

## MINUTES

REGULAR MEETING

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

The meeting was called to order by the President.

President: "I would like to direct the Board's attention to the Memorandum from my office dated September 2, 2014, 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 approval of all items on the routine agenda."

Comptroller: "Second."

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

\* \* \* \* \*

## MINUTES

BOARDS AND COMMISSIONS1. 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:

Comer Construction, Inc.	\$ 8,000,000.00
Eastern Gunit Co., Inc.	\$ 4,806,000.00
F. H. Paschen, S.N. Nielson & Associates, LLC	\$491,886,000.00
Gray & Son, Inc.	\$ 66,681,000.00
Humanin, Inc.	\$106,362,000.00
J. Villa Construction, Inc.	\$ 252,000.00
Machado Construction Co., Inc.	\$ 8,000,000.00
Roy Kirby & Sons, Inc.	\$ 24,462,000.00
SEH Excavating, Inc.	\$ 8,000,000.00
T.E.A.M. Service Corporation of New York	\$ 1,500,000.00

2. Prequalification of Architects and Engineers

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

Baker, Ingram & Associates	Engineer
Koffel Associates, Inc.	Engineer
Living Design Lab LLC	Architect
Pure Engineering Services, Inc.	Engineer
Russell Corrosion Consultants, Inc.	Engineer

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

**MINUTES**Baltimore Development Corporation - Lease Agreement**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a Lease Agreement with the Baltimore City Law Department, (Law Department) tenant, for the rental of 15,340 sq. ft. on the 6<sup>th</sup> and 9<sup>th</sup> floors of the City-owned property known as 7 East Redwood Street. The period of the lease agreement is October 1, 2014 through September 30, 2019.

**AMOUNT OF MONEY AND SOURCE:**

<u>Year</u>	<u>Annual Rent</u>	<u>Monthly Rent</u>
1	\$211,538.04	\$17,628.22
2	\$217,884.72	\$18,157.06
3	\$224,421.36	\$18,701.78
4	\$231,153.96	\$19,262.83
5	\$238,088.52	\$19,840.71

Account: 1001-000000-1220-145600-603026

The rent will increase 3% each year.

**BACKGROUND/EXPLANATION:**

The Law Department is an agency of the City established by the City Charter and will use the premises as an administrative office.

The landlord will perform base building and interior tenant improvements valued at \$306,800.00.

The landlord will promptly after execution of this lease engage an architect to prepare plans and specifications of the space improvements for tenant's review and approval. The landlord will make any changes to such plans reasonably and timely requested by tenant and necessary to make the plans and specifications conform to plans.

**MINUTES**

BDC - cont'd

Promptly after the plans and specifications have been finalized the landlord will contract for the construction of such improvements and Cassidy Turley/Commercial Real Estate Services, the landlord's manager for the building will act as a construction manager for the oversight and supervision of the construction.

**APPROVED FOR FUNDS BY FINANCE**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Lease Agreement with the Baltimore City Law Department, tenant, for the rental of 15,340 sq. ft. on the 6<sup>th</sup> and 9<sup>th</sup> floors of the City-owned property known as 7 East Redwood Street.

**MINUTES**Baltimore Development Corporation - Lease Agreement**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a Lease Agreement with the Baltimore City Office of Civil Rights and Wage Enforcement, tenant, for the rental of 7,670 sq. ft. located on 7th floor of the City-owned property known as 7 East Redwood Street. The period of the lease agreement is October 1, 2014 through September 30, 2019.

**AMOUNT OF MONEY AND SOURCE:**

<u>Year</u>	<u>Annual Rent</u>	<u>Monthly Rent</u>
1	\$119,038.44	\$ 9,919.87
2	\$122,643.36	\$10,220.28
3	\$126,324.96	\$10,527.08
4	\$130,083.24	\$10,840.27
5	\$133,994.88	\$11,166.24

Account: 1001-000000-1561-171500-603013

The rent will increase 3% each year.

**BACKGROUND/EXPLANATION:**

The Baltimore City Office of Civil Rights and Wage Enforcement, tenant, The Baltimore Community Relations Commission is the City's official fair employment practice, human rights and inter-group relations agency. The tenant will use the premises for an administrative office.

The landlord will perform base building and interior tenant improvements valued at \$210,000.00.

**MINUTES**

BDC - cont'd

The landlord will promptly after execution of this lease engage an architect to prepare plans and specifications of the space improvements for tenant's review and approval. The landlord will make any changes to such plans reasonably and timely requested by tenant and necessary to make the plans and specifications conform to plans. Promptly after the plans and specifications have been finalized the landlord will contract for the construction of such improvements and Cassidy Turley/Commercial Real Estate Services, the landlord's manager, for the building will act as a construction manager for the oversight and supervision of the construction.

**APPROVED FOR FUNDS BY FINANCE**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Lease Agreement with the Baltimore City Office of Civil Rights and Wage Enforcement, tenant, for the rental of 7,670 sq. ft. located on 7th floor of the City-owned property known as 7 East Redwood Street.

## MINUTES

EXTRA WORK ORDERS AND TRANSFERS OF FUNDS

\* \* \* \* \*

UPON MOTION duly made and seconded,

the Board approved the

Extra Work Orders and Transfers of Funds

listed on the following pages:

3360 - 3361

All of the EWOs had been reviewed and approved

by the

Department of Audits, CORC,

and MWBOO, unless otherwise indicated.

The Transfer of Funds was approved

SUBJECT to receipt of a favorable report

from the Planning Commission,

the Director of Finance having reported favorably

thereon, as required by the provisions

of the City Charter.

MINUTES

EXTRA WORK ORDERS

Contract Awd. Amt.	Prev. Apprvd. Extra Work	Contractor	Time Ext.	% Compl.
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Department of Transportation

1. EWO #003, \$0.00 - TR 12016, Utility Locating Test Holes for  
Engineering Projects  
\$461,400.00 (\$1,527.36) Accumark, Inc. 120 -  
days

This authorization is necessary because the subject contract was bid as a task order contract with no designed areas of work. The City needs to add 120 days non-compensable time extension to this contract to complete all work. This will change the completion date from September 12, 2014 to January 10, 2015.

2. EWO #004, \$274,600.00 - TR 10004, Repairs to Various  
Bridges & Safety Improvements along I-83: Gay St. to 41<sup>st</sup>  
St.  
\$4,986,355.65 \$349,041.12 Orfanos Con- - -  
tractors, Inc.

3. TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$241,648.00 Federal	9950-910036-9509 Constr. Reserve I-83, Joint Repairs, Phase II	
60,412.00 Gen'l Fund HUR	" "	
<u>\$ 302,060.00</u>	-----	9950-903761-9506-2 Contingencies - I-83, Joint Repairs

This transfer will fund costs associated with Change Order No. 4 to the Project TR 10004, Repairs to Various Bridges & Safety Improvements Along I-83: Gay St. to 41<sup>st</sup> St.

## MINUTES

EXTRA WORK ORDERS

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

Department of Transportation

4.	EWO #5, \$256,529.41	- TR 10301, N. Charles Street	
	<u>Reconstruction from 25<sup>th</sup> Street to University Parkway</u>		
	\$23,255,202.10	\$18,786.12	Concrete General, 120 -
			Inc.

## MINUTES

CITY COUNCIL BILL:

14-0319 - An Ordinance concerning Franchise - Baltimore Red Line For the purpose of granting franchise rights to the Mass Transit Administration of the State of Maryland for the location, construction, operation, and maintenance in good condition of a Red Line Light Rail System within the boundaries of the City of Baltimore; setting the terms, conditions, and requirements of the Mayor and City Council pertaining to the location, construction, operation, and maintenance in good condition; authorizing the Mass Transit Administration to make use of streets and other public areas within the City of Baltimore for these purposes, in accordance with the attached plat dated, as prepared by the Mass Transit Administration of the Department of Transportation of the State of Maryland and filed with the Department of Transportation of the City of Baltimore on January 13, 2014; and providing for a special effective date.

THE LAW DEPARTMENT'S CONCERN WITH THIS BILL FOCUSES ON CHARTER REQUIREMENTS FOR GRANTING FRANCHISES. THE BILL AS DRAFTED OMITTS PROVISIONS TO FIX THE AMOUNT OF COMPENSATION TO BE PAID THE CITY FOR USE OF ITS PUBLIC PROPERTY AS REQUIRED BY ARTICLE VIII, SECTION 2 OF THE CITY CHARTER. SECTION 2 STATES THAT THE ORDINANCE SHALL CONTAIN "A PROVISION AS TO THE RATES, FARES, AND CHARGES, IF THE GRANT PROVIDES FOR THE CHARGING OF RATES, FARES, OR CHARGES" AND THAT THE BOARD "SHALL MAKE DILIGENT INQUIRY AS TO THE MONEY VALUE OF SAID FRANCHISE OR RIGHT PROPOSED TO BE GRANTED AND THE ADEQUACY OF THE PROPOSED COMPENSATION TO BE PAID THEREFOR TO THE CITY." THE BILL AS DRAFTED ALSO OMITTS THE DURATION OF THE FRANCHISE, WHICH ARTICLE VIII, SECTION 3 OF THE CITY CHARTER LIMITS TO A TERM OF NO LONGER THAN 25 YEARS. FINALLY, THE BILL REFERS TO A PLAT THAT DESCRIBES THE LOCATIONS OF THE STREETS AND PUBLIC AREAS AFFECTED BY THE FRANCHISE, BUT THE DATE OF THE PLAT IS OMITTED. THE LAW DEPARTMENT BELIEVES THE DATE SHOULD BE REFERENCED AND THE PLAT SHOULD BE AVAILABLE TO THE PUBLIC IN AN EASILY ACCESSIBLE LOCATION.

**MINUTES****CITY COUNCIL BILL - 14-0319** - cont'd

PROVIDED THE BILL IS AMENDED TO INCLUDE THE ABSENT PROVISIONS, THE LAW DEPARTMENT WILL APPROVE THE BILL FOR FORM AND LEGAL SUFFICIENCY.

IN RESPONSE TO CITY COUNCIL BILL #14-0319, THE BALTIMORE CITY FIRE DEPARTMENT DOES NOT HAVE ANY OBJECTION TO THE BILL ON THE CONDITION THAT ALL FIRE AND LIFE SAFETY CODES DURING CONSTRUCTION ARE COMPLIED WITH. THE FIRE DEPARTMENT ALSO REQUIRES THAT ANY ACTION THAT MAY HAVE AN EFFECT ON FIRE DEPARTMENT OPERATIONS SUCH AS DISRUPTION OF WATER MAINS FOR SUPPRESSION PURPOSES AND ROAD CLOSURES ARE COMMUNICATED TO THE FIRE DEPARTMENT.

**ALL REPORTS RECEIVED WERE FAVORABLE OR FAVORABLE WITH COMMENT OR SUBJECT TO AMENDMENT.**

UPON MOTION duly made and seconded, the Board in the exercise of its Charter Responsibilities, approved the franchise and approved \$0.00 as the amount of compensation to be paid to the City for each and every year of the franchise term of 25 years. The President **ABSTAINED**.

## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

## 1. ALLEN &amp; SON

MOVING/STORAGE, INC.	\$44,488.50	Ratification
Solicitation No. 06000 - Storage Trailers for Head Start Locations - Mayor's Office of Human Services - Req. No. R673132		

Due to the lack of federal funding, Head Start services for more than 57,000 children were eliminated, which necessitated the closing of eight Head Start centers and the removal of office furniture, equipment and files. The agency procured the services directly, as they felt that it was an emergency, and that only one vendor was available to accommodate the agency's immediate need. Services were provided by Allen & Son Moving/Storage, Inc. This price does not include relocating the stored items at the end of the term, nor for storage beyond November 30, 2014. The period of ratification is June 1, 2014 through November 30, 2014.

**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.

## 2. DAVISLOGIC, INC. T/A

ALL HANDS CONSULTING	\$40,000.00	Selected Source
Solicitation No. 06000 - Threat and Hazard Identification and Risk Assessment (THIRA) Consultant - Fire Department - Req. No. R674667		

All Hands Consulting is uniquely experienced to provide contractual services to the Mayor's Office of Emergency Management in order to meet upcoming State and Federal FEMA requirements. Additionally, they are also providing the same services to surrounding counties.

# Kim A. Trueheart

September 3, 2014

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 failure to capitalize on strategic investment opportunities in our youth by the Mayor of Baltimore City and the various Departments and Agencies under her leadership and direction.

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 11, Item #1, Bureau of Purchases, Solicitation No. 06000 – Storage Trailers for Head Start Locations – Mayor’s Office of Human Services, if approved:
    - i. Demonstrates MOHS’s lack of a strategic plan to effectively manage resources and assets under its charge;
    - ii. Demonstrates a lost opportunity to reallocate resources to meet the MOHS ongoing mission;
      1. Were remaining Head Start sites contacted to determine if these assets could be reallocated for their continued use serving those children and families remaining in the Head Start program?
    - iii. Fails to engage the Head Start Policy Council in managing these scarce resources and assets to achieve better outcomes for children and families remaining in the program.
3. How the protestant will be harmed by the proposed Board of Estimates’ action: A comprehensive strategic plan which engages the Head Start Policy Council if well organized can lead the City in reforming city and state agencies to enhance early learning services for our underserved youth.
4. The remedy I seek and respectfully request is that this action be delayed until the MOHS presents for public review and comment, a strategic plan which addresses the management and reallocation of its resources and assets beyond November 2014.

I look forward to the opportunity to address this matter in person at your upcoming meeting of the Board of Estimates on September 3, 2014.

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

Sincerely,  
Kim Trueheart, Citizen & Resident

Email: [ktrueheart@whatfits.net](mailto:ktrueheart@whatfits.net)  
5519 Belleville Ave  
Baltimore, MD 21207

1. ALLEN & SON

MOVING/STORAGE, INC. \$44,488.50 Ratification  
Solicitation No. 06000 – Storage Trailers for Head Start  
Locations – Mayor’s Office of Human Services – Req. No.  
R673132

Due to the lack of federal funding, Head Start services for more than 57,000 children were eliminated, which necessitated the closing of eight Head Start centers and the removal of office furniture, equipment and files. The agency procured the services directly, as they felt that it was an emergency, and that only one vendor was available to accommodate the agency’s immediate need. Services were provided by Allen & Son Moving/Storage, Inc. This price does not include relocating the stored items at the end of the term, nor for storage beyond November 30, 2014. The period of ratification is June 1, 2014 through November 30, 2014.

5519 Belleville Ave  
Baltimore, MD 21207

## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

3. SYTECH INC.	\$31,370.00	Sole Source
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Solicitation No. 08000 - Telephone Investigation System  
Maintenance - Police Department - Req. No. R663380

SyTech Inc. is the developer and sole distributor for the required system upgrade and maintenance support.

4. LAWMEN SUPPLY COMPANY OF NEW JERSEY, INC.	\$35,000.00	Low Bid
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Solicitation No. B40003683 - SWAT Uniforms - Fire Department -  
Req. No. R672003

Per the manufacturer, 5.11 Tactical, the recommended vendor is the City's only authorized distributor. Other bidders offered unacceptable substitutes. The period of the award is September 3, 2014 through September 2, 2015, with five 1-year renewal options remaining.

5. HD SUPPLY WATERWORKS, LP	\$27,826.78	Low Bid
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Solicitation No. B50003545 - Various Water Utility Tools -  
Department of Public Works - Req. No. R662773

The period of the award is September 3, 2014 through September 3, 2015, with two 1-year renewals.

6. MOORE MEDICAL, LLC	\$ 8,000.00	Renewal
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Solicitation No. 07000 - Assorted Gloves - Health Department -  
Req. No. P521605

On October 4, 2012, the Board approved the initial award in the amount of \$8,995.00. The award contained two 1-year renewal options. On July 15, 2013, the City Purchasing Agent approved an increase in the amount of \$2,655.00. On October 15, 2013, the City Purchasing Agent approved the first renewal in the amount of \$11,650.00. This final renewal in the amount of \$8,000.00 is for the period October 4, 2014 through October 3, 2015.

## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS
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Bureau of Purchases

7. F.L. ANDERSON COMPANY	\$ 0.00	Renewal
Contract No. B50002461 - Turnout Gear - Fire Department - P.O. No. P521574		

On September 26, 2012, the Board approved the initial award in the amount of \$3,600,000.00. The award contained six 1-year renewal options. On September 4, 2013, the Board approved the first renewal in the amount of \$3,600,000.00. This renewal in the amount of \$0.00 is for the period September 26, 2014 through September 25, 2015, with four 1-year renewal options remaining. The above amount is the City's estimated requirement.

**MWBOO GRANTED A WAIVER.**

8. LOCATION AGE, LLC	\$100,000.00	Renewal
Contract No. 08000 - COBLAM Software Support Agreement - Department of Housing and Community Development - Req. Nos. Various		

On September 11, 2013, the Board approved the initial award in the amount of \$99,980.00. The award contained three 1-year renewal options. The Board is requested to exercise the first of three 1-year renewal options for the continued use of the City of Baltimore Land Asset Manager (CoBLAM) software licenses, technical support, and maintenance required by Baltimore Housing and Community Development for automation of specific functions relating to the City's Vacants to Value program, including property acquisition, stabilization, management and disposition. The period of the renewal is September 11, 2014 through September 10, 2015, with two 1-year renewal options. The above amount is the City's estimated requirement.

## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

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

**MWBOO GRANTED A WAIVER.**

9. FIRST CALL

P & K TUBULAR PRODUCTS  
f/k/a FLAGPOLES, INC.

SECOND CALL

VALMONT INDUSTRIES, INC.

\$	0.00	Renewal
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Contract No. B50002150 - Aluminum Street Light Poles and Accessories - Department of Transportation - P.O. Nos. P519487 and P519488

On December 7, 2011, the Board approved the initial award in the amount of \$2,500,000.00. The award contained two 1-year renewal options. This renewal in the amount of \$0.00 is for the period December 15, 2014 through December 14, 2015, with one 1-year renewal option remaining. The above amount is the City's estimated requirement.

**MWBOO GRANTED A WAIVER.**

10. HD SUPPLY WATERWORKS,  
LIMITED PARTNERSHIP  
L/B WATER SERVICE, INC.

\$100,000.00	Renewal
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Contract No. B50002106 - M J Gate Valves - Department of Public Works, Bureau of Water and Wastewater - P.O. Nos. P518384 and P518385

On October 5, 2011, the Board approved the initial award in the amount of \$400,000.00. The award contained two 1-year renewal options.

## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

This renewal in the amount of \$100,000.00 is for the period October 15, 2014 through October 14, 2015, with one 1-year renewal option. The above amount is the City's estimated requirement.

**MWBOO GRANTED A WAIVER.**

- |   |              |                           |
|---|--------------|---------------------------|
| 11. VANGUARD UTILITY<br>SERVICE, INC.   | \$500,000.00 | Correction<br>and Renewal |
| Contract No. B50001595 - Provide Large Water Meter Testing, Repair and Replacement - Department of Public Works, Revenue Measuring and Billing - P.O. No. P514854 |              |                           |

On September 15, 2010, the Board approved the initial award in the amount of \$382,789.35. The award contained four 1-year renewal options. Three renewals have been approved. The previously approved letter stated that the renewal was for the period October 16, 2013 through October 15, 2014, with no renewal options remaining. The correct period is October 16, 2013 through October 15, 2014 with one 1-year renewal option remaining. This final renewal in the amount of \$500,000.00 is for the period October 16, 2014 through October 15, 2015. The above amount is the City's estimated requirement.

**MWBOO GRANTED A WAIVER.**

- |   |              |                           |
|---|--------------|---------------------------|
| 12. SHANNON-BAUM SIGNS,<br>INC.   | \$120,000.00 | Extension<br>and Increase |
| Contract No. 06000 - Decals and Striping - Department of General Services, Fleet Management Division - P.O. No. P511237 |              |                           |

On November 25, 2009, the Board approved the initial award in the amount of \$38,000.00. Subsequent actions have been approved. Due to the need to provide decals for new police vehicles a six month extension and increase in the amount of \$120,000.00 is necessary.

## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

The extension will allow time for the City to create specifications for a new competitively bid contract.

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.**

- |  |              |                           |
|--|--------------|---------------------------|
| 13. TELESOFT,<br>CORP.   | \$104,000.00 | Amendment<br>to Agreement |
| Contract No. 06000 - Hosted Telephone Billing System -<br>Department of Communication Services, Municipal Telephone<br>Exchange - P.O. No. P525397 |              |                           |

The Board is requested to approve and authorize execution of the First Amendment to Agreement with Telesoft Corp. The amendment to agreement expires October 28, 2016 with one 1-year renewal option.

On October 30, 2013, the Board approved the original Agreement with Telesoft, Corp. in the amount of \$184,000.00. The Agreement contained one 1-year renewal option.

This Amendment to Agreement is required to expand the scope of work to include a Call Accounting Solution to facilitate the collection and processing of vendor call details for up to eight thousand landline extensions and two thousand wireless devices, as well as provide for a chargeback file for all Department charges, including the recurring distributed overhead charges. The above amount is the City's estimated requirement.

**MWBOO GRANTED A WAIVER.**

## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

<u>VENDOR</u>	<u>AMOUNT OF AWARD</u>	<u>AWARD BASIS</u>
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UPON MOTION duly made and seconded, the Board approved the Informal Awards, Renewals, and Increases to Contracts, Extensions, Ratification, and Correction. The Board also approved and authorized execution of Amendment to Agreement with Telesoft, Corp. (item No. 13). The Comptroller **ABSTAINED** on item no. 1.

MINUTES

TRANSFERS OF FUNDS

\* \* \* \* \*

UPON MOTION duly made and seconded,

the Board approved

the Transfers of Funds

listed on the following pages:

3372 - 3373

SUBJECT to receipt of favorable reports

from the Planning Commission,

the Director of Finance having

reported favorably thereon,

as required by the provisions of the

City Charter.

The Mayor **ABSTAINED** on item no. 3.

## MINUTES

TRANSFERS OF FUNDS

	<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Department of General Services</u>			
1.	\$ 300,000.00	9916-913933-9194	9916-903961-9197
	5 <sup>th</sup> Public	Historic Public	Carroll Mansion
	Building Loan	Buildings -	HVAC Replacement -
		Reserve	Active

The Carroll Mansion is a City-owned facility which is open to the public for tours and educational programming. This project will create a climate controlled environment, which is essential for continuing operations and the preservation of the building. The Department of General Services is required to perform this work under the terms of a lease agreement between the City and Carroll Museums, Inc. This lease agreement was approved by the Board on December 11, 2013.

2.	\$ 175,000.00	9904-907212-9129	9904-908212-9127
	23 <sup>rd</sup> Econ. Dev.	Pier 1 & Inner	Pier 1 & Inner
	Loan	Harbor Promenade	Harbor Promenade
		Reserve	Active

This transfer will provide funds for historic ships in Baltimore for improvements to the Inner Harbor Promenade including landscaping and other enhancements to Pier 1, along with rebuilding the Historic Ships ticket booth on Pier 3, and the replacement of the Paddleboat Dock.

## MINUTES

TRANSFERS OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Mayoralty-Related/Department of Planning</u>		
3. <b>\$ 750,000.00</b>	9904-925006-9129	9904-931006-9127
24 <sup>th</sup> . Econ.	USS Constellation	USS Constellation
Dev. Loan	Dry Docking -	Dry Docking -
	Reserve	Active

This transfer will provide funds for historic ships in Baltimore for critical repairs to the USS Constellation, an icon in Baltimore's Inner Harbor for almost 60 years. The ship's hull below the waterline is in need of critical repairs and must be dry-docked in order for this work to be done. The funding will be used to replace approximately 4,000 square feet of laminated hull planking on the USS Constellation.

**MINUTES**

Health Department - Update to the Unified Grant Award

**ACTION REQUESTED OF B/E:**

The Board is requested to approve acceptance of the Update to the Unified Grant Award for the period ending July 31, 2014.

**AMOUNT OF MONEY AND SOURCE:**

The funding is provided by the State of Maryland Department of Health and Mental Hygiene. The actions are as follows:

<b><u>GRANT NO.</u></b>	<b><u>GRANT DESCRIPTION</u></b>	<b><u>AMOUNT</u></b>
Adult Day Care	Budget Approved	\$136,753.00

**BACKGROUND/EXPLANATION:**

As the fiscal year progresses, supplements, modifications, and/or reductions will be processed through the granting administrations with revised unified funding awards being issued. The most current unified funding document will be the official award of record.

**APPROVED FOR FUNDS BY FINANCE**

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

UPON MOTION duly made and seconded, the Board approved acceptance of the Update to the Unified Grant Award for the period ending July 31, 2014.

## MINUTES

Health Department - Agreements and Amendment to Agreement

The Board is requested to approve and authorize execution of the various Agreements and an Amendment to Agreement.

AGREEMENTS

1. **THE JOHNS HOPKINS BAYVIEW MEDICAL CENTER, INC. (JHBMC)** **\$ 50,000.00**

Account: 4000-422514-3030-271500-603051

The JHBMC's Community Care-A-Van targets uninsured individuals and provides free outreach medical services in Southeast Baltimore, including comprehensive medical care and health care education. The JHBMC will provide prevention, counseling, treatment, and referral services aboard the Care-A-Van to clients. Clients who test positive for HIV will be referred to either the JHBMC or other health care providers for treatment. The period of the Agreement is January 1, 2014 through December 31, 2014.

The Agreement is late because the request was received late in the grant year and also because of an oversight in processing by the Department.

**MWBOO GRANTED A WAIVER.**

2. **GOVERNOR'S OFFICE OF CRIME CONTROL AND PREVENTION (GOCCP)** **\$ 50,000.00**

Account: 5000-518715-3160-308000-405001

Under the terms of this Grant Award Agreement received from the GOCCP, the funds will be used to provide salary support for the Department's "Operation Safe Kids Court II (OSK)" Program. This problem solving court model targets Juvenile Justice System youth who are on probation and at-risk of out-of-home placement.



## MINUTES

Health Department - cont'd

Specifically, data will be used to target HIV testing efforts better, to areas with the highest viral loads in Baltimore City, thereby increasing the efficiency of the Department's HIV testing efforts. A detailing kit will also be developed for private providers that will encourage routing testing and provide resources for referral to care. The period of the Agreement is January 1, 2014 through December 31, 2014.

5. **THE JOHNS HOPKINS UNIVERSITY (JHU) \$236,304.00**

Account: 4000-499014-3023-513200-603051

The JHU will provide HIV Prevention and HIV Counseling services. These services will include high quality counseling and testing to reiterate the importance of HIV prevention and the confidentiality of counseling. The funds will be used to support a Nurse Practitioner and a Programmer, as well as a Sexual Health Innovation Specialist and two Outreach Workers. The period of the Agreement is January 1, 2014 through December 31, 2014.

The Agreements are late because the requests were received late in the grant year and there were delays in receiving an acceptable scope and budget.

**MWBOO GRANTED A WAIVER.**

6. **KENNEDY KRIEGER INSTITUTE, INC. \$ 53,204.00**

Account: 4000-427115-3080-294310-603051

Kennedy Krieger Institute, Inc. will coordinate family support services with the Department's Baltimore Infants and Toddlers Program. These services will include coordination of services to infants and toddlers and their families in the Hispanic/Latino and Orthodox Jewish communities. The period of the Agreement is July 1, 2014 through June 30, 2015.

## MINUTES

Health Department - cont'd

The Agreement is late because of delays in the signatory process.

**MWBOO GRANTED A WAIVER.**

AMENDMENT TO AGREEMENT

7. **FOREST PARK SENIOR CENTER, INC.** **\$ 21,000.00**

Account: 4000-433514-3024-295903-603051

On January 15, 2014, the Board approved the original agreement in the amount of \$50,987.00 for the period of October 1, 2013 through September 30, 2014.

This Amendment to Agreement increases the award by \$21,000.00 for additional services, making the total amount of the award \$71,987.00. All other terms and conditions of the original agreement remain unchanged.

**MWBOO GRANTED A WAIVER.**

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED (EXCEPT ITEM NO. 3) 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. 1, 4, and 5.

## MINUTES

OPTIONS/CONDEMNATION/QUICK-TAKES:

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>Dept. of Housing and Community Development - Options</u>			

1. Jeffrey I. Silberman	1317 N. Monroe St.	G/R \$36.00	\$ 330.00
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Funds are available in account 9910-905507-9588-900000-704040,  
AG Demolition Project.

2. Lynta L. Jones	3341 Woodland Ave.	L/H	\$29,450.00
3. Robert G. Rice	3512 Woodland Ave.	F/S	\$20,900.00

Funds are available in account 9910-903180-9588-900000-704040,  
Park Heights Project.

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

DHCD - Condemnations

4. SZ Investments, LLC	1840 Division St.	L/H	\$44,250.00
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Funds are available in account 9910-910634-9588-900000-704040,  
Whole Block Demo Project.

5. Janice Theresa Long & Edward H. Long	807 Harlem Ave.	F/S	\$ 129.00
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Funds are available in account 9910-907720-9588-900000-704040,  
Harlem Park Project.

## MINUTES

OPTIONS/CONDEMNATION/QUICK-TAKES:

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>DHCD - Condemnations</u>			
6. Eloise Covington	4832 Park Heights Ave.	F/S	\$32,600.00

Funds are available in account 9910-903180-9588-900000-704040,  
Park Heights Project.

The fair market value is substantiated in appraisals made by independent appraisers contracted by the City. This will permit the City to have title to, and if necessary immediate possession of, the property interest in conformity with the requirements of the applicable law.

UPON MOTION duly made and seconded, the Board approved and authorized the foregoing options, condemnations, and quick-takes.

**MINUTES**

Baltimore City Fire Department - Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of an Agreement with HealthCare Access Maryland, Inc. (HCAM).

**AMOUNT OF MONEY AND SOURCE:**

\$178,894.00 - 1001-000000-6100-618500-603026

**BACKGROUND/EXPLANATION:**

This agreement covers a project known as Operation Care, which was previously provided by then named Baltimore HealthCare Access, Maryland, Inc., (BHCA) in a pilot program in FY 2009 in collaboration with the Baltimore City Health Department that continued through FY 13.

Operation Care personnel follow high risk patients who call frequently for 911 services and are then matched to health services providers. The expected outcomes of this program are that patients who frequently call 911 will be properly matched with the services that best address their needs and secondarily realize a reduction in the number of calls for emergency medical service. The BCFD provides the patient data to HCAM and HCAM staff follow-up with the patients. The program is staffed with a Project Coordinator and an Outreach Case Manager by HCAM.

Operation Care is a solely unique collaboration between HCAM and the BCFD. This program resolves a Fire Department EMS dilemma of frequent low acuity 911 callers. The Department uses a great deal of resources to meet the demands of these callers but cannot reduce their impact. There is no way to codify a general approach to this problem for competitive bidding.

**MINUTES**

Baltimore City Fire Department - cont'd

The collaboration with HCAM allows each person identified as a high volume caller to be greeted and given compassionate cost effective medical care thus reducing the 911 burden.

**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 HealthCare Access Maryland, Inc.

**MINUTES**

Fire Department - Donation of Equipment

**ACTION OF REQUESTED OF B/E:**

The Board is requested to approve acceptance of a response unit from the United States Capital Police.

**AMOUNT OF MONEY AND SOURCE:**

\$200,000.00 - value of donated equipment

**BACKGROUND/EXPLANATION:**

The City and the Fire Department would like to acknowledge this donation and thank the United States Capital Police. The Fire Department will be able to use this vehicle as a replacement unit in the Department's current HAZMAT response fleet.

**APPROVED FOR FUNDS BY FINANCE.**

UPON MOTION duly made and seconded, the Board approved acceptance of a response unit from the United States Capital Police.

**MINUTES**

Fire Department - Memorandum of Understanding

**ACTION OF REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a Memorandum of Understanding with the Johns Hopkins Center for Injury Research and Policy (JHCIRP). The MOU is for the period August 8, 2013 through February 7, 2015.

**AMOUNT OF MONEY AND SOURCE:**

\$140,022.00 - 4000-417814-2132-228200-603026

**BACKGROUND/EXPLANATION:**

On September 25, 2013, the Board approved the FFY 2012 Assistance to Firefighters Grant.

The MOU authorizes the release of \$140,022.00 to the JHCIRP as a subgrantee in order to perform services authorized under the Federal Emergency Agency's (FEMA) Fire Prevention and Safety Grant. The MOU also describes the scope of work that will be performed under the grant, which will be performed by the JHCIRP.

The Fire Department and the JHCIRP jointly responded to a Request for Proposals from the FEMA Fire Prevention and Safety grants in May 2012. The Fire Department, the lead agency, received notice that the proposal was accepted. Using the FEMA grant funds pursuant to the MOU, the JHCIRP will measure the impact of the existing 311 smoke alarm distribution program. The JHCIRP will measure smoke alarm installation in Baltimore City and increase demand for smoke alarm installation through community promotion, of the 311 program. The JHCIRP will compare the impact of the current 311 program to the enhanced 311 program that includes community promotion and the Fire Department door-to-door smoke alarm distribution program.

## MINUTES

Fire Department - cont'd

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

UPON MOTION duly made and seconded, the Board approved and authorized execution of a Memorandum of Understanding with the Johns Hopkins Center for Injury Research and Policy. The President **ABSTAINED.**

**MINUTES**

Fire Department - Employee Expense Statement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the expense statement for Chi-Poe S. Hsai for the month of March 2014.

**AMOUNT OF MONEY AND SOURCE:**

\$53.11 - Mileage (March 2014)  
  7.00 - Parking  
**\$60.11** - 1001-000000-2131-228200-603001

**BACKGROUND/EXPLANATION:**

Mr. Hsai is a Contract Service Specialist II with the Mayor's Office of Emergency Management. He used his personal vehicle to conduct City business and incurred expenses for mileage and parking. The initial request for this reimbursement was submitted past the time limit.

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 Chi-Poe S. Hsai for the month of March 2014.

## MINUTES

Department of General Services - Minor Privilege Permit Applications

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

<u>LOCATION</u>	<u>APPLICANT</u>	<u>PRIVILEGE/SIZE</u>
1. 7-9 N. Eutaw Street	FTP Centerpoint, LP	Single face electric sign 6'10 x 1'6"
Annual charge: \$140.60		
2. 517 W. Lexington Street	Cosmo Development, LLC	Awing w/signage 14.50' x 5'
Annual charge: \$273.30		
3. 1401 Fleet Street	1401 Fleet, LLC	Two 4" conduit @ 105 linear ft.
Annual charge: \$735.00		
4. 3800 Dillon Street	Merchant Hill, LLC	One 4" conduit @ 90 linear ft., two 4" conduit @ 15 linear ft. each
Annual charge: \$420.00		

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

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

**MINUTES**

Law Department - Settlement and Consent Decree

**ACTION REQUESTED OF B/E:**

The Board is requested to approve a Settlement and Consent Decree between the City and the U.S. Department of Justice (DOJ).

**AMOUNT OF MONEY AND SOURCE:**

\$65,000.00 - 2036-000000-1752-175200-603070

**BACKGROUND/EXPLANATION:**

This Settlement and Consent Decree is regarding the Americans with Disabilities Act (ADA).

In 2008, an applicant for a fire dispatcher position was not hired as a result of a medical exam conducted at Mercy Medical Center's Public Safety Infirmary. The applicant subsequently filed a complaint of disability discrimination with the Equal Employment Opportunity Commission that was eventually forwarded to the DOJ, Civil Right Division, Disability Rights Section. As a result of the investigation, the DOJ alleged that the Fire Department subjected the applicant and other applicants to medical exams prior to making a conditional offer of employment, in violation of the ADA.

In lieu of litigation, and because the City agrees, in compliance with the ADA, the DOJ offered the City the opportunity to enter into a Consent Decree. The Consent Decree requires the Fire Department to conduct training for certain personnel on ADA requirements, amend its policies regarding hiring, and to submit periodic reports to the DOJ. It also includes a payment in the amount of \$65,000.00 to the applicant in exchange for a full waiver of any and all claims against the City.

**MINUTES**

Law Department - cont'd

The Fire Department agrees with the proposed resolution. The Law Department's Settlement Committee has reviewed this matter and recommends that the Board approve this settlement.

UPON MOTION duly made and seconded, the Board approved the Settlement and Consent Decree between the City and the U.S. Department of Justice.

**MINUTES**

Department of General Services - Community Energy Savers  
Loan Program Grant Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the Community Energy Savers Loan Program Grant Agreement with The Reinvestment Fund, Inc. The period of the agreement is effective upon Board approval for three years, with annual extensions of the initial phase at the discretion of the City.

**AMOUNT OF MONEY AND SOURCE:**

\$5,000,000.00 - 5000-594014-1981-718400-603050  
Customer Investment Fund

**BACKGROUND/EXPLANATION:**

The Department of General Services, Energy Office was awarded \$10,000,000.00 in Customer Investment Funds as a result of the Exelon Corporation settlement. The Customer Investment Funds will be used towards grants and loans to assist energy conservation activities in nonprofits and small businesses, particularly those serving the disadvantaged in the City.

The Energy Office has partnered with The Reinvestment Fund, Inc. to select and administer loans of \$150,000.00 or more, and grants to nonprofits for energy audits or when given explicit approval from the Energy Office. The Reinvestment Fund, Inc. was selected for this role by the Department of General Services, Energy Office, as a professional service, pursuant to City Charter Article VI §11, and guidance of the City Solicitor.

The Reinvestment Fund will receive its initial grant disbursement of \$1,000,000.00 within 60 days of Board approval, with the availability to receive an additional up to \$4,000,000.00 for a three year period, with optional annual extensions, at the discretion of the Energy Office. The Reinvestment Fund will use \$10,000.00 of the initial \$1,000,000.00 payment for front end, startup costs, and marketing.

**MINUTES**

Department of General Services - cont'd

**MBE/WBE PARTICIPATION:**

The Minority and Women's Business Opportunity Office has agreed to play an active role with the Energy Office and The Reinvestment Fund to review each loan application for MBE/WBE participation goals prior to loan approval.

**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 Community Energy Savers Loan Program Grant Agreement with The Reinvestment Fund, Inc.

**MINUTES**

Department of General Services - Ratification of Services  
and Expenditure of Funds

**ACTION REQUESTED OF B/E:**

The Board is requested to ratify services provided by Stratos Elevator, Inc. and authorize payment for services related to PB 09829R, Elevator Upgrade and Modernization at Court House East.

**AMOUNT OF MONEY AND SOURCE:**

\$ 61,527.57 - 9916-909740-9197-000000-702064

**BACKGROUND/EXPLANATION:**

Stratos Elevator, Inc. was awarded PB 09829R, Elevator Upgrade and Modernization at Court House East on April 25, 2011, in the amount of \$1,818,000.00. In a proposal dated September 13, 2013, Stratos Elevator, Inc. (Stratos) proposed to furnish materials, equipment, and labor to repair damage to Elevator #4 caused by the failure of an existing building water line (PCO-007) for the lump sum of \$64,912.47. The DGS review of applicable markups resulted in an amount of \$61,527.57.

This work was necessary to return Elevator #4 to service after being damaged by a water line break. On the weekend of April 1, 2013, an old galvanized domestic water pipe ruptured behind the wall of Room/Office 403. It had been abandoned/capped-off after the removal of the wall mounted sink that it formerly supplied. The water caused major flooding and damages to the Courtrooms below the 4<sup>th</sup> Floor and the damages were not discovered until the beginning of the next business day, Monday April 1<sup>st</sup>.

All costs above the agency's share of the damages (\$5,000.00 deductible), will be covered by the Office of Risk Management under the City's Self-Insurance Program. The original Contract scope included the renovation of all six passenger elevators in Courthouse East. The Contract Warranty on that work continues through October 17, 2014 and Stratos performance of this work was necessary to ensure that the City's investment in that warranty was not compromised.

## MINUTES

Department of General Services - cont'd

Further, by utilizing Stratos the City is assured that the work was performed by a trusted Contractor who already possessed intimate knowledge of the installed equipment and who could affect the needed repairs in a timely manner.

## AUDITS REVIEWED AND HAD NO OBJECTION

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$100,000.00	9916-901410-9194	9916-909740-9197
General Funds	Elevator Replacement Various Buildings- Reserve	Elevator Replacement Various Buildings- Active
20,000.00	" " "	" " "
2 <sup>nd</sup> Public Building Loan		

This Transfer will allow the repairs to be made for Elevator #4 to be placed back into operation.

UPON MOTION duly made and seconded, the Board ratified services provided by Stratos Elevator, Inc. and authorize payment for services related to PB 09829R, Elevator Upgrade and Modernization at Court House East. The Transfer of Funds was approved, SUBJECT to the receipt of a favorable report from the Planning Commission, the Director of Finance having reported favorably thereon, in accordance with the provisions of the City Charter.

**MINUTES**

Bureau of Water and - Montebello Consent Agreement and  
Wastewater Final Order

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a Consent Agreement and Final Order with the U.S. Environmental Protection Agency (EPA) concerning: 1) Montebello Water Treatment Plant's alleged failure to establish a system to address hazard analysis team's findings and recommendations as required by 40 C.F.R. §68.67(e), and 2) in settlement of the alleged violation, EPA proposes a civil penalty of \$25,337.00.

**AMOUNT OF MONEY AND SOURCE:**

\$25,337.00 - 2071-000000-5541-398601-603070

**BACKGROUND/EXPLANATION:**

The EPA conducted an inspection of the Montebello Water Treatment Plant (the Facility) on November 15, 2012. The inspectors determined that the Facility properly conducted a 5-year process hazard analysis in 2012, but neglected to establish a system to address the recommendations of the City's internal process hazard analysis team. These recommendations were issued pursuant to regulations (codified at 40 C.F.R. §68.67(e) promulgated under 42 U.S.C. §7412(r)(7). The applicable regulations require the owner or operator of a stationary source at which a regulated substance is present in more than a threshold quantity to implement the team's recommendations promptly. Though the recommendations were reviewed by Facility management, management failed to notify EPA of the revised recommendations. The Montebello Water Treatment Plant is a stationary source. The Facility contains sufficient quantities of chlorine to be regulated under 42 U.S.C. §7412(r).

On April 24, 2014, EPA notified the Facility of its alleged failure to implement the process hazard analysis team's recommendations promptly. The Facility responded to EPA's letter on May 16, 2014.

**MINUTES**

BW&WW - cont'd

The response letter demonstrated compliance with the process hazard analysis recommendations, and the Facility will implement future recommendations promptly. The EPA claims that the City did not implement the process hazard analysis team's recommendations with sufficient speed. In exchange for a full and final settlement of EPA's civil and administrative allegations related to implementation of the process hazard analysis team's recommendations, the EPA has proposed a civil penalty of \$25,337.00 pursuant to penalty criteria in 42 U.S.C. §7413(e) and 40 C.F.R. Parts 19 and 68. The City does not confess liability for the EPA's civil claims, but the City waives its right to contest the EPA's allegations. The Board is requested to approve the proposed settlement and civil penalty of \$25,337.00 to settle all civil and administrative claims and causes of action under 42 U.S.C. §7412(r)(7).

**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 Consent Agreement and Final Order with the U.S. Environmental Protection Agency concerning: 1) Montebello Water Treatment Plant's alleged failure to establish a system to address hazard analysis team's findings and recommendations as required by 40 C.F.R. §68.67(e), and 2) in settlement of the alleged violation, EPA proposes a civil penalty of \$25,337.00.

## MINUTES

Department of Public Works/ Office - Task Assignments  
of Engineering & Construction

The Board is requested to approve the assignment of the following tasks under Project No. 1402, On-Call Construction Management Assistance Services to the Consultant.

	<u>Consultant</u>	<u>Task No.</u>	<u>Amount</u>
1.	<b>RUMMEL, KLEPPER &amp; KAHL, LLP (RK&amp;K)</b>	001	<b>\$1,117,142.67</b>
	Account:	9956-905641-9551-900020-705032	\$ 223,428.53
		9956-907643-9551-900020-705032	\$ 223,428.53
		9956-907646-9551-900020-705032	\$ 223,428.53
		9956-905620-9551-900020-705032	\$ 223,428.53
		9956-905620-9551-900020-705032	\$ 223,428.55

The RK&K will provide construction assistance management services and reporting management services for SC 875 - Rehabilitation of Southwest Diversion Pressure/Gravity Sewer-Phase III; SC 897R Improvements to Sanitary Sewers in Greenmount, Hampden and Bolton Hill Areas; SC 898-Improvements to Sanitary Sewers in the Stoney Run Area; SC 905 - Improvements to Sanitary Sewers in the Northern Region Upper Gwynns Run, and SC 907 - Improvements to Sanitary Sewers in East Baltimore Region of the High Level Sewershed. The project completion date will expire June 10, 2017. The duration of this task is approximately 24 months.

2.	<b>RUMMEL, KLEPPER &amp; KAHL, LLP (RK&amp;K)</b>	002	<b>\$ 154,577.70</b>
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Account: 9960-906658-9557-900020-705032

The RK&K will provide inspection services for WC 1234- East Cold Spring Lane from Hillen Road to Grindon Avenue - Installation of new 12-inch Water Main. The project completion date will expire on June 10, 2017. The duration of this task is approximately 6 months.

## MINUTES

Department of Public Works/ Office - cont'd  
of Engineering & Construction

	<u>Consultant</u>	<u>Task No.</u>	<u>Amount</u>
3.	<b>RUMMEL, KLEPPER &amp; KAHL, LLP (RK&amp;K)</b>	004	<b>\$ 340,971.16</b>

Account: 9960-905136-9557-900020-705032

The RK&K will provide inspection services for WC 1264-East Baltimore Midway Neighborhood and Vicinity - Water Main Replacement. The project completion date will expire on June 10, 2017. The duration of this task is approximately 12 months.

**MWBOO FOUND VENDOR IN COMPLIANCE.**

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

UPON MOTION duly made and seconded, the Board approved the assignment of the foregoing tasks under Project No. 1402, On-Call Construction Management Assistance Services to the Consultant.

**MINUTES**

Department of Transportation - Task Assignment

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the assignment of Task No. 26 to Louis Berger Water Services, Inc., under Project No. 1161, On-Call Construction Management Services.

**AMOUNT OF MONEY AND SOURCE:**

\$ 61,641.05 - 9962-914059-9562-900000-703032  
61,641.05 - 9950-902256-9508-900020-703032  
**\$123,282.10**

**BACKGROUND/EXPLANATION:**

This task assignment provides authorization for on-site analysis to help the Department of Transportation, Engineering & Construction Section with Capital Program Management, support with the utility right-of-way management application and other data management. The scope of services also includes single point of contact for change order processing on local projects and geographic information systems support.

**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.

**MBE: 27% WBE: 9%**

**APPROVED FOR FUNDS BY FINANCE**

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

UPON MOTION duly made and seconded, the Board approved the assignment of Task No. 26 to Louis Berger Water Services, Inc., under Project No. 1161, On-Call Construction Management Services.

**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 ESV Realty, LLC, developer. The agreement is effective upon Board approval and termination will be deemed in writing by the Department.

**AMOUNT OF MONEY AND SOURCE:**

\$7,000.00 - 9950-907074-9512-000000-490375

**BACKGROUND/EXPLANATION:**

Baltimore City Ordinance 11-529, approved on November 22, 2011, determined that a Traffic Impact Study was required for the development. The Developer proposes to perform the scope of work for 5960 Belair Road, constructing 19,700 square feet of commercial retail space. The Developer will pay a one-time contribution in the amount of \$7,000.00 to fund the City's multimodal transportation improvements in the project's vicinity.

**MBE/WBE PARTICIPATION:**

N/A

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Traffic Mitigation Agreement with ESV Realty, LLC.

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

The Board is requested to approve an Interdepartmental Lease Renewal between the Department of General Services, landlord, and the Mayor's Office of Information Technology, tenant, for the rental of approximately 28,353 sq. ft. of space located at 401 E. Fayette Street, being on the lower level 2 (computer training) 2<sup>nd</sup>, 3<sup>rd</sup> and 4<sup>th</sup> floors. The period of the renewal is July 1, 2014 through June 30, 2015.

**AMOUNT OF MONEY AND SOURCE:**

<u>Annual Rent</u>	<u>Monthly Rent</u>
\$219,216.89	\$18,268.07

Account: 1001-000000-1471-165700-603096

**BACKGROUND/EXPLANATION:**

On October 3, 2012, the Board approved the original Interdepartmental Lease Agreement. MOIT is exercising its second renewal option. All other rental conditions and provisions of the Lease Agreement dated October 3, 2012, will remain in full force and effect.

The lease renewal is late because MOIT was reviewing the renewal option.

**APPROVED FOR FUNDS BY FINANCE**

UPON MOTION duly made and seconded, the Board approved the Interdepartmental Lease Renewal between the Department of General Services, landlord, and the Mayor's Office of

**MINUTES**Space Utilization Committee - cont'd

Information Technology, tenant, for the rental of approximately 28,353 sq. ft. of space located at 401 E. Fayette Street, being on the lower level 2 (computer training) 2<sup>nd</sup>, 3<sup>rd</sup> and 4<sup>th</sup> floors.

**MINUTES**

Dept. of Communication Services - Expenditure Authorization  
Municipal Post Office (MPO)

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize payment, by Expenditure Authorization, for the NCOALink Mail Processing License renewal with the United States Postal Service (USPS). The period of the renewal is October 01, 2014 through September 30, 2015.

**AMOUNT OF MONEY AND SOURCE:**

\$ 8,865.00 - 2032-000000-1330-158400-605008

**BACKGROUND/EXPLANATION:**

The Department of Communication Services, Municipal Post Office has an NCOALink license from the USPS to provide updated and accurate address information for mail processed by the MPO on behalf of the City. With accurate addresses on mail and mail addressed in conformance with USPS regulations, the City can reduce mailing costs. The data used to update addresses are the exclusive property of the USPS and can only be obtained through their licensed products.

**APPROVED FOR FUNDS BY FINANCE**

UPON MOTION duly made and seconded, the Board approved and authorized payment, by Expenditure Authorization, for the NCOALink Mail Processing License renewal with the United States Postal Service.

## MINUTES

Mayor's Office of Human Services (MOHS) - Agreements and  
Amendments to  
Agreements

The Board is requested to approve and authorize execution of the various Agreements and Amendments to Agreements. The period of the Agreement is July 1, 2014 through June 30, 2015, unless otherwise indicated.

1. **MOSAIC COMMUNITY SERVICES, INC.** **\$192,152.55**

Account: 4000-496314-3573-591264-603051

The organization will provide housing assistance and support services to 30 families or individual adults. On March 12, 2014, the Board approved an advance to the organization in the amount of \$30,476.95. This award in the amount of \$192,152.55 makes the total contract amount \$222,629.50. The prior Contract No. was 35966. The new Contract No. is 36298. The period of the Continuum of Care Program Agreement is April 1, 2014 through March 31, 2015.

The Agreement is late because the award of funding was recently received from the U.S. Department of Housing and Urban Development.

2. **AIDS INTERFAITH RESIDENTIAL SERVICES, INC. (AIRS)** **\$334,545.00**

Account: 4000-490915-3573-333643-603051

Under the terms of this Agreement, AIRS will use the funds to support staff salaries for the Don Miller House. The Don Miller House provides care for up to 12 residents who are medically fragile due to AIDS.

3. **AIDS INTERFAITH RESIDENTIAL SERVICES, INC. (AIRS)** **\$416,976.00**

Account: 4000-490915-3573-333643-603051

Under the terms of this Agreement, AIRS will use the funds to provide shuttle service for homeless citizens of Baltimore between shelters and social services, seven days a week.

## MINUTES

MOHS - cont'd

4. **ASSOCIATED CATHOLIC CHARITIES, INC. (ACC)** **\$ 96,500.00**

Account: 4000-480014-3572-333605-603051

Under the terms of this Agreement, the ACC will use the funds to provide intense Case Management services at My Sister's Place Women's Center to homeless women and their children.

5. **FUSION PARTNERSHIPS, INC.** **\$ 99,800.00**

Account: 4000-480015-3572-333654-603051

Under the terms of this Agreement, the Fusion Partnerships, Inc. will use the funds to operate the Youth Empowered Society Drop-In-Center, which provides social services for homeless youth ages 14-25 in Baltimore City.

**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.

6. **THE BALTIMORE STATION, INC.** **\$ 54,000.00**

Account: 5000-525114-3573-333750-603051

Under the terms of this Agreement, The Baltimore Station, Inc. will use the funds to offset operation and staffing costs related to managing its residential therapeutic community serving 46 homeless men.

## Kim A. Trueheart

September 3, 2014

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 failure to capitalize on strategic investment opportunities by the Mayor of Baltimore City and the various Departments and Agencies that more appropriately should strive to end homelessness, instead of the current goal to make homelessness “rare and brief”, which is absolutely a misguided and flawed strategy.

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 47, Item #5, Mayor’s Office of Human Services (MOHS) Amendments to
  - b. – Agreements and Agreements - FUSION PARTNERSHIPS, INC. \$ 99,800.00, if approved:
    - i. Fails to provide details of the Y.E.S. drop-in center’s outcomes for the previous contract period of July 1, 2012 through June 30, 2013;
    - ii. Fails to disclose the number of youth to be served if the contract is renewed;
  - c. Please provide access to the final report(s) submitted at the end of the period of performance under the previous contract with Y.E.S. for inspection.
3. How the protestant will be harmed by the proposed Board of Estimates’ action: The MOHS continues to demonstrate an inability to administer the City’s Homeless Services Program and based on the BAD outcomes that continue to be produced by this office this action should NOT be approved. The critical need being filled by this funding demands the utmost scrutiny by this board.
4. The remedy I seek and respectfully request is that this action be delayed until MOHS presents the improved management strategies, practices and procedures implemented as a result of the HUD audit. This item should be moved to the non-routine agenda and the MOHS should orally make a presentation with details about this action and the proposed measures of effectiveness and desired outcomes.

I look forward to the opportunity to address this matter in person at your upcoming meeting of the Board of Estimates on September 3, 2014.

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

Sincerely, Kim Trueheart, Citizen & Resident

Email: [ktrueheart@whatfits.net](mailto:ktrueheart@whatfits.net)  
5519 Belleville Ave  
Baltimore, MD 21207

## MINUTES

MOHS - cont'd

7. **AMERICAN RESCUE WORKERS, INC.** **\$ 64,721.00**

Account: 4000-480015-3572-333601-603051

Under the terms of this Agreement, the American Rescue Workers, Inc. will use the funds to operate an overnight emergency shelter for up to 45 men per night.

The Agreements are late because of delays at the administrative level.

**MWBOO GRANTED A WAIVER.**

8. **ST. VINCENT DE PAUL OF BALTIMORE, INC.** **\$1,000,000.00**

Account: 9904-919022-9127-900000-703051 \$ 750,000.00  
1001-000000-3572-327200-603051 \$ 250,000.00

Under the terms of this Agreement, the organization will use the funds to pay for a new HVAC system at 1114 N. Mount Street, which is the location of its women's homeless shelter known as Sarah's Hope. The period of the Agreement is effective upon Board approval for two years.

**MWBOO GRANTED A WAIVER.**

9. **LINDA WICKLEIN** **\$ 40,000.00**

Account: 4000-486315-6051-425500-603051

Under the terms of this Consultant Agreement, Ms. Wicklein will provide additional classroom support and training to teaching staff at various Baltimore City Head Start locations. She will use high quality, sustained and intensive activities to comply with the Head Start mandate that all programs meet a proficiency level of "3" or higher in the Rating Level set by the Reauthorization Act using the Classroom Assessment Scoring System as an observation tool.

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

## MINUTES

MOHS - cont'd

10. **ASSOCIATED CATHOLIC CHARITIES, INC.** \$ **9,917.00**  
**(ACC)/ST. JEROME HEAD START PROGRAM**

Account: 5000-586814-6051-516600-603051

On January 29, 2014, the Board approved the original agreement with the ACC in the amount of \$46,137.00, effective November 1, 2013 through October 31, 2014. This amendment will increase the agreement by \$9,917.00 and will make the total agreement \$56,054.00. All other terms and conditions of the agreement will remain unchanged.

11. **METRO DELTA EDUCATIONAL PROGRAMS,** \$ **20,866.00**  
**INC./METRO DELTA HEAD START PROGRAM**

Account: 5000-586814-6051-516300-603051

On March 15, 2014, the Board approved the original agreement with the organization in the amount of \$51,217.00, effective upon Board approval through September 30, 2014. This amendment will increase the agreement by \$20,866.00 and will make the total agreement \$72,083.00. All other terms and conditions of the agreement will remain unchanged.

**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 Amendments to Agreements.



## MINUTES

DHCD - cont'd

The organization will also provide public information regarding activities being carried out within the Historic East Baltimore area of the City and will provide public services to low and moderate-income persons seeking recovery from drug addiction.

On April 30, 2014, 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 Shelter Grant Entitlement (ESG)
4. Housing Opportunity for People with AIDS (HOPWA)

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.

**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 Community Development Block Grant Agreement with Newborn Holistic Ministries, Inc. The Board **DEFERRED** item No. 2 for one week.

**MINUTES**

Department of Housing and - HOME Investment Partnerships  
Community Development      Program Loan

**ACTION REQUESTED OF B/E:**

The Board is requested to approve a HOME Investment Partnerships Program loan in the amount of \$1,590,000.00 to Penn Square II Limited Partnership (the "Borrower"). The Board is also requested to authorize the Commissioner of the Department of Housing and Community Development to execute any and all legal documents to effectuate this transaction Subject to review and approval for form and legal sufficiency by the Department of Law.

**AMOUNT OF FUNDS AND SOURCE:**

<u>Sources of Funds</u>		<u>Uses of Funds</u>	
Bank of America	\$ 735,000.00	Construction Costs	\$10,326,319.00
Baltimore City HOME Funds	\$ 1,590,000.00	Fees Related to Construction	1,506,939.00
Land Take Back	\$ 100,000.00	Financing Fees & Charges	791,823.00
Federal Home Loan Bank	\$ 500,000.00	Acquisition Costs	633,000.00
Developer Equity	\$ 137,303.00	Syndication Related Costs	119,802.00
Tenant Services	\$ 50,000.00	Reserves	432,000.00
Tax Credit	<u>12,447,833.00</u>	Developer Fee	<u>1,750,253.00</u>
Syndicated Equity			
<b>TOTAL</b>	<b>\$15,560,136.00</b>	<b>TOTAL</b>	<b>\$15,560,136.00</b>

Account: 9910-906722-9610

**BACKGROUND/EXPLANATION:**

Proceeds of the HOME Loan will be used to support a portion of the construction and construction related costs for 61 residential units known as The Fulton-Gethsemane Village Apartments (a.k.a. "Penn Square II") located in the 2600 block of Pennsylvania Avenue (the "Project").

## MINUTES

DHCD - cont'd

From its inception, the Penn Square project was envisioned to consist of two phases of development. Penn Square's first phase, The Penn Square Apartments was a 91-unit new construction project for families located in the 2600 block of Pennsylvania Avenue. The first phase was placed in service in March 2011 and is fully occupied.

The second phase will be owned by Penn Square II Limited Partnership (the "Borrower"), whose general partner is a wholly owned subsidiary of the Woda Group, Inc. ("Woda"). Woda has proposed to construct and develop the second phase as a family rental housing development which will be comprised of an additional 61 apartment units. Woda, and its affiliates, are nationally recognized and experienced developers, general contractors, and property managers.

Upon completion of the construction, the second phase will be known as Fulton-Gethsemane Village Apartments (a.k.a. "Penn Square II") and will contain 49 one-bedrooms, eight 2-bedroom units and four 3-bedroom units (the "Project"). All of the units will be restricted to persons whose incomes are 30% to 50% of the area median income, adjusted for family size ("AMI"). The Housing Authority of Baltimore City ("HABC") intends to support the Project by providing Project-Based Section 8 subsidies for 15 units. The building will offer a number of on-site amenities including a community center, exercise room, arts and crafts room, TV lounge, and laundry. The project will be built in conformance with Baltimore City Green Building Standards, which will create a healthier and more energy efficient environment for the residents.

As a condition for receiving the HOME Loan, the Borrower agrees to provide not less than 12 of the one-bedroom units targeted and restricted to non-elderly disabled residents ("NEDs") earning 30% or less of the AMI. The Borrower has further agreed to provide an additional three units as Long Term Bailey UFAS Units which will be restricted to households earning 30% or less of the AMI. A "Long Term Bailey UFAS Unit" means a unit that contains accessible features and is certified by an architect designated by HABC as compliant with the Uniform Federal Accessibility Standards adopted by HUD.

## MINUTES

DHCD - cont'd

The City and HABC will require the three Long Term Bailey UFAS units to be restricted for exclusive use for at least 40 years in accordance with the requirements of the Bailey Consent Decree. The NEDs units will be restricted for at least 15 years in accordance with and the requirement of the Bailey Consent Decree. The term "NEDs" means a household that meets the following criteria: (i) whose sole member, head of household, or head of household's spouse has a disability and is under age 62, (ii) which is eligible for a one-bedroom public housing unit or for a two-bedroom public housing unit because a second bedroom is needed for disability-related reasons; and (iii) which is on the HABC waiting list for public or Section 8 subsidized housing.

The HOME Loan will be used solely to finance a portion of the hard construction costs of the Project.

Integra Realty Resources prepared an appraisal for the permanent lender dated May 20, 2014. The estimated market value of the subject property as if completed and stabilized at restricted rents with consideration to the tax credits is \$12,500,000.00.

The appraised value is below the total development cost of the Project which is common for transactions involving LIHTCs, subsidized rents and preferred governmental financing. The LIHTCs provide equity and are not considered as long-term debt to the property. The rents are considered "restricted" because they are supported with financing that requires long-term income and rent restrictions. As a result, the rent levels are set below the market rate thereby decreasing the property's appraised value. Gap financing, such as the HOME Loan and the other governmental sources are in place in order to allow for continuing affordability. The appraised value meets the underwriting standards for the must-pay permanent superior lender. The Department is comfortable with recommending the HOME Loan as described under these circumstances.

## MINUTES

DHCD - cont'd

**PARTICIPATING PARTIES:**

A. The Borrower and the Developer - The borrower of record is the Penn Square II Limited Partnership, a newly created single purpose entity that is an affiliate of Woda. The developer will be Woda, or an affiliate thereof.

B. General Contractor - Harkins Builders, Inc. will act as the general contractor and post a payment and performance bond. Marks, Thomas Architects will provide architectural services.

C. Participating Lenders

**Bank of America/Merrill Lynch - 1<sup>st</sup> Lien construction loan**

Bank of America Merrill Lynch, or its affiliate (the "Bank of America"), will provide a construction loan in first-lien position in an approximate amount of \$8,932,278.00 (the "Bank of America Construction Loan"). The Bank of America Construction Loan will have a term of 24 months. The interest rate will be the 30-Day LIBOR Market Index Rate plus approximately 275 basis points. The Bank of America Construction Loan will be repaid from installments of tax credit equity. Interest only payments will be required.

Following repayment of the Bank of America Construction Loan, Bank of America will provide a permanent loan in the amount of \$735,000.00 (the "Bank of America Permanent Loan"). The Bank of America Permanent Loan will be in first-lien position, accrue interest at a rate of approximately 6.5%, and will have a term of 18 years with principal amortizing over 30 years.

**BALTIMORE CITY HOME PROGRAM - 2<sup>nd</sup> Lien construction loan**

The City is making a construction/permanent loan from amounts available under the HOME Program in the principal amount not to exceed \$1,590,000.00 (the "HOME Loan"). During the construction loan period, which will be for a term not to exceed 24 months from the date of closing (the "HOME Loan Construction Loan Period"), interest will accrue at the rate of two percent (2%) per annum on sums advanced.

## MINUTES

DHCD - cont'd

The permanent loan period will be 20 years commencing at the end of the HOME Loan Construction Loan Period (the "HOME Loan Permanent Loan Period"), the interest rate charged will be two percent.

The day after the final day of the Permanent Loan Period is the "HOME Loan Maturity Date." No payments on the HOME Loan will be required during construction, but during the HOME Loan Permanent Loan Period, annual payments of principal and interest will be due from 75% of the available cash flow generated by the Project. To the extent such cash flow is not available, required payments due and owing will be deferred. The outstanding principal balance, plus any deferred and accrued payments, will be due and payable on the HOME Loan Maturity Date. The HOME loan will be long-term, subordinate, non-recourse debt.

**BALTIMORE CITY PURCHASE MONEY MORTGAGE LOAN - 3<sup>rd</sup> Lien  
Construction/Permanent**

The City is making a purchase money mortgage loan in a principal amount of approximately \$100,000.00 (the "City Purchase Money Loan"). During the construction loan period, which will be for a term not to exceed 24 months from the date of closing (the "City Construction Loan Period"), interest will accrue at the rate of two percent per annum. During the permanent loan period, which will be that 20 year period commencing at the end of the City Construction Loan Period (the "City Permanent Loan Period"), the interest rate charged will be four percent. The day after the final day of the City Permanent Loan Period is the "City PMM Loan Maturity Date." No payments on the City Purchase Money Loan will be required during construction, but following completion of construction, annual payments of principal and interest will be due from the Borrower from the remaining 25% of cash flow generated by the Project after payment of the HOME Loan. To the extent such cash flow is not available, required payments due and owing will be deferred.

**MINUTES**

DHCD - cont'd

The outstanding principal balance, plus any deferred and accrued payments will be due and payable on the maturity date. The City's Purchase Money Loan will be long-term, subordinate, non-recourse debt.

**AHP LOAN - 4<sup>th</sup> Lien Construction/Permanent**

A deferred loan in the fourth-lien position in an amount not to exceed \$500,000.00 (the "AHP Loan") with proceeds from the Federal Home Loan Bank of Atlanta's Affordable Housing Program. During the construction loan period of the AHP Loan, no interest will be charged on the outstanding principal balance of the AHP Loan. The permanent loan period of the AHP Loan will be 40 years commencing at construction completion and during such period, interest on the AHP Loan will accrue at 0.25% simple interest per annum. Principal and interest will be payable at the maturity date of the AHP Loan.

**MBE/WBE PARTICIPATION**

Article 5, Subtitle 28 of the Baltimore City Code Minority and Women's Business Program is fully applicable and no request for a waiver or exception has been made.

**THE DEPARTMENT OF FINANCE REVIEWED AND RECOMMENDED APPROVAL.**

**TRANSFER OF FUNDS**

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$1,590,000.00	9910-923006-9609	9910-906722-9610
Federal HOME	Reserve	Penn Square II
FY 2014		Fulton Gethsemane Village

This transfer will provide Federal HOME funds Penn Square II Limited Partnership to support the construction of apartments building that will provide 61 affordable rental units known as Penn Square II Fulton Gethsemane Village.

## MINUTES

DHCD - cont'd

UPON MOTION duly made and seconded, the Board approved a HOME Investment Partnerships Program loan in the amount of \$1,590,000.00 to Penn Square II Limited Partnership. The Board further authorized the Commissioner of the Department of Housing and Community Development to execute any all legal documents to effectuate the transaction Subject to review and approval for form and legal sufficiency by the Department of Law. The Transfer of Funds was approved, SUBJECT to receipt of a favorable report from the Planning Commission, the Director of Finance having reported favorably thereon, in accordance with the provisions of the City Charter.

**MINUTES**

Department of Housing and - Community Development Block Grant  
Community Development      Deferred Loan

**ACTION REQUESTED OF B/E:**

The Board is requested to approve a Community Development Block Grant deferred loan to Empire Homes of Maryland, Inc. The Board is further requested to authorize the Commissioner of the Department of Housing and Community Development to execute all legal documents to effectuate this transaction Subject to review and approval for form and legal sufficiency by the Department of Law.

**AMOUNT OF FUNDS AND SOURCE:**

\$55,000.00 - 9981-908095-9593  
(not-to-exceed)

**BACKGROUND/EXPLANATION:**

The CDBG Loan will be used to cover the cost of replacing the roof of an 11-unit multifamily rental property located at 3016-3018 DuPont Avenue in the Park Heights neighborhood of Baltimore City.

Empire Homes of Maryland, Inc. ("the EHM") is a non-profit community housing development organization whose mission is to develop, manage, and maintain affordable residential properties for low-income individuals with disabilities. From 2009-2011, Empire Homes of Maryland, Inc. developed 66 affordable rental units in Baltimore City and County valued at approximately \$8.5M using Neighborhood Stabilization Program ("NSP") funds. In an effort to maximize impact, the resources that were available Empire strategically identified properties in areas with the greatest need. One of those projects was EHM at DuPont, located at 3016-3018 DuPont Avenue (the "DuPont Project").

The DuPont Project consists of 11 two-bedroom apartments and these units are currently being used to provide housing and supportive services to families with children who are Non-Elderly Persons with Disabilities (the "NED Units") with incomes at or below 30% of the AMI. Tenants living in the units are actively participating in the supportive services. Tenants are required to pay 30% of their income towards rent and Shelter Plus Care, HOPA, SHP and other federal housing subsidies, subsidize the remaining rent.

## MINUTES

DHCD - cont'd

In April 2010, the Board approved Neighborhood Stabilization Program ("NSP") funding to Empire Homes for \$1,350,000.00 for two projects: EHM at Madison and the DuPont Project. At the time of loan closing for the DuPont Project, the project had a total development cost of \$923,207.00 of which \$416,000.00 was for construction. At a cost of approximately \$84,000.00 per unit, the project was completed significantly below the typical development costs of \$140,000.00 per unit. Following several property inspections, engineering and environmental reports, and the project was valued engineered to fit the budget of the single NSP funding source available and a small contractor was selected. When the scope of work was finalized, the determination was made to complete roof repairs and upgrades as opposed to a full replacement of the roof. At the project's completion, it met the approvals of the project-funding source that resulted in the issuance of the Use and Occupancy permit.

Within nine months of the project's completion, the buildings began to experience issues with leaking ceilings that resulted from pooling water on the buildings flat roof. Initially, the project contractor was responsive to warranty calls and addressing the issues as they arose. Soon after that, calls from the maintenance staff to the contractor were not returned. Further inquiry revealed that the contractor had gone out of business. Upon learning this, the developer contacted the roofing product manufacturer to learn that repairs made by the contractor after the installation negated the warranty. Furthermore, the NSP budget did not allow for replacement or operating reserves as are standard in most all other development projects.

Currently, whenever there is inclement weather, water penetrates the building envelope either in the public hallways or at various locations throughout the top floor units. Because the developer has been unable to fund a permanent fix to the roof, they have elected to take the top floor units offline until the roof can be fully replaced. Tri County Roofing & Sheet Metal, Inc. inspected the roof and has provided a budget that will include contingencies for unknown conditions that may exist once the existing roof is removed as well as costs associated with the roof top HVAC unit inspections and interior ceiling repairs.

## MINUTES

DHCD - cont'd

The Department will provide a CDBG Deferred loan in an amount not to exceed \$55,000.00. During the Construction Loan Period, interest will be at the rate of zero percent per annum on sums advanced. During the Permanent Loan Period (defined herein), the interest rate charged would be at the rate of zero percent per annum for a term not to exceed 10 years. The construction phase will be for a period not to exceed 3 months from the date of closing. The Permanent Loan Period will be no less than 10 years commencing at conversion of the Construction Loan Period (the "Permanent Loan Period"). It is intended that if the Borrower complies with all applicable terms and covenants of the deferred loan documents for 10 years, the payment of the outstanding principal will be forgiven. The entire principal and any interest will be due and payable in the event of a refinancing, sale, transfer, conveyance or any encumbrance of the Project or portion thereof without the prior written consent of DHCD. Should an event of default occur, interest will accrue from the date of the default at the prime rate of interest plus four percent. The date of the final principal payment during the Permanent Loan Period will constitute the "Maturity Date." The City's CDBG Deferred Loan will be long-term, subordinate, non-recourse debt.

To protect the Department's investment, a third party independent inspector will inspect the property to determine if there are any other major deficiencies. In addition, the borrower will be required to execute standard deferred loan documents, which may include a regulatory agreement. The Regulatory Agreement will be recorded against the land.

**MBE/WBE PARTICIPATION:**

Article 5, Subtitle 28 of the Baltimore City Code for Minority and Women's Business Opportunity is full applicable and no request for a waiver or exception has been made.

**THE DEPARTMENT OF FINANCE REVIEWED AND RECOMMENDED APPROVAL.**

## MINUTES

DHCD - cont'd

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$55,000.00	9991-945002-9587	9981-908095-9593
CDBG 26	Unallocated Reserve	Deferred Loan Empire Homes of Maryland

This transfer will provide community development block grant funds to cover the costs of replacing the roof of a multifamily rental property in the Park Heights neighborhood of Baltimore City.

UPON MOTION duly made and seconded, the Board approved the Community Development Block Grant deferred loan to Empire Homes of Maryland, Inc. The Board further authorized the Commissioner of the Department of Housing and Community Development to execute all legal documents to effectuate this transaction Subject to review and approval for form and legal sufficiency by the Department of Law. The Transfer of Funds was approved, SUBJECT to receipt of a favorable report from the Planning Commission, the Director of Finance having reported favorably thereon, in accordance with the provisions of the City Charter.

**MINUTES**

Department of Housing and - Community Development  
Community Development      Bond Funds Loan

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a Community Development Bond Funds Loan to the Mary Harvin Center Limited Partnership (Borrower). The Board is further requested to authorize the Commissioner of the Department of Housing and Community Development to execute any and all documents to effectuate this transaction subject to review and approval for form and legal sufficiency by the Department of Law.

**AMOUNT OF MONEY AND SOURCE:**

<u>Sources of Funds</u>		<u>Uses of Funds</u>	
\$	525,000.00 - Private Loan Capital One Bank	\$10,373,990.00 - Construc. Costs	
	950,000.00 - CDA/Rental Housing Funds	1,389,353.00 - Fees Related to Construc.	
	*865,000.00 - DHCD/Bond Funds	650,100.00 - Financing Fees & Charges	
	50,000.00 - Tenant Service Escrow		
	12,216,449.00 - Tax Credit Syn- dicated Equity	620,000.00 - Acquisition Costs	
	<u>609,112.00</u> - Developer's Equity	117,491.00 - Syndication Related Costs	
<b>\$15,215,561.00</b>		332,000.00 - Reserves	
		<u>1,732,627.00</u> - Developer Fee	
		<b>\$15,215,561.00</b>	

\*Account: 9910-911830-9588

**BACKGROUND/EXPLANATION:**

Proceeds of the Bond Funds Loan will be used to support a portion of the construction and construction related costs for 61 residential units known as The Mary Harvin Center Senior Apartments located at 1600 North Chester Street (Project).

## MINUTES

DHCD - cont'd

The Borrower, the Mary Harvin Center Limited Partnership, whose general partner is a wholly-owned subsidiary of the Woda Group, Inc., has proposed to construct and operate a senior rental housing development comprised of 61 apartment units. Upon completion of the construction, there will be 61 one-bedroom units. Eight units will be rented to individuals with incomes at or below 30% Area Median Income (AMI), 21 units will be rented to individuals with incomes at 40% of the AMI and 32 units will be rented to individuals with incomes at 50% of the AMI, adjusted for family size.

The Woda Group, Inc., and Mr. Kevin Bell have extensive experience developing and building affordable housing projects in Baltimore City. Some of the recently completed projects include: Columbus School Apartments - a 50-unit family historic renovation of School 99 in East Baltimore; North Avenue Gateway I - a 64-unit family new construction project located in the 3000 block of West North Avenue; Penn Square Apartments I - a 91-unit new construction project for families located in the 2600 block of Pennsylvania Avenue; Collington Commons - a 80-unit family building located in East Baltimore; and Edmondson Commons - a 74-unit family building located on Edmondson Avenue in West Baltimore.

The project will feature community space, tenant services space, tenant storage areas, laundry facilities, a computer lab, and social services space. The nonprofit tenant service provider will be Southern Baptist Church. The project will be built in conformance with Baltimore City Green Building Standards, creating a healthier and more energy efficient environment for the residents.

The Mary Harvin Center Apartments will have eight one-bedroom units targeted and restricted to elderly residents earning 30% or less of the AMI. The Housing Authority of Baltimore City (HABC) intends to support the Project by providing Project-Based Section 8 subsidies for these eight units. These units will be restricted for at least 15 years, in accordance with the requirements of the Bailey Consent Decree.

## MINUTES

DHCD - cont'd

The Bond Funds Loan will be used to finance a portion of the hard construction costs of the project.

Karen H. Belinko Appraisals, LLC has prepared an appraisal for the permanent lender dated July 18, 2014. The estimated market value of the subject property, as if completed and stabilized at restricted rents with consideration to the tax credits, is \$13,000,000.00. The appraised value is below the total development costs of the Project, which is common for transactions involving Low Income Housing Tax Credits (LIHTCs), subsidized rents, and preferred governmental financing. The LIHTCs provide equity and are not considered as long-term debt to the property. The rents are considered "restricted" because they are supported with financing that requires long-term income and rent restrictions. As a result, the rent levels are set below the market rate, thereby decreasing the property's appraised value. Gap financing, such as the Bond Funds Loan and the other governmental sources are in place in order to allow for continuing affordability.

The appraised value meets the underwriting standards for the must-pay permanent superior lender. The DHCD is comfortable with recommending the Bond Funds Loan as described under these circumstances.

**PARTICIPATING PARTIES:**

- A. Developer - The borrower of record is the Mary Harvin Center Limited Partnership, a newly-created single purpose entity that is an affiliate of The Woda Group, Inc. The Woda Group, Inc., or an affiliate thereof, will serve as the developer.
- B. General Contractor - Harkins Builders, Inc. will act as the general contractor and post a payment and performance bond. Marks, Thomas Architects will provide architectural services.

## MINUTES

DHCD - cont'd

## C. Participating Lenders

**CAPITAL ONE, N.A. - 1<sup>st</sup> lien construction/permanent**

For the construction phase, Capital One, N.A., or its affiliate (Capital One), will provide a construction loan in a first lien position in an approximate amount estimated to be \$7,928,000.00 (Capital One Construction Loan). The Capital One Construction Loan will have a term of 18 months. Interest will accrue at a variable rate, which will be determined using a spread of 3% over the one-month LIBOR with a floor of 3.5%. The Capital One Construction Loan will be repaid from installments of tax credit equity. Interest only payments will be required.

Following repayment of the Capital One Construction Loan, Capital One will provide a permanent loan in the amount of \$525,000.00 (Capital One Permanent Loan). The Capital One Permanent Loan will be in first-lien position, accrue interest at a rate of approximately 5.40%, and will have a term of 15 years with principal amortizing over 30 years.

**MD DHCD AND CDA - 2<sup>nd</sup> lien construction/permanent**

With respect to the Maryland Department of Housing and Community Development (MD DHCD) and the Community Development Administration (CDA), a unit of the Division of Development Finance of the MD DHCD Elderly Rental Housing Program Funds (ERHP Loan) in an amount not to exceed \$950,000.00 will be provided. Interest on the ERHP Loan will accrue on sums advanced at the rate of 0% during construction and a rate of 2% during a 40-year permanent loan period. The Borrower will make annual payments of principal and interest out of 75% of available cash flow following payment of all project expenses, including superior loan payments so as to fully amortize the principal sum by the maturity date. Any interest and principal not paid because of insufficient surplus cash will accrue and defer and be paid each subsequent payment date there is sufficient surplus cash. The State debt will be long-term, subordinate, non-recourse debt.

## MINUTES

DHCD - cont'd

**BALTIMORE CITY BOND FUNDS - 3<sup>rd</sup> lien construction/permanent**

During the construction phase, interest will accrue on sums advanced at the rate of 0% during construction and a rate of 2% during a 40-year permanent loan period. The Borrower will make annual payments of principal and interest out of 25% of available cash flow following payment of all project expenses, including superior loan payments so as to fully amortize the principal sum by the maturity date. The entire principal balance and any accrued interest will be due and payable in the event of a refinancing, sale, transfer, conveyance or any encumbrance of the Project or portion thereof without the prior written consent of the DHCD. Should an event of default occur, interest will accrue from the date of the default at the prime rate of interest plus four percent (P+ 4%). The Bond Loan will be long-term, subordinate, non-recourse debt.

The DHCDs Bond Funds Loan will be in third-lien position and will be in an aggregate principal amount not to exceed \$865,000.00. During the construction loan period, which will not exceed 15 months from the date of closing, no interest will be charged on the outstanding principal balance of the loan. The permanent loan period of the Bond Funds Loan will be 40- years commencing at construction completion. The Bond Funds Loan will be non-recourse debt.

**MBE/WBE PARTICIPATION:**

Article 5, Subtitle 28 of the Baltimore City Code Minority and Women's Business Program is fully applicable and no request for a waiver or exception has been made.

## MINUTES

DHCD - cont'd

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$865,000.00	9910-902985-9587	9910-911830-9588
31 <sup>st</sup> CDB	Housing Develop- ment - Reserve	Mary Harvin Trans- formation Center

This transfer will provide City Bond Funds to the Mary Harvin Center Limited Partnership to support the construction of 61 affordable elderly rental units known as the Mary Harvin Transformation Center.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Community Development Bond Funds Loan to the Mary Harvin Center Limited Partnership. The Board further authorized the Commissioner of the Department of Housing and Community Development to execute any and all documents to effectuate this transaction subject to review and approval for form and legal sufficiency by the Department of Law. The Transfer of Funds was approved, SUBJECT to receipt of a favorable report from the Planning Commission, the Director of Finance having reported favorably thereon, in accordance with the provisions of the City Charter.

## MINUTES

Department of Planning - Agreements

The Board is requested to approve and authorize execution of the various agreements. The period of the agreement is effective upon Board approval for one year, unless otherwise indicated.

The funds for these programs are drawn from the City's Critical Area Management Program offset fee funds which developers pay into when they disturb land close to the waterfront and cannot meet mitigation requirements on site.

1. **BLUE WATER BALTIMORE, INC. (BWB)** **\$42,270.00**

Account: 9905-926005-9188-900000-703032

Under this agreement, Blue Water Baltimore, Inc. will operate a City Schools Depaving Program to remove asphalt, install gardens and trees, and provide education and maintenance plans at three city public schools. Blue Water Baltimore, Inc. will work with the Baltimore City School System at Mergenthaler Vocational Technical High School, Guilford Elementary/Middle School, and Baltimore International Academy to remove a total of 0.9 acres of impervious surface, plant approximately 1,200 native plants and 18 trees, and educate at least 300 students.

2. **BLUE WATER BALTIMORE, INC. (BWB)** **\$26,000.00**

Account: 9905-926005-9188-900000-703032

Under this agreement, Blue Water Baltimore, Inc. will operate a Bacterial Monitoring Program to monitor water quality in Baltimore City's streams and the Inner Harbor at 22 sites, by taking samples and having them analyzed at a State lab and report the results to the City and the public. The resultant data will be shared property with the Department of Public Works (DPW). Additionally, Blue Water Baltimore, Inc. will maintain a website to communicate information about water quality with the public and work with the DPW as necessary to post Water Contact Advisory signs.

## MINUTES

Dept. of Planning - cont'd

3. **BLUE WATER BALTIMORE, INC. (BWB)** **\$31,306.00**

Account: 9905-922004-9188-900000-703032

Under this agreement, Blue Water Baltimore, Inc. will operate Growing our Forest and Future Citizen Stewards Program. The program will employ youth to maintain trees previously planted on public land and will recruit volunteers to assist with planting new trees. Blue Water Baltimore, Inc. will employ seven youth workers, two coordinators, one team leader, and two landscape technicians to water, mulch and otherwise maintain 2,000 trees planted on public land in the last two years, and will recruit 250 volunteers to assist with planting 300 new trees at Baltimore City Public Schools.

Blue Water Baltimore, Inc. is uniquely positioned to do this work because of their long history working with schools and with water quality in Baltimore City, and their trusted status as public educators and ambassadors between residents and government. Blue Water Baltimore, Inc. is a non-profit comprised of four former watershed associations plus the Harbor Water keeper.

4. **BALTIMORE GREEN SPACE (BGS)** **\$ 39,272.00**

Account: 9905-922004-9188-900000-703032

Under this agreement, BGS will operate the Forest Invasive Program to clear invasive plants from forest patches in Baltimore City and create an ongoing program to work with city residents to do the same. The BGS will work between two and four community-managed forest patches in Baltimore City, depending on the intensity of work needed at each site, to clear invasive plants and put in place management practices to prevent their return. The organization will also educate at least 30 residents on forest management practices to develop a program proposal for on-going education and employment initiative to pay stipends to local residents for invasive plant management.

## MINUTES

Dept. of Planning - cont'd

The BGS is uniquely positioned to do this work because of their excellent track record and reputation at fostering citizen stewardship of community-managed green spaces. The BGS is a non-profit organization created in 2007 to preserve and support community-managed open spaces in Baltimore City. The period of the agreement is effective upon Board approval for 18 months.

5. **PARKS AND PEOPLE FOUNDATION, INC.** **\$ 17,107.00**  
**(PPF)**

Account: 9905-922004-9188-900000-703032

The PPF will operate an Urban Forestry Team Program to employ youth to maintain trees previously planted on public land and to teach youth nursery management skills. The PPF will employ ten youth workers and two team leaders to water, mulch, and otherwise maintain 2,000 trees planted on public land in the last two years, and will also provide training on nursery management services to youth employed through the program. In addition, PPF will recruit and educate volunteers to assist with this work and will remove trash and debris from tree planting sites. The PPF is uniquely positioned to do this work because of their long history of success in Baltimore City working on urban forestry, youth green jobs and training programs, public engagement and environmental improvement. The PPF is a non-profit organization formed in 1984 to improve the physical and social environment in Baltimore City.

6. **CIVIC WORKS, INC.** **\$ 30,000.00**

Accounts: 9905-922004-9188-900000-703032 \$ 15,000.00  
 9905-926005-9188-900000-703032 \$ 15,000.00

Under this agreement, Civic Works, Inc. will operate a Tree Planting and Stormwater Remediation Program in Clifton Park.

## MINUTES

Dept. of Planning - cont'd

The program will train and employ youth to improve the environment in Clifton Park by installing a demonstration food forest and improving the stormwater management system at Real Food Farm and at the Lake Clifton High School complex. Civic Works, Inc. will employ seven youth workers and two team leaders, and will also recruit and train at least 50 volunteers for this program. Outcomes will include the planting of at least 80 trees and shrubs and 150 perennials, educating approximately 500 additional city youth about stormwater management. Civic Works, Inc. is uniquely positioned to do this work because of their long history of success particularly in Clifton Park, working on community service, green jobs, food issues, stormwater issues, and public engagement. Civic Works, Inc. is a non-profit organization formed in 1993 to strengthen Baltimore's communities through education, skills development, and community service.

Grantees are chosen via an open application process, with the goals of improving water quality by reducing stormwater pollution, conserving, and protecting wildlife habitat, and improving quality of life for the citizens of Baltimore. All grant allocations are pre-approved by the State's Critical Area Commission.

**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. The Mayor

**ABSTAINED** on item no. 5.

**MINUTES**

Department of Planning - Chesapeake Bay Trust Memorandum  
of Understanding

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a Memorandum of Understanding among the Department of Planning, the Department of Public Works (DPS) and Chesapeake Bay Trust. The MOU is effective upon Board approval for 18 months.

**AMOUNT OF MONEY AND SOURCE:**

\$100,000.00 - 9910-910635-9588-900000-704047, Dept. of Planning  
100,000.00 - 2072-000000-5181-390700-603026, DPW  
**\$200,000.00**

**BACKGROUND/EXPLANATION:**

Baltimore Growing Green Design Competition: Vacant Lots Transformed is a partnership between the City of Baltimore, U.S. Environmental Protection Agency (EPA), and the Chesapeake Bay Trust. Teams of community groups, City agencies, designers, and technical experts will use the Green Pattern Book to develop creative greening projects for vacant land in their communities as well as reduce and treat stormwater runoff. The top ideas will be selected as winners, and all winners will be provided with the resources to fully design and construct their winning ideas. The maximum funding to be expended through the competition is a total of \$300,000.00. The EPA, The Department of Planning, and the Department of Public Works have each contributed \$100,000.00 for the competition. The Department of Planning funding source is Whole Block Demolition for the Growing Green Initiative. The Department of Public Works' funding source is the Watershed Protection and Restoration Fund, also known as the stormwater utility.

The EPA has transferred their \$100,000.00 contribution to the Chesapeake Bay Trust for administration. The Chesapeake Bay Trust will compile the additional \$200,000.00 from the

**MINUTES**

Dept. of Planning - cont'd

Department of Public Works and Department of Planning with the execution of this MOU into one account, organize a technical review committee, award the funding to finalists, and execute contracts. The Chesapeake Bay Trust will execute contracts and issue funding directly to winning community organizations.

The Chesapeake Bay Trust is a nonprofit, grant-making organization created in 1985 by the Maryland General Assembly as an independent state agency.

**MBE/WBE PARTICIPATION:**

This is a community oriented competition, it is expected that work on the vacant lots will be performed by community members and volunteers. If applicable, the Trust will use its best efforts to comply with the MBE/WBE requirements.

**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 Memorandum of Understanding among the Department of Planning, the Department of Public Works and Chesapeake Bay Trust.

**MINUTES**

Circuit Court for Baltimore City - Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of an agreement with the Family Recovery Program, Inc. (FRP). The period of the Agreement is July 1, 2014 through June 30, 2015.

**AMOUNT OF MONEY AND SOURCE:**

\$149,929.00 - 5000-539210-1100-668100-405001

**BACKGROUND/EXPLANATION:**

The Circuit Court for Baltimore City received a grant award from the Administrative Office of the Courts - Office of Problem-Solving Courts to pay for the salary and benefits of two staff positions, Transportation Services, Drug Screen Collection Tests, one year's worth of Breathalyzer accessories, and conference registration for the Family Recovery Program, Inc.

The funds will be used by the FRP for the salary and benefits of two staff positions; the FRP Court Coordinator and a FRP Reengagement Peer Recovery Advocate for Transportation Services, Drug Screen Collection Tests; for one year's worth of Breathalyzer accessories; and for Conference registration. The parties agree that these staff positions will be managed and supervised by the Family Recovery Program, Inc.

**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 Family Recovery Program, Inc.

**MINUTES****PERSONNEL**Department of Human Resources - PersonnelDepartment of General Services

	<u>Hourly Rate</u>	<u>Amount</u>
1. <b>BABILA LIMA</b>	\$38.55	<b>\$73,248.00</b>

Account: 1001-000000-1911-192100-601009

Mr. Lima will continue to work as a Project Manager. His duties will include, but will not be limited to developing a proposal for an improved and unified permitting mechanism pertaining to Special Events for the City of Baltimore. In this role Mr. Lima will manage a new section responsible for Special Event permitting, reporting directly to the Director of General Services. His new duties will include but are not limited to negotiating agreements with businesses for the "bike rack" program, developing and implementing policies and procedures for the program, developing and chairing Minor Privilege work group, developing Board of Estimates fee schedule recommendations on citywide minor privilege items, developing and implementing a financial clearance system for Special Event applicants and establishing a single revenue account for Special Events. This is a 12% increase from the previous contract. The period of the agreement is effective upon Board approval for one year.

Department of Recreation and Parks

2. <b>HAROLD MCCRAY</b>	17.45	<b>\$33,271.39</b>
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Account: 1001-000000-4782-583802-601009

Mr. McCray will work as a Contract Services Specialist II (City Farms Coordinator). His duties will include but are not limited to writing, distributing and collecting rental agreements, collecting rental fees, assigning garden plots,

## MINUTES

PERSONNELDept. of Recreation and Parks - cont'd

mailing out inspection notices, terminating rental agreements and maintaining and updating the waiting lists. The period of the agreement is effective upon Board approval for one year.

	<u>Hourly Rate</u>	<u>Amount</u>
3. ANN GREEN	\$17.45	<b>\$33,271.39</b>

Account: 6000-680815-4782-583802-601063

Ms. Green will work as a Contract Specialist II (Webmaster/Social Media Specialist and Volunteer Coordinator). Her duties will include but are not limited to maintaining website, updating online calendar, creating content, editing images, creating graphic pieces for website, creating content for special event pages, including Paypal buttons, registration pages, testing website for usability and fixing bugs as they arise. She will also document activities and collections by taking pictures, editing and watermarking photos using Photoshop Elements maintaining searchable library using Flickr, utilizing meaningful titles, tags, and descriptions. The period of the agreement is effective upon Board approval for one year.

**ALL OF THE PERSONNEL MATTERS HAVE BEEN APPROVED BY THE EXPENDITURE CONTROL COMMITTEE.**

**APPROVED FOR FUNDS BY FINANCE**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the foregoing Personnel Matters. The Mayor **ABSTAINED** on item no. 1.

## MINUTES

Department of Human Resources (DHR) - Expenditure of Funds,  
Police Sergeant Oral  
Examination Expenses

**ACTION REQUESTED OF B/E:**

The Board is requested to approve an Expenditure of Funds to pay the Hilton Baltimore Hotel and ratify payment for services rendered for the Police Sergeant Oral Examination that was held August 17 - August 22, 2014.

**AMOUNT OF MONEY AND SOURCE:**

\$10,500.00 - Meals for 42 overnight examiners @\$50.00/night for 5 nights  
 1,250.00 - Meals for 10 commuting examiners @ \$25.00/day for 5 days  
 3,040.00 - Parking for 19 overnight examiners @\$32.00/day for 5 days  
 1,280.00 - Parking for 10 commuting examiners @ \$32.00/day for 4 days  
 1,024.00 - Parking for 8 DHR staff @ \$32.00/day for 4 days  
 640.75 - Estimated roundtrip mileage for 1,144.20 miles for 7 examiners @\$.56/mile (Note: these drivers will use personal vehicles. Others using government vehicles will receive no mileage reimbursement.)  
 9,574.60 - Estimated roundtrip airfare for 23 examiners with service fee: (2) Atlanta, GA @\$721.40; (1) Cincinnati, OH @\$371.20; (3) Louisville, KY @\$606.40; (4) Nashville, TN @\$1,548.60; (2) Miami, FL @ \$778.40; (1) Detroit, MI @\$404.00; (1) Miami-Dade, FL @\$892.70; (1) Savannah, GA @\$509.00; (4) Cleveland, OH @\$1,480.60; (1) Memphis, TN @\$550.70; (2) St. Louis, MO @\$1,336.40; and (1) Houston, TX @\$375.20  
 1,000.00 - Tolls (est.)  
 1,610.00 - Taxi services, etc. @\$70.00 each for 23 examiners from the airport  
700.00 - Miscellaneous (emergency charges, etc.)

**\$30,619.35** - 1001-000000-1603-172500-603026

**MINUTES**

DHR - cont'd

**BACKGROUND/EXPLANATION:**

The Police Sergeant Oral Examination was held on August 17 - August 22, 2014 at the Hilton Baltimore Hotel. This expenditure of funds will pay for meal allowances, parking, mileage, and travel-related expenses incurred by 52 examiners recruited from 28 police department jurisdictions to administer the examination.

The DHR administered the oral portion of the Police Sergeant examination to approximately 270 candidates who qualified to take the examination. The written examination was administered on June 21, 2014. The examiners participated with the assistance of the DHR and the examination consultants. Sixteen panels of three plus four alternates interviewed the candidates.

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

UPON MOTION duly made and seconded, the Board approved the Expenditure of Funds to pay the Hilton Baltimore Hotel and ratify payment for services rendered for the Police Sergeant Oral Examination that was held August 17 - August 22, 2014.

## MINUTES

TRAVEL REQUESTS

<u>Name</u>	<u>To Attend</u>	<u>Funds</u>	<u>Amount</u>
<u>Health Department</u>			
1. Mary Beth Haller	Forensic Photography	General	\$8,185.75
Joseph Hodge	Workshop & Animal	Funds	
Ricky Martin	Cruelty Workshop		
Jason Meacham	Gainsville, FL		
Travell Young	Sept. 7-12, 2014		
	(Reg. Fee \$500.00 ea.)		

The subsistence rate for this location is \$142.00 per night. The cost of the hotel is \$89.00 per night plus hotel taxes of \$9.79 per night. The airfare for each attendee, in the amount of \$318.20, and the registration fee for each attendee, in the amount of \$500.00 has been pre-paid on a City-issued credit card assigned to Ms. Jacquelyn Duval-Harvey. Therefore, each attendee will be disbursed \$818.95.

Fire Department

2. Douglass B.	Fire Dept. Safety	General	\$6,687.28
Jefferson *	Officers Assn.	Fund	
Robert Starkey*	Annual Safety Forum		
Carl Knight	Scottsdale, AZ		
Michael Savino	Sept. 14 - 19, 2014*		
	Sept. 16 - 19, 2014		
	(Reg. Fee \$545.00)*		
	(Reg. Fee \$350.00)		

The airfare and registration fees for each attendee were prepaid on a City-issued Purchasing card assigned to Mr. James Fischer. The amount to be disbursed to the attendees is as follows: Mr. Jefferson \$993.90; Mr. Starkey \$977.90; and Messrs. Knight and Savino \$612.34 each.

## MINUTES

TRAVEL REQUESTS

<u>Name</u>	<u>To Attend</u>	<u>Funds</u>	<u>Amount</u>
<u>Fire &amp; Police Employee Retirement System</u>			
3. David Randall	11 <sup>th</sup> Annual P2F2 Conf. Public Pension Financial Forum Oct. 26 - 29, 2014 (Reg. Fee \$325.00)	Special Fund - Fire & Police	\$1,382.51

The subsistence rate for this location is \$188.00 per night. The hotel cost is \$169.00 per night plus hotel tax of 28.27 per night. The F&P is requesting an additional subsistence \$21.00 per day for meals and incidentals.

Department of Public Works

4. Thak Bakhru	AWWA Infrastructure Conference Atlanta, GA Oct. 26 - 30, 2014 (Reg. Fee \$770.00)	Waste- water	\$2,379.76
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The subsistence rate for this location \$189.00 per day. The hotel rate is \$229.00 per night plus occupancy taxes in the amount of \$146.56. The Department is requesting additional subsistence in the amount of \$160.00 for hotel costs and \$160.00 for food and incidentals. The additional subsistence amount has been included in the total.

**MINUTES****TRAVEL REQUESTS**

<u>Name</u>	<u>To Attend</u>	<u>Funds</u>	<u>Amount</u>
<u>Department of Transportation</u>			

**TRAVEL APPROVAL**

5. Richard Hooper	2014 Conference of Minority Transportation Officials Annual Conference Atlanta, GA July 12-16, 2014 (Reg. fee \$710.00)	General Funds	\$2,030.16
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Mr. Hooper traveled to Atlanta, Georgia to attend the 2014 COMTO Annual Conference on July 12-16, 2014.

The subsistence rate for this location is \$189.00 per night. The cost of the hotel was \$169.00 per night, plus hotel taxes of \$27.04 per night. The Department is requesting additional subsistence of \$80.00 to cover the cost of food and incidentals. The registration fee in the amount of \$710.00 was pre-paid on a City-issued credit card assigned to Dhirenda Sinha. Therefore, Mr. Hooper will be disbursed \$1,320.16.

**TRAVEL REIMBURSEMENT**

\$ 316.00	- Airfare
60.00	- Taxi Service
676.00	- Hotel
108.16	- Hotel Tax
160.00	- Food and Incidentals
<b>\$1,320.16</b>	

UPON MOTION duly made and seconded, the Board approved the travel requests, travel approval, and travel reimbursement. The Comptroller **ABSTAINED** on item no. 3.

## MINUTES

Law Department - Settlement Agreement and Release

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

1. Alex Dickson v. Officer James Wilder, et al. \$40,000.00

Funds are available in account no. 1001-000000-2041-716700-603070.

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

UPON MOTION duly made and seconded, the Board approved the settlement agreement and release for the above claim.

## MINUTES

PROPOSAL AND SPECIFICATIONS

1. Department of Public Works/  
Office of Engineering &  
Construction - Storm Drain Contract No. 7789  
Small Storm Drain and Inlet  
Repairs at Various Locations  
**BIDS TO BE RECV'D: 10/01/2014**  
**BIDS TO BE OPENED: 10/01/2014**
2. Department of Public Works/  
Department of Recreation & Parks - RP 14805R, Howards Park Dog  
Park  
**BIDS TO BE RECV'D: 10/08/2014**  
**BIDS TO BE OPENED: 10/08/2014**
3. Department of Transportation - TR 14310, Haven Street  
Resurfacing/Rehabilitation  
from Eastern Avenue to Boston  
Street  
**BIDS TO BE RECV'D: 10/01/2014**  
**BIDS TO BE OPENED: 10/01/2014**
4. Department of Transportation - TR 15005, Structural Repairs  
on Bridges Citywide JOC-1  
**BIDS TO BE RECV'D: 10/01/2014**  
**BIDS TO BE OPENED: 10/01/2014**

There being no objections, the Board, UPON MOTION duly made and seconded, approved the above Proposals and Specifications to be advertised for receipt and opening of bids on the dates indicated. Item no. 2, Department of Public Works/Department of Recreation & Parks, RP 1480R, Howards Park Dog Park was **WITHDRAWN**.

\* \* \* \* \*

**A PROTEST WAS RECEIVED FROM MS. KIM TRUEHEART FOR ALL ITEMS ON THE AGENDA.**

## Kim A. Trueheart

September 3, 2014

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 within the various boards, commissions, agencies and departments of the Baltimore City municipal government.

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. Pages 1 - 89, City Council President and members of the Board of Estimates, BOE Agenda dated September 3, 2014, if acted upon:
    - i. The proceedings of this board often renew business agreements without benefit of clear measures of effectiveness to validate the board's decision to continue funding the provider of the city service being procured;
    - ii. The Baltimore City School Board of Commissioners routinely requires submissions for board consideration to include details of the provider's success in meeting the objectives and/or desired outcomes delineated in the previously awarded agreement;
    - iii. The members of this board continue to fail to provide good stewardship of taxpayers funds as noted by the lack of concrete justification to substantiate approval of actions presented in each weekly agenda;
    - iv. This board should immediately adjust the board's policy to ensure submissions to the board include measures of effectiveness in each instance where taxpayer funds have already been expended for city services;
    - v. In the interest of promoting greater transparency with the public this board should willing begin to include in the weekly agenda more details which it discusses in closed sessions without benefit of public participation.
    - vi. Lastly this board should explain to the public how, without violating the open meeting act, a consent agenda is published outlining the protocols for each week's meeting prior to the board opening its public meeting.
3. How the protestant will be harmed by the proposed Board of Estimates' action: As a citizen I have witnessed what appears to be a significant dearth in responsible and accountable leadership, management and cogent decision making within the various

Email: [ktrueheart@whatfits.net](mailto:ktrueheart@whatfits.net)

5519 Belleville Ave

Baltimore, MD 21207

agencies and departments of the Baltimore City municipal government which potentially cost myself and my fellow citizens excessive amounts of money in cost over-runs and wasteful spending.

4. Remedy I desire: The Board of Estimates should immediately direct each agency to include measures of effectiveness in any future submissions for the board's consideration.

I look forward to the opportunity to address this matter in person at your upcoming meeting of the Board of Estimates on September 3, 2014.

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

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.

\* \* \* \* \*

President: "There being no more business before the Board, the meeting will recess until bid opening at 12:00 noon."

\* \* \* \* \*

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

**BIDS, PROPOSALS, AND CONTRACT AWARDS**

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

Bureau of Water & Wastewater - SC 857, Chlorination/Dechlorination Facilities Process Conversion at the Patapsco Wastewater Treatment Plant  
**BIDS TO BE RECV'D: 09/24/2014**  
**BIDS TO BE OPENED: 09/24/2014**

MINUTES

Bureau of Purchases

- B50003636, Organizational Training Needs Assessment
- BIDS TO BE RECV'D: 09/24/2014**
- BIDS TO BE OPENED: 09/24/2014**

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

Bureau of Purchases - B50003696, DMV Information Lookup  
 Law Enforcement Systems, LLC

\* \* \* \* \*

There being no objections, the Board, UPON MOTION duly made and seconded, adjourned until its next regularly scheduled meeting on Wednesday, September 11, 2014.

  
 JOAN M. PRATT  
 Secretary