, § 2-7 of the Baltimore City Code, the HABC Board of Commissioners has approved the disposition of this vacant property. The U.S. Department of Housing and Urban Development has approved the disposition in accordance with 24 CFR, Part 970.

The HABC is exempt from Real Estate Taxes. Currently there are no liens except a water bill.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the contract of sale with Housing Authority of Baltimore City, for the fee simple interest in 502 - 504 E. North Avenue. The Board also approved the acquisition of 502 - 504 E. North Avenue, SUBJECT to all municipal liens except water bills that may accrue before a deed can be recorded. The President **ABSTAINED**.

MINUTES

Department of Housing and - Grant Agreement
Community Development

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a grant agreement with Baltimore Community Lending, Inc. (BCL). The period of the grant agreement is effective upon Board approval through October 15, 2022.

AMOUNT OF MONEY AND SOURCE:

\$225,000.00 - 9910-914752-9588

BACKGROUND/EXPLANATION:

The BCL is a 501 (c) (3) organization that was established by Baltimore City in 1989 to generate community development in neighborhoods typically overlooked by traditional financial institutions.

Since its establishment, the BCL has deployed \$150,000,000.00 in loans and supported the construction of more than 3,700 residential units in addition to commercial and community facilities. The BCL receives funds from foundations, other financial institutions, and the State and Federal government.

The BCL is in the process of recapitalizing its loan fund. In order to attract investments from other funders and to provide necessary matching funds for upcoming federal grant applications, the Department is providing \$1,000,000.00 of its General Obligation Bonds over a three year period. In December 2012, the Board approved an agreement in the amount of \$350,000.00. In this agreement, the Board was asked to approve \$225,000.00 that will be used to provide loans to qualified builders and developers who are working in Vacants to Value

MINUTES

DHCD - cont'd

areas. Under the terms of the agreement, the BCL will receive the full grant amount and will provide quarterly progress reports to the City.

MBE/WBE PARTICIPATION:

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

APPROVED FOR FUNDS BY FINANCE**TRANSFER OF FUNDS**

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Department of Housing and Community Development</u>		
\$225,000.00	9910-905936-9587	9910-914752-9588
30 th CDB	Baltimore Community Lending Recapitali- zation Reserve	Baltimore Community Lending Recapitali- zation

This transfer will provide funds to Baltimore Community Lending in accordance with the Fiscal Year 2013 Ordinance of Estimates.

A PROTEST WAS RECEIVED FROM MS. KIM TRUEHEART.

The Board of Estimates received and reviewed Ms. Trueheart's protest. As Ms. Trueheart does not have a specific interest that is different from that of the general public, the Board will not hear her protest. Her correspondence has been sent to the appropriate agency and/or committee which will respond directly to Ms. Trueheart.

MINUTES

DHCD - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of the grant agreement with Baltimore Community Lending, Inc. 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.

Kim A. Trueheart

February 5, 2013

Board of Estimates
Attn: Clerk
City Hall, Room 204
100 N. Holliday Street,
Baltimore, Maryland 21202

Dear Ms. Taylor:

Herein is my written protest on behalf of the underserved and disparately treated citizens of the Baltimore City who appear to be victims of questionable management and administration by the Department of Housing and Community Development (DHCD).

The following details are provided to initiate this action as required by the Board of Estimates:

1. Whom you represent: Self.
2. What the issues are:
 - a. Page 43, Department of Housing and Community Development (DHCD) – Grant Agreement - Baltimore Community Lending, Inc. (BCL) , if approved:
 1. What the heck is BCL?
 - a. Please provide access to the following documents for inspection:
 - i. Non-Profit Articles of Incorporation;
 - ii. Annual Report for 2010, 2011 and 2012;
 - iii. IRS 990 for 2010, 2011, and 2012;
 - iv. Meeting minutes for annual board meetings for years 2010, 2011 and 2012;
 - v. Meeting minutes and agenda for board meetings for years 2010, 2011 and 2012.
3. How the protestant will be harmed by the proposed Board of Estimates' action: As a citizen I have witnessed questionable management and stewardship of municipal funds by this Mayoral administration and DCHD/HABC specifically. This action serves to GIVE my money away to an alleged quasi-government organization which neither I nor any Baltimore City resident in my community have every heard of!!! Again, I seek the dissolution of DHCD and HABC in their current form and the establishment of a new single entity under the direct auspicious of the municipal government of Baltimore City, thus allowing for appropriate levels of oversight and scrutiny by the citizens of Baltimore City and our duly elected representatives.

I look forward to the opportunity to address this matter in person at your upcoming meeting of the Board of Estimates on February 6, 2013.

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

Sincerely, Kim Trueheart, Citizen & Resident

5519 Belleville Ave
Baltimore, MD 21207

MINUTES

Department of Housing and - Land Disposition Agreement
Community Development

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a land disposition agreement with JAG's Services, LLC, developer, for the sale of the property located at 1820 W. Fayette Street.

AMOUNT OF MONEY AND SOURCE:

\$3,880.00 - Purchase price

BACKGROUND/EXPLANATION:

The project will consist of the conversion of the property into a two-family rental unit. The developer will invest approximately \$20,000.00 into the project.

Once transferred and redeveloped, the properties will be active on the tax rolls of Baltimore City.

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

In accordance with the City's appraisal policy, the waiver valuation process was used in lieu of an appraisal.

The price as determined by the waiver valuation is \$6,187.00. The property will be conveyed for \$3,880.00.

Pursuant to the appraisal policy of Baltimore City, the property is being conveyed below the waiver valuation price because of the following factors:

MINUTES

DHCD - cont'd

- specific benefit to the immediate community,
- elimination of blight, and
- economic development, creation of real estate and other taxes.

MBE/WBE PARTICIPATION:

Minority and Women's Business Enterprise Program participation is not applicable as the price for this property is less than \$49,999.99.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the land disposition agreement with JAG's Services, LLC, developer, for the sale of the property located at 1820 W. Fayette Street.

MINUTES

Department of Housing and Community Development (DHCD) - Memorandum of Understanding

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a memorandum of understanding (MOU) with the Maryland Department of Housing and Community Development. The period of the MOU is effective upon Board approval through June 30, 2013.

AMOUNT OF MONEY AND SOURCE:

\$845,000.00 - 5000-518813-5825-608401-405001

BACKGROUND/EXPLANATION:

Over the past several years, the Baltimore City Health Department (BCHD) was the responsible agency for lead abatement and the State of Maryland had MOUs with the BCHD for state funding to support lead abatement. The Federal funding to the BCHD for lead abatement was terminated January 14, 2011 and City agency responsibility was transferred from the BCHD to the DHCD on April 1, 2011.

This MOU establishes the relationship between the State and the DHCD to support lead hazard reduction with the DHCD funds in FY 2013 starting July 1, 2012. The DHCD has proposed to reduce lead hazards in 210 houses during the three year period from July 1, 2012 through June 30, 2015 with a combination of federal, state, and local funding sources.

The MOU allows for up to \$450,000.00 in State funding for this program in the Fiscal Year 2013 which will allow the City to complete its commitment to serve 210 families ahead of schedule. These funds will provide for the administrative expenses and lead hazard reduction grants and loan both to landlords and to owner occupants.

MINUTES

DHCD - cont'd

The reduction of lead-based paint hazards in households where children under six years of age reside is an essential part of the City's strategy to eliminate lead poisoning of children.

MBE/WBE PARTICIPATION:

Minority and Women's Business Enterprise participation is required for lead hazard reduction contractors.

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

A PROTEST WAS RECEIVED FROM MS. KIM TRUEHEART.

The Board of Estimates received and reviewed Ms. Trueheart's protest. As Ms. Trueheart does not have a specific interest that is different from that of the general public, the Board will not hear her protest. Her correspondence has been sent to the appropriate agency and/or committee which will respond directly to Ms. Trueheart.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the memorandum of understanding (MOU) with the Maryland Department of Housing and Community Development.

Kim A. Trueheart

February 5, 2013

Board of Estimates

Attn: Clerk

City Hall, Room 204

100 N. Holliday Street,

Baltimore, Maryland 21202

Dear Ms. Taylor:

Herein is my written protest on behalf of the underserved and disparately treated citizens of the Baltimore City who appear to be victims of questionable management and administration by the Department of Housing and Community Development (DHCD).

The following details are provided to initiate this action as required by the Board of Estimates:

1. Whom you represent: Self, family and affected family member.
2. What the issues are:
 - a. Pages 47, Department of Housing and Community Development (DHCD) – Memorandum of Understanding - Maryland Department of Housing and Community Development, if approved:
 - i. DHCD/HABC has been found guilty by court rulings of negligence of Baltimore City residents in public housing it provides under a cooperative agreement with Baltimore City.
 1. Please provide access to this agreement for inspection;
 2. Identify changes in business practices, policies and/or procedures implemented to ensure these same negligent outcomes will NOT recur.
 3. Have these new business practices, policies and/or procedures been validated by an outside, third party inspection, audit, etc?
 - a. If so provide date completed and details.
 - ii. The accompanying BACKGROUND/EXPLANATION states: “The program was transferred to the DHCD on April 1, 2011. The program was reformed and reinvigorated with State and local funds.”
 1. Identify the municipal budget item allocated for this program;
 2. Identify the amount of municipal funding allocated for this program.
 - iii. DCHD/HABC has failed to address court-ordered judgments and HABC is reportedly facing court judgments totaling nearly \$12 million from lawsuits filed by Baltimore City residents who suffered lead paint poisoning from their tenancy in public housing.
 1. Identify number of these cases pending appeal;
 2. Identify the interest amounts accruing for each pending case;
 - iv. It is alleged that besides these judgments against it, HABC faces 185 more lead-paint cases with potential claims of more than \$800 million.

5519 Belleville Ave
Baltimore, MD 21207

1. Identify the specific number of pending cases;
 2. Identify the potential claim amounts.
 - i. Since 2005, the authority has paid lawyers more than \$4 million to fight such claims.
 1. What is the source of funds for the legal defense against these claims?
 2. If municipal, identify the budget item source.
 - ii. In October and November 2011, the agency paid three judgments — two involving lead paint and one involving mold — for \$907,000.
 1. Identify any recent settlements;
 2. Identify settlement amounts for each;
 3. Identify source of funds for each.
 4. If municipal, identify budget item source.
 - iii. Jannai C. Goslee, the housing authority's general counsel, said the agency was able to satisfy the three judgments only after working with officials from the U.S. Department of Housing and Urban Development to identify agency funds that did not originate from Washington.
 1. Was the source of funds municipal?
 2. If so, identify budget item source.
 - iv. In a memo dated May 13, 2011 the Law Department stated: “The Baltimore City Law Department does not represent HABC and does not hire or supervise its legal counsel or any outside counsel that may be retained to represent HABC. The Law Department, therefore, had no involvement in the legal defense of lead paint cases against HABC or decisions related to those cases.”
 1. This statement appears to be an absolute dereliction of duty by the Baltimore City Solicitor, who appears to have totally abrogated his responsibility as outlined in the Baltimore City Charter and thus should have never been re-appointed to his position by the Mayor earlier this month nor should our City Council confirmed that re-appointment. This individual should be immediately removed from this position for this and a host of other bad results in achieving performance outcomes that benefit the citizens of Baltimore.
3. How the protestant will be harmed by the proposed Board of Estimates’ action: As a citizen I have witnessed questionable management and stewardship of municipal funds by this Mayoral administration and DCHD/HABC specifically. Again, I seek the dissolution of DHCD and HABC in their current form and the establishment of a new single entity under the direct auspicious of the municipal government of Baltimore City, thus allowing for appropriate levels of oversight and scrutiny by the citizens of Baltimore City and our duly elected representatives. Additionally, as a relative of a lead-paint victim I seek a satisfactory resolution by this administration in each court ordered judgment.

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Baltimore, MD 21207

I look forward to the opportunity to address this matter in person at your upcoming meeting of the Board of Estimates on February 6, 2013.

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

Sincerely,
Kim Trueheart, Citizen & Resident

5519 Belleville Ave
Baltimore, MD 21207

MINUTES

Department of Transportation - Traffic Mitigation Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a traffic mitigation agreement with Key Highway Associates, LLC.

AMOUNT OF MONEY AND SOURCE:

\$49,294.00 - 9950-909084-9512-000000-490375 (Revenue)

BACKGROUND/EXPLANATION:

Key Highway Associates, LLC proposes to perform the scope of work for Riverside Wharf located at 1420 Key Highway to construct a mixed-use development of approximately 14,924 square feet of retail space and 25,929 square feet of office space.

Under the terms of this agreement, Key Highway Associates, LLC will pay a one-time contribution in the amount of \$49,294.00 to fund the City's multimodal transportation improvements in the project's vicinity.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the traffic mitigation agreement with Key Highway Associates, LLC.

MINUTES

Department of Transportation - Employee Expense Statement

ACTION REQUESTED OF B/E:

The Board is requested to approve the expense statement for Ms. Tennille Blue for the month July 2012.

AMOUNT OF MONEY AND SOURCE:

\$61.05 - Mileage

Account: 1001-000000-2391-248900-603002

BACKGROUND/EXPLANATION:

The Department's Traffic Division received the original request in August 2012. However, due to an error on the sheet, it was returned which caused this request to go past the submission deadline to the Department of Finance for reimbursement.

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

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved the expense statement for Ms. Tennille Blue for the month July 2012.

MINUTES

Department of Transportation - Employee Expense Statement

ACTION REQUESTED OF B/E:

The Board is requested to approve the expense statement from Mr. Nii Sowah for expenses incurred during the month of September 2012.

AMOUNT OF MONEY AND SOURCE:

\$44.75 - 6000-617213-2303-596000-603001

BACKGROUND/EXPLANATION:

The Department of Transportation, Fiscal Division received this request past the submission deadline to the Department of Finance for reimbursement. The mileage reimbursement is late because it was originally submitted on a old reimbursement form and then was lost in the interoffice mail delivery.

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

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved the expense statement from Mr. Nii Sowah for expenses incurred during the month of September 2012.

MINUTES

Department of Transportation - Grant Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a grant agreement with the Maryland Department of Transportation (MDOT). The period of the agreement is effective upon Board approval for 24 months or until all payments of the grant have been made, whichever is sooner.

AMOUNT OF MONEY AND SOURCE:

\$15,000.00 - 9950-904175-9527-000000-490358

BACKGROUND/EXPLANATION:

The Maryland Department of Transportation has programmed into its 2012-2017 Consolidated Transportation Program - 2012 State Report on Transportation a total of \$10,000,000.00 for the Maryland Bikeways Program. MDOT has budgeted within the program \$15,000.00 for the construction of a bicycle route connecting the Gwynn Falls Trail to the City line at Edmondson Avenue.

Pursuant to Section 2-602 of the Transportation Article of the Annotated Code of Maryland, it is in the public interest for the State of Maryland to include enhanced transportation facilities to pedestrians and bicycle riders as an essential component of the State's transportation system. The Maryland Bikeways Program was established and approved by the General Assembly to provide State transportation funding to support and expedite projects that improve bicycle transportation in the State. Because this project will enhance bicycle safety and access, improve bicycle circulation, and increase access to local transit, employment, and businesses in, Baltimore City it is a priority of the City.

MINUTES

Department of Transportation - cont'd

Upon completion, the City will assume all maintenance and operating costs associated with this project.

APPROVED FOR FUNDS BY FINANCE

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

UPON MOTION duly made and seconded, the Board approved and authorized execution of the grant agreement with the Maryland Department of Transportation.

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 with the Department of General Services, landlord and Mr. Bill Henry, tenant, for the rental of approximately 1,148 square feet of space located at 5225 York Road on the 2nd level. The period of the lease agreement is December 8, 2012 through December 7, 2013.

AMOUNT OF MONEY AND SOURCE:

Annual Rent	Monthly Installments
\$7,806.40	\$650.53

Account: 1001-000000-1000-106600-603016

BACKGROUND/EXPLANATION:

Mr. Henry will use the leased premises as office space for the operation of the 4th Councilmanic District.

The landlord will maintain the interior common areas and exterior of the building, provide janitorial and pest control services, and provide for all utilities.

The tenant will be responsible for the cost of improvements, providing equipment for tenant operation, telephone and computer services, and providing security for the leased premises.

The interdepartmental lease agreement is late because of delays in the Departments' reviews and administrative processes.

The Space Utilization Committee approved this lease agreement on January 15, 2013.

MINUTESSpace Utilization Committee - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of the interdepartmental lease agreement with the Department of General Services, landlord and Mr. Bill Henry, tenant, for the rental of approximately 1,148 square feet of space located at 5225 York Road on the 2nd level. The President **ABSTAINED.**

MINUTES

Department of Real Estate - Recreation Center Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a recreation center agreement with Sharp Leadenhall Planning Committee, Inc., for management and operation of the property located at 1044 Leadenhall Street (Solo Gibbs Recreation Facility). The agreement is effective upon Board approval for one year with a renewal option of two additional one year periods.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

The Sharp Leadenhall Planning Committee, Inc. approached the Department of Recreation and Parks to be considered to manage the Solo Gibbs Recreation Facility. The City will be responsible for furnishing utilities to the building and structural maintenance. The operator will be responsible for payment of utilities, general cleaning, maintenance, trash removal, minor repairs and keeping the sidewalks clear of ice, snow, and debris.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the recreation center agreement with Sharp Leadenhall Planning Committee, Inc., for management and operation of the property located at 1044 Leadenhall Street (Solo Gibbs Recreation Facility).

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

The Board is requested to approve and authorize execution of a parking license agreement with The Johns Hopkins University, licensor, and the Department of Transportation, licensee for the purpose of using 1.12 acres of unimproved land, at 3200 Saint Paul Street. The period of the agreement is effective upon Board approval for 24 months.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

The Department of Transportation arranged to use the unimproved 1.12 acres belonging to The Johns Hopkins University, located at 3200 Saint Paul Street, and build it into a 50 space parking lot. The parking spaces will be both metered and non-metered, allowing permit parking for the businesses of North Charles Village as well as paid parking for their customers.

The licensor will be responsible for granting permission to use the licensed area, and for reserving the right to make any modifications or alterations to the licensed area.

The licensee will be responsible for operating and managing the licensed area, obtaining necessary certificates and permits, maintaining lighting around the licensed area, providing maintenance for the licensed area, enforcing all applicable parking laws, and maintaining liability insurance on the licensed area.

The Space Utilization Committee approved this lease agreement on January 29, 2013.

MINUTES

Space Utilization Committee - cont'd

A PROTEST WAS RECEIVED FROM MS. KIM TRUEHEART.

The Board of Estimates received and reviewed Ms. Trueheart's protest. As Ms. Trueheart does not have a specific interest that is different from that of the general public, the Board will not hear her protest. Her correspondence has been sent to the appropriate agency and/or committee which will respond directly to Ms. Trueheart.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the parking license agreement with The Johns Hopkins University, licensor, and the Department of Transportation, licensee for the purpose of using 1.12 acres of unimproved land, at 3200 Saint Paul Street. The President

ABSTAINED.

Kim A. Trueheart

February 5, 2013

Board of Estimates
Attn: Clerk
City Hall, Room 204
100 N. Holliday Street,
Baltimore, Maryland 21202

Dear Ms. Taylor:

Herein is my written protest of the item described below from this week's Board of Estimates agenda and my request for information under the Maryland Public Information Act, State Government Article §§10-611 to 628.

The following details are provided to initiate this action as required by the Board of Estimates and I fully understand that the details in paragraphs 1-4 are NOT required by the Maryland Public Information Act:

1. Whom you represent: Self
2. What the issues are:
 - a. Pages 56, Space Utilization Committee – Lease Agreement, if NOT approved:
 - i. Please provide access to the document that discusses the Department of Real Estate's oversight of parking lots on behalf of Baltimore City vice the Parking Authority of Baltimore City.
 - ii. Please provide access to the lease agreement for inspection;
 - iii. This agreement appears to be more beneficial to the citizens of Baltimore than recent agreements presented to this board by the Parking Authority of Baltimore City.
3. How the protestant will be harmed by the proposed Board of Estimates' action: The duplication of functions within and across departments and agencies within Baltimore City Government is detrimental to my future financial well being and must be eliminated with all due expediency to relieve citizens of the onerous burden.
4. Remedy I desire: This agreement should be unanimously approved by this Board.

If all or any part of this request is denied, I request that I be provided with a written statement of the grounds for the denial. If you determine that some portions of the requested records are exempt from disclosure, please provide me with the portions that can be disclosed.

I also anticipate that I will want copies of some or all of the records sought. Therefore, please advise me as to the cost, if any, for obtaining a copy of the records and the total cost, if any, for all the records described above. If you have adopted a fee schedule for obtaining copies of records and other rules or regulations implementing the Act, please send me a copy. Electronic copies are acceptable.

5519 Belleville Ave
Baltimore, MD 21207

I look forward to reviewing disclosable records promptly and, in any event, to a decision about all of the requested records within 30 days. Thank you for your cooperation.

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

Sincerely,
Kim Trueheart, Citizen

5519 Belleville Ave
Baltimore, MD 21207

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

The Board is requested to approve and authorize execution of a lease agreement with 2655 Matthews, LLC, lessor for the rental of a property known as 601 E. 27th Street, consisting of approximately 24,100 sq. ft. The period of the agreement is February 15, 2013 through February 28, 2018, with one 5-year renewal option.

AMOUNT OF MONEY AND SOURCE:

Initial Term	Annual	Monthly
Year 1	\$130,933.80	\$10,911.15
Year 2	\$134,861.88	\$11,238.49
Year 3	\$138,907.80	\$11,575.65
Year 4	\$143,075.04	\$11,922.92
Year 5	\$147,367.32	\$12,280.61
Renewal Term	Annual	Monthly
Year 1	\$151,788.36	\$12,649.03
Year 2	\$156,342.00	\$13,028.50
Year 3	\$161,032.32	\$13,419.36
Year 4	\$165,863.28	\$13,821.94
Year 5	\$170,839.20	\$14,236.60

MINUTES

Space Utilization Committee - cont'd

BACKGROUND/EXPLANATION:

The leased premises will be used for the Baltimore City Police Department. The lessor will be responsible for maintaining the heating and ventilation system, and the exterior of the building. The lessee will be responsible for insurance, payment of utilities, janitorial and security. The Space Utilization Committee approved the lease agreement on January 29, 2013.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved and authorized execution of the lease agreement with 2655 Matthews, LLC, lessor for the rental of a property known as 601 E. 27th Street, consisting of approximately 24,100 sq. ft.

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 State of Maryland on behalf of WBJC-FM, the radio station of Baltimore City Community College, lessee, for the rental of a portion of the property known as R1723 Reisterstown Road, Pikesville, Maryland. The period of the lease agreement is effective May 1, 2013 for ten years, with an option to renew for two additional five year terms.

AMOUNT OF MONEY AND SOURCE:Annual Rent

2013 - \$17,608.00	2018 - \$20,412.50
2014 - \$18,136.24	2019 - \$21,024.87
2015 - \$18,680.33	2020 - \$21,655.62
2016 - \$19,240.74	2021 - \$22,305.28
2017 - \$19,817.96	2022 - \$22,974.44

BACKGROUND/EXPLANATION:

The rent will continue to escalate annually by an amount equal to 3% over the amount of the rental payments for the preceding year. In addition, the City of Baltimore will receive 10% of the revenue received by the lessee from any subtenants.

The demised premises will be used for a radio tower and associated equipment and buildings for WBJC-FM.

The lessor will be responsible for the maintenance of the site. The lessee will be responsible for liability insurance, utilities, maintenance, and repairs to their equipment, and compliance with all FCC and FAA rules and regulations.

MINUTESSpace Utilization Committee - cont'd

The Space Utilization Committee approved this lease agreement on January 29, 2013.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the lease agreement with the State of Maryland on behalf of WBJC-FM, the radio station of Baltimore City Community College, lessee, for the rental of a portion of the property known as R1723 Reisterstown Road, Pikesville, Maryland.

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 with the Department of General Services, landlord, and the Mayor's Office of Human Services, tenant, for the rental of approximately 26,148 square feet of space located at 210 Guilford Avenue, on the 5th floor. The period of the lease agreement is July 1, 2012 through June 30, 2013, with five 1-year renewal options.

AMOUNT OF MONEY AND SOURCE:

Annual Rent	Monthly Installments
\$180,129.00	\$15,010.75

Account: 1001-000000-3572-327200-603096

BACKGROUND/EXPLANATION:

The leased premises will be used for Homeless Services.

The landlord will maintain the interior and exterior of the building, including the foundations, roof, walls, gutters, downspouts, air conditioning, ventilating and heating system, clean the floors, provide janitorial services, trash removal, pest control and keep the sidewalks adjacent to the premises and entrances clear of ice, snow and debris. The landlord will be responsible for all interior and exterior lighting of the leased premises. The landlord will furnish and pay all utilities that are supplied to or used at the leased premises, including oil, gas, electric and water.

MINUTESSpace Utilization Committee - cont'd

The tenant will accept the leased premises in its current existing conditions. 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 leased premises into the trash receptacles. The tenant will keep the entrance, passageways and areas adjoining or appurtenant to their leased premises in a clean and orderly condition, free of rubbish and obstruction.

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

The Space Utilization Committee approved this lease agreement on January 29, 2013.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved and authorized execution of the interdepartmental lease agreement with the Department of General Services, landlord, and the Mayor's Office of Human Services, tenant, for the rental of approximately 26,148 square feet of space located at 210 Guilford Avenue, on the 5th floor.

MINUTES

Police Department - Memorandum of Agreement, Grant Awards,
and Appropriation Adjustment Order

The Board is requested to approve and authorize execution of a memorandum of agreement and approve and authorize acceptance of the grant awards and approve an Appropriation Adjustment Order.

AGREEMENT

1. **COMMUNITY CONFERENCING CENTER** **\$ 46,000.00**

Account: 4000-409111-2252-690500-600000

The Baltimore City Juvenile Screening and Diversion Program Grant Adjustment Notice (GAN) to extend the grant period end date of grant to March 31, 2013 was approved by the Board on August 22, 2012. This program is intended to reduce juvenile recidivism by offering diversion services to 60 youth arrested in Baltimore City and will also include at least 150 victims and family members in community conferences involving the young offenders. This memorandum of agreement with the Community Conferencing Center will fund its salary and fringe costs for the staff needed to handle referrals of youth for Community Conferencing services. The period of the agreement is January 1, 2013 through March 31, 2013.

AUDITS REVIEWED AND HAD NO OBJECTION.

MINUTES

Police Department - cont'd

GRANT AWARDS

2. **U.S. DEPARTMENT OF JUSTICE** **\$938,773.00**

Account: 4000-472813-2252-690700-600000

The acceptance of grant award from the U.S. Department of Justice will provide funds for the McElderry Park Revitalization Coalition Project. The goal of the project is to reduce the incidences of juvenile crime, violent crime, and to find alternatives to criminal activity for residents of the McElderry Park neighborhood. The period of the grant award is October 1, 2012 through September 30, 2015.

3. a. **GOVERNOR'S OFFICE OF CRIME** **\$117,000.00**
CONTROL AND PREVENTION

The acceptance of the grant award entitled "Post-Conviction DNA Testing Assistance" will provide services in the area of expeditious identification and review of cases in which an innocent person may have been convicted of a violent crime that they did not commit and in which post conviction DNA testing could resolve the claim. The grant funds provide salary support for a paralegal for two years. The period of the grant award is January 1, 2013 through December 31, 2014.

MINUTESPolice Department - cont'db. Appropriation Adjustment Order (AAO):

<u>Amount</u>	<u>From Account</u>	<u>To Account</u>
\$117,000.00	4000-400013-2023- 667600-607004 Homeland Security Unallocated	4000-472913-2024- 212600-60000 Post-Conviction DNA Testing

An AAO is needed to provide funding for Post-Conviction DNA Testing Assistance services.

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

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved and authorized execution of the memorandum of agreement and approved and authorized acceptance of the grant awards and approved the Appropriation Adjustment Order.

MINUTESPolice Department - Appropriation Adjustment Transfers

The Board is requested to approve the appropriation adjustment transfers.

The adjustment appropriation transfers are required in order to appropriately allocate funding for the following program which the Board previously approved acceptance of the grants.

Appropriation Adjustment Order (AAO):

<u>Amount</u>	<u>From Account</u>	<u>To Account</u>
1. \$ 35,503.00	4000-400013-2023 667600-607004 Homeland Security Unallocated	4000-472713-2024- 212600-600000 Crime Lab Enhance- ment

On December 5, 2012, the Board approved acceptance of the Paul Coverdell Forensic Sciences Improvement grant from the Governor's Office of Crime Control and Prevention in the amount of \$35,503.00.

2. \$175,000.00	4000-400013-2023 667600-607004 Homeland Security Unallocated	4000-472613-2024- 212600-600000 Coverdell - OJP
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On October 17, 2012, the Board approved acceptance of the grant FY 12 Paul Coverdell Forensic Sciences Improvement grant from the U.S. Department of Justice in the amount of \$175,000.00.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved the appropriation adjustment transfers.

MINUTES

Police Department - Expenditure of Funds

ACTION REQUESTED OF B/E:

The Board is requested to approve the expenditure of funds to pay The Greater Baltimore Committee. The expenditure of funds will cover the period January 28, 2013 through October 24, 2013.

AMOUNT OF MONEY AND SOURCE:

\$7,250.00 - 6000-611212-2013-197500-603020

BACKGROUND/EXPLANATION:

The funding will cover the costs of tuition for Mr. Clifton K. McWhite for the Greater Baltimore Committee Leadership Program for 2013.

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

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved the expenditure of funds to pay The Greater Baltimore Committee.

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:

420 - 421

to the low bidders meeting the specifications,

or rejected bids on those as indicated

for the reasons stated.

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

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

- | | | |
|---|---------------------|--------------|
| 1. B50002570, Ford Transit
Connection XLT Vans | Apple Ford,
Inc. | \$218,500.00 |
|---|---------------------|--------------|

(Department of Transportation)

MWBOO GRANTED A WAIVER.

- | | | |
|---|--------------------|--------------|
| 2. B50002685, Floor Tile
Cleaning and Related
Services for Baltimore
Convention Center | Microguard,
LLC | \$159,737.00 |
|---|--------------------|--------------|

(Convention Center)

MWBOO SET MBE GOALS AT 5% AND WBE GOALS AT 0%.

MBE: Preferred Cleaning Janitorial Services \$7,980.00 5.00%

MWBOO FOUND VENDOR IN COMPLIANCE.

- | | | |
|--|----------------------------------|--------------|
| 3. B50002712, Glass Beads
Used in Traffic Paint | Wessker
Manufacturing,
LLC | \$ 77,250.00 |
|--|----------------------------------|--------------|

(Department of Transportation)

MWBOO GRANTED A WAIVER.

MINUTES**RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS**Bureau of Purchases - cont'd

4. B50002773, Skid Steer Loaders & Flat Bed Trailers		\$327,760.00
	Item #1-Skid Steer Loader w/attachments JESCO, Inc.	\$294,160.00
	Item #2-Flat Bed Trailer Stephan L. Green	\$ 33,600.00

(DPW, Bureau of Solid Waste)

MWBOO GRANTED A WAIVER.

MINUTES

Department of Recreation and Parks - Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an agreement with The Baltimore City Football Officials Association (Association). The period of the agreement is effective upon Board approval for three months.

AMOUNT OF MONEY AND SOURCE:

\$18,250.00 - 2089-208913-4803-371501-603026

BACKGROUND/EXPLANATION:

The Association will coordinate the assignment of knowledgeable and certified Football Officials for youth football league games, as well as for tournament play. The Association will assign and act as paymaster for the officials, as well as serve as liaison between the City, football teams, and officials. It will also organize, coordinate and assign the game officials for each scheduled game.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the agreement with The Baltimore City Football Officials Association.

MINUTES

Department of Recreation and Parks - Grant Award

ACTION REQUESTED OF B/E:

The Board is requested to approve acceptance of a grant award from the Baltimore Community Foundation (BCF).

AMOUNT OF MONEY AND SOURCE:

\$10,000.00 - 6000-680813-4782-583801-4XXXXX

BACKGROUND/EXPLANATION:

The BCF has awarded a grant in support of operating expenses and program development for the City Farms Program which is an integral part of the Horticulture Division in the Bureau of Parks. The funds will be utilized to expand the program, which encourages the development of community-operated vegetable gardens all over the City.

APPROVED FOR FUNDS BY FINANCE

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

UPON MOTION duly made and seconded, the Board approved acceptance of a grant award from the Baltimore Community Foundation.

MINUTES

Baltimore Office of Promotion & the Arts - Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an agreement with Corrigan Sports Enterprises, Inc. (Corrigan). The period of the agreement is effective upon Board approval for three years, followed by three additional 3-year renewals terms.

AMOUNT OF MONEY AND SOURCE:

\$0.00 management fees valued at \$360,000.00 will be taken from funds generated by the Baltimore Running Festival.

BACKGROUND/EXPLANATION:

The Baltimore City Council adopted a resolution on May 01, 2000 for the purpose of encouraging and promoting a Baltimore Marathon as a means of attracting people from across the nation to enjoy the scenic neighborhoods of Baltimore and to provide a marketing and economic tool for the City. Since November 01, 2000, the promoter, Corrigan has worked closely with the City to create The Baltimore Running Festival, an event that is an asset to the City. The City wishes to renew its engagement of Corrigan to continue to present and produce The Baltimore Running Festival.

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the agreement with Corrigan Sports Enterprises, Inc.

MINUTES

Mayor's Office of Employment - Youth Opportunity Academy
Development (MOED) Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the Youth Opportunity Academy agreement with the Baltimore City Board of School Commissioners (BCPSS). The period of the agreement is July 1, 2012 through July 1, 2013.

AMOUNT OF MONEY AND SOURCE:

\$174,230.00 - 5000-501213-6391-483200-405001

BACKGROUND/EXPLANTION:

The BCPSS operates an alternative school for high school students in a portion of the Youth Opportunity Westside Center, located at 1500 W. Lafayette Avenue in Baltimore City. The MOED will complement the BCPSS' academic programs by providing wrap-around services such as Youth Development Services, Cultural Enrichment, and Job Readiness Training. These efforts are designed to help increase school attendance and decrease the drop-out rate of students who attend alternative high schools.

This agreement is late because additional time was necessary to reach a comprehensive understanding between the parties.

APPROVED FOR FUNDS BY FINANCE**A PROTEST WAS RECEIVED FROM MS. KIM TRUEHEART.**

The Board of Estimates received and reviewed Ms. Trueheart's protest. As Ms. Trueheart does not have a specific interest that is different from that of the general public, the Board will not hear her protest. Her correspondence has been sent to the appropriate agency and/or committee which will respond directly to Ms. Trueheart.

MINUTES

MOED - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Youth Opportunity Academy agreement with the Baltimore City Board of School Commissioners.

Kim A. Trueheart

February 5, 2013

Board of Estimates
Attn: Clerk
City Hall, Room 204
100 N. Holliday Street,
Baltimore, Maryland 21202

Dear Ms. Taylor:

Herein is my written protest on behalf of the underserved and disparately treated school age children of Baltimore City who appear to be victims of a lack of vision, poor fiscal planning and management and a complete failure to provide transparent communications about priorities and outcomes by the Baltimore City Board of School Commissioners.

The following details are provided to initiate this action as required by the Board of Estimates:

1. Whom you represent: Self
2. What the issues are:
 - a. Page 72, Mayor's Office of Employment Development (MOED) – Youth Opportunity Academy Agreement, if approved:
 - i. Please provide for inspection documents detailing:
 1. The “comprehensive understanding between the parties”;
 2. The measures of effectiveness and budget-based outcomes for this program in fiscal years 2010, 2011 and 2012;
 3. The “wrap-around services such as Youth Development Services, Cultural Enrichment, and Job Readiness Training”.
3. How the protestant will be harmed by the proposed Board of Estimates' action: As a citizen I am experiencing a significant financial burden with annual tax increases, sewer and water service increases, user fee increases, parking meter rate increases and significantly reduce services as a resident. This already onerous burden will be exacerbated by the continued wasteful spending by the Baltimore City Board of School Commissioners which is NOT adequately serving the educational needs of the children in my neighborhood nor the other 85,000 students enrolled in the BCPSS.

I look forward to the opportunity to address this matter in person at your upcoming meeting of the Board of Estimates on February 6, 2013.

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

Sincerely,
Kim Trueheart
Citizen

5519 Belleville Ave
Baltimore, MD 21207

MINUTES

Bureau of Solid Waste - Amendment No. 1 to Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of amendment no. 1 to agreement with KCI Technologies, Inc., for Project No. 1157, On-call Solid Waste Facilities Management. The amendment no. 1 extends the agreement through September 27, 2016.

AMOUNT OF MONEY AND SOURCE:

\$500,000.00

BACKGROUND/EXPLANATION:

On September 28, 2011, the Board approved the original agreement with KCI Technologies, Inc., for Project No. 1157 Contract. The Quarantine/Millennium Landfill requires additional funding and time to complete mixed refuse disposal permit application process.

The original agreement was approved in the amount of \$3,000,000.00, for the period September 28, 2011 through September 27, 2015. This amendment no. 1 to agreement will increase funds by \$500,000.00 and make the total contract amount \$3,500,000.00 and will extend the term through September 27, 2016.

MINUTES

Bureau of Solid Waste - cont'd

MBE/WBE PARTICIPATION:

The consultant will continue to comply with all terms and conditions of the MBE/WBE programs in accordance with Baltimore City Code, Article 5, Subtitle 28.

AUDITS NOTED THE TIME EXTENSION.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the amendment no. 1 to agreement with KCI Technologies, Inc., for Project No. 1157, On-call Solid Waste Facilities Management.

MINUTES**TRAVEL REQUESTS**

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>Department of Recreation and Parks</u>			
1. Donald Salamone	Annual Meeting of the All American Amateur Baseball Association Kissimmee, FL Feb. 28 - March 3, 2013	Base- ball Funds	\$1,089.22

The Department is requesting a rental car for Mr. Salamone because he will visit other sites to view baseball fields and facilities. The sites are assigned to attendees while at the annual meeting.

2. Stella Clanton	Beyond School Hours Conference Jacksonville, Fl Feb. 20 - 24, 2013 (Reg. Fee \$489.00)	Rec. Admin.	\$1,844.76
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The subsistence rate for this location is \$131.00 per day. The hotel rate is \$179.00 per night not including \$25.29 per night in occupancy taxes. The Department is requesting an additional subsistence of \$48.00 per day to cover the hotel costs and \$40.00 per day to cover meals and incidental expenses. The additional amounts have been included in the total.

MINUTES**TRAVEL REQUESTS**

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>Police Department</u>			
3. Zachary D. Wein Errol E. Etting, Jr.	Explosive Breacher School Salt Lake City, UT Feb. 17, - Feb. 23, 2013 (Reg. Fee \$1,400.00 ea.)	Home- land Security Grant FY10	\$5,931.40

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

President: "There being no more business before the Board, the meeting will recess until bid opening at twelve 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 **NO ADDENDA WERE RECEIVED** extending the dates for receipt and opening of bids on the following contracts. There were no objections.

MINUTES

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

Department of Transportation - TR 12017RR, Material Testing
2013 Various Projects Citywide

Froehling & Robertson, Inc.

Bureau of Purchases - B50002764, Boiler Repair
Related Services

Power and Combustion, Inc.
American Combustion Industries,
Inc.
Denver-Elek, Inc.

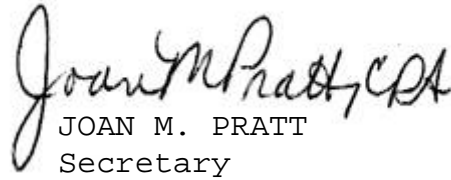
Bureau of Purchases - B50002796, OEM Parts for PL
Custom Fire Apparatus and
Equipment

DPC Emergency Equipment *

*UPON FURTHER MOTION duly made and seconded, the Board declared the bid of DPC Emergency Equipment, **NON-RESPONSIVE**, due to the company's failure to proffer a bid guarantee as mandated by the solicitation instructions and the City Charter.

MINUTES

There being no objections, the Board, UPON MOTION duly made and seconded, adjourned until its next regularly scheduled meeting on Wednesday, February 13, 2013.



Handwritten signature of Joan M. Pratt, CPA, in cursive script.

JOAN M. PRATT
Secretary