

**MINUTES****REGULAR MEETING**

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

The meeting was called to order by the President.

President: "I will direct the Board members attention to the memorandum from my office dated December 12, 2011, identifying matters to be considered as routine agenda items, together with any corrections and additions that have been noted by the Deputy Comptroller. I will entertain a motion to approve all of the items contained on the routine agenda."

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

Comptroller: "Second."

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

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 30, 1991, the following contractors are recommended:

Baltimore Contractors, Inc.	\$ 6,273,000.00
Burgemeister-Bell, Inc.	\$ 4,347,000.00
Casper Colosimo & Son, Inc.	\$32,427,000.00
D & B Construction, Inc.	\$ 3,564,000.00
JCM Control Systems, Inc.	\$ 1,500,000.00
Modern Door & Equipment Sales, Inc.	\$ 8,000,000.00
Sunryse Construction Services, Inc. and Affiliates	\$ 8,000,000.00
UGC, Inc. a/k/a United General Contractors, Inc.	\$ 8,000,000.00

2. Prequalification of Architects and Engineers

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

Borton-Lawson	Engineer
Collins Engineers, Inc.	Engineer
Fentress Architects	Architect

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 - Land Disposition Agreement  
Corporation (BDC)

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the land disposition agreement with 3323 Eastern Avenue LLC, developer, for the sale of the property located at 3323 Eastern Avenue.

**AMOUNT OF MONEY AND SOURCE:**

\$75,000.00 - Sale Price

**BACKGROUND/EXPLANATION:**

The subject property is a single building located in the Highlandtown commercial district on the southwest corner of Eastern Avenue and Highland Avenue. The building was used as an Enoch Pratt Free Public Library until 2007. Highlandtown was designated a Baltimore Main Street neighborhood in 2004, and these properties are within the Main Street boundaries.

In October 2009, the BDC, on behalf of the Enoch Pratt Free Library System, issued a Request for Proposals (RFP) for mixed-use development at the former Highlandtown Library site.

The BDC received one proposal from the Southeast Community Development Corporation (SECDC), described as follows:

- The SECDC proposes to renovate the existing structure into a 7,978 square foot, mixed-use development with 5,045 of first, second and third floor office and classroom space for the SECDC and 2,933 square feet of first floor restaurant space with basement storage.
- The project will build on the strongest sub-section of the Highlandtown real estate market at the southwestern edge of the Highlandtown Main Street area and will complement the redevelopment of the Patterson Theater into a community arts center.

## MINUTES

BDC - cont'd

- As the offices of the local community development corporation, the building will be developed to the highest possible standards of historic preservation and green building design. A LEED Gold, and possibly Platinum certification is planned through solar panels, bicycle showers and racks, a reflective roof and energy efficient programs.
- Local artists will be involved in the design and construction of street level public art that will increase awareness of Highlandtown's Arts and Entertainment designation.
- The office space will allow the SECDC to have higher visibility while it continues to grow its staff. The SECDC's move will also free up a retail storefront on the very dense 3700 block of Eastern Avenue, where they are currently located.
- The restaurant space will allow the Highlandtown Main Street program to maximize its ability to recruit a catalytic retail tenant such as the Café Hon restaurant on 36<sup>th</sup> Street that sparked the Hampden renaissance.
- The M&T Bank, located at 3401 Eastern Avenue, has expressed interest in leasing their attached parking area for evening and weekend ground floor tenant use.
- The proposed project was presented to the Highlandtown Community Association, Highlandtown Merchant Association, Canton Community Association, and Hampstead Hill Community Association in early 2010, all of which agreed to support the project.

In June 2010, after careful consideration, the BDC recommended and the Mayor approved awarding the properties to the SECDC.

Under the terms of the LDA, the Developer will purchase the Site from the City for \$75,000.00. The appraisal update is dated June 15, 2010 and the appraised value is \$225,000.00.

**MINUTES**

BDC - cont'd

**STATEMENT OF PURPOSE AND RATIONALE FOR SALE OF PROPERTY BELOW THE APPRAISED VALUE:**

The sale of the property for less than the appraised value is justified because:

- The City will realize an estimated 20-year Internal Rate of Return (IRR) of 18% on its investment of \$196,000.00 (at a 6% discount rate) in the form of a land write-down.
- New tax revenues to the City will equal approximately \$854,460.00 over 20 years in the form of real estate, payroll, and utility taxes.
- The SECDC committed to forming a for-profit LLC that will pay property taxes to assume ownership of the property, putting the building on the City's tax rolls.
- The office space will allow the SECDC to have higher visibility and will also free-up a retail storefront on the very dense 3700 block of Eastern Avenue, where they are currently located.
- The SECDC has submitted evidence of Project financing and is ready to move forward with construction.

**MBE/WBE PARTICIPATION:**

The developer has signed a commitment to comply with Article 5, Subtitle 28 of the Baltimore City Code.

## MINUTES

BDC - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of the land disposition agreement with 3323 Eastern Avenue LLC, developer, for the sale of the property located at 3323 Eastern Avenue.

**MINUTES**

Baltimore Development - Land Disposition Agreement  
Corporation (BDC)

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the land disposition agreement with WM. T. Burnett & Co. (WTB) STX, LLC (STX), developer, for the sale of the property located at 1448-1458 Wicomico Street.

**AMOUNT OF MONEY AND SOURCE:**

\$22,427.00 - Sale price

**BACKGROUND/EXPLANATION:**

On January 25, 2011, the BDC issued a Request for Proposals (RFP) for redevelopment of six long-time vacant and blighted City-owned parcels on Wicomico Street totaling 5,407 square feet of land, each property is approximately 900 square feet. The parcels are located within the Carroll Camden Urban Renewal Plan and the Baltimore City Enterprise Zone (Focus Area). Two proposals were received for the six parcels. A review and analysis of each proposal showed that STX's proposal identified the most viable use for the property and will contribute to the quality of the business environment in the Carroll Camden community. The project will also result in the continued positive impacts for the City that result from the presence of STX in the City, including its workforce of over 60 employees.

The STX is proposing a \$471,992.00 expansion of their abutting warehouse facility to be located at the City-owned property consisting of 1448, 1450, 1452, 1454, 1456, and 1458 Wicomico Street (the Project). The Developer proposes a 1 story, 5,250 square foot facility. The warehouse space will house STX as its sole tenant. Established in 1970 in the City of Baltimore, the STX is a sporting goods and apparel subsidiary of WM. T. Burnett & Co. providing sports equipment to retailers internationally. The STX specializes in the manufacturing of lacrosse sticks and protective gear. The company has recently begun to transform a portion of its warehouse space into new facilities for its expanding Research and Development operation, making an expansion of warehouse space necessary.

## MINUTES

BDC - cont'd

The Wicomico Street buildings were in varying states of disrepair (five of the six properties were vacant and two had extensive fire damage) and were acquired by the City through the Project 5000 program.

A representative appraisal of an abutting property placed the value of the Wicomico Street buildings at \$35,700.00. The \$22,427.00 sale price was a negotiated 50/50 compromise between the \$13,154.00 value the STX proposed and offered minus a \$2,000.00 credit for the City's 50% share of a title report on a private alley owned by the City.

The compromise further reflected (and appropriately took into account) the fact that the City's parcel was and is burdened with several significant adverse conditions that diminish the value of the parcel and the STX will have to deal with a significant expense in order to use the property as proposed - thus substantially lowering the real value of the parcel. These expenses include:

- 1) The demolition contractor hired by the City to clear the abandoned houses from the parcel deposited contaminated fill on the parcel as part of that process, as an environmental audit of the parcel contracted for by the STX at its own expense demonstrated, thus obviously diminishing the value of the site. The cost for the environmental audit was \$3,430.00.
- 2) The parcel contains two very large trees that must be removed at an expense to the STX of \$2,300.00 before it can use the parcel as proposed.
- 3) An abandoned telephone pole that must be removed at an expense to the STX of nearly \$2,000.00 before it can use the property as proposed.

**MINUTES**

BDC - cont'd

- 4) The City's pertinent Block Plat reflected an 8' alley located within the parcel. To address this alley, the City required a title examination and report by a title attorney that the alley was in fact a private alley already owned by the City. The \$4,000.00 cost of that examination and report was agreed to be split equally by the STX and the City and is reflected as a \$2,000.00 credit to the WTB in the purchase price of the parcel.

Furthermore, the STX has a significant workforce at its Baltimore City properties with over 60 employees. Utilization of the site as proposed would enable the retention and expansion of a local business and enhance the Carroll Camden community.

**MBE/WBE PARTICIPATION:**

N/A

UPON MOTION duly made and seconded, the Board approved and authorized execution of the the land disposition agreement with WM. T. Burnett & Co. STX, LLC, developer, for the sale of the property located at 1448-1458 Wicomico Street.

## MINUTES

Law Department -Settlement Agreement and Release

The Board is requested to approve and authorize execution of the settlement agreements and releases of the below listed claims. The settlement agreements and releases have been approved by the Settlement Committee of the Law Department.

1. Estate of Edward Hunt et al. \$375,000.00  
v. Tommy Sanders, III et al.

Account: 1001-000000-2041-195500-603070

2. Andrew Gross v. The Office \$ 36,600.00  
of the State's Attorney et al.

Account: 1001-000000-1151-117900-603070

UPON MOTION duly made and seconded, the Board approved and authorized execution of the settlement agreements and release of the listed claims. The President voted **NO** on item no. 1.

**MINUTES**

Fire Department - Retroactive Payment

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize retroactive payment to Ms. Anita Hatoff.

**AMOUNT OF MONEY AND SOURCE:**

\$10,112.21 - 1001-000000-2151-230500-601061

**BACKGROUND/EXPLANATION:**

Retroactive payment is due to Ms. Hatoff per Local 964's Memorandum of Understanding, Article 25, Sections A, C, and D. The Department did not maintain an active promotional list for Fire Dispatch Manager and the promotion is retroactive to the vacancy. The retroactive payment is for payroll period ending January 4, 2011 through August 30, 2011.

**APPROVED FOR FUNDS BY FINANCE**

UPON MOTION duly made and seconded, the Board approved and authorized the retroactive payment to Ms. Anita Hatoff.

**MINUTES**

Fire Department - Retroactive Payment

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize retroactive payment to Mr. Mark P. Platek.

**AMOUNT OF MONEY AND SOURCE:**

\$7,470.77 - 1001-000000-2151-230500-601061

**BACKGROUND/EXPLANATION:**

Retroactive payment is due to Mr. Platek per Local 964's Memorandum of Understanding, Article 25, Sections A, C, and D. The Department did not maintain an active promotional list for Fire Dispatch Administrator and the promotion is retroactive to the vacancy. The retroactive payment is for payroll period ending January 4, 2011 through August 30, 2011.

**APPROVED FOR FUNDS BY FINANCE**

UPON MOTION duly made and seconded, the Board approved and authorized retroactive payment to Mr. Mark P. Platek.

**MINUTES****TRAVEL APPROVAL/REIMBURSEMENT**Office of the Council President

1. Sharon Green Middleton	National Assoc. of Counties' 2011 Large Urban County Caucus Retreat Palm Beach County, FL Oct. 26 - 28, 2011	Elected Officials Expense Account	\$899.04
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Ms. Green Middleton traveled to Palm Beach County, FL from October 26 - 28, 2011. The Office is requesting the Board to retroactively approve the total travel expenses in the amount of \$899.04. The request is late because the staff learned of the conference too late to request prior approval.

The subsistence rate allowed for this request at the time of travel was \$153.00 per day for a total of \$306.00. The hotel cost was \$179.00 per night not including occupancy taxes of \$43.79 and the resort fee of \$40.00. The Office is requesting an additional \$26.00 per day to cover the hotel cost, and \$142.88 for cab fares (\$70.42 and \$70.46) from Fort Lauderdale airport to Boca Raton and the return to the Fort Lauderdale airport. The Board is requested to approve and authorize reimbursement of \$899.04 to Ms. Green Middleton for the following:

Food	\$ 4.33
Hotel	358.00
Occupancy Taxes	43.78
Resort Fee	40.00
Airfare	281.40
Airport Parking	28.65
Ground Trans.	<u>142.88</u>
<b>Reimbursement Total</b>	<b>\$899.04</b>

UPON MOTION duly made and seconded, the Board approved the travel reimbursement. The President **ABSTAINED** on item no. 1.

**MINUTES****PROPOSALS AND SPECIFICATIONS**

1. Department of Transportation - TR 12005, Reconstruction of Alleys Various Locations  
**BIDS TO BE RECV'D: 1/18/2012**  
**BIDS TO BE OPENED: 1/18/2012**
  
2. Department of Transportation - TR 12010, Conduit System Reconstruction at Various Locations Citywide (JOC)  
**BIDS TO BE RECV'D: 1/18/2012**  
**BIDS TO BE OPENED: 1/18/2012**
  
3. Department of General Services - GS 11846, Stabilization of Read's Drugstore  
**BIDS TO BE RECV'D: 2/01/2012**  
**BIDS TO BE OPENED: 2/01/2012**

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

**MINUTES**Department of General Services - Agreement**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of an agreement with Coulomb Technologies, Inc. to install 50 electric vehicle charging stations.

**AMOUNT OF MONEY AND SOURCE:**

\$0.00

**BACKGROUND/EXPLANATION:**

The City has been awarded a grant for 50 electric charging stations under the ChargePoint America Program. The ChargePoint America program has been funded in part by the terms of grant number DEEE0003391 from the United States Department of Energy as part of the American Reinvestment and Recovery Act.

This award provides the City with 50 Coulomb CT-2100 chargers at no cost. Management of the grant and installation of the charging stations will be conducted by the Department of General Services, Energy Division and Design & Construction Division.

This equipment will complement the existing electric vehicle infrastructure, as well as become the next phase of expansion of the nascent electric vehicle infrastructure in Baltimore and the region.

**CHARGING STATION LOCATIONS**

<b><u>GARAGE NAME</u></b>	<b><u>ADDRESS</u></b>	<b><u># OF STATIONS</u></b>
Lexington St. Market Garage	400 N. Lexington St	2
War Memorial Plaza - North	499 E. Lexington St	4
War Memorial Plaza - South	498 E. Fayette St	4
War Memorial - East	198 N. Franklin St	5
War Memorial - West	199 N. Gay St	4
Jones Falls Expressway Garage	399 Holliday Street	27
Hilton Parking	401 West Pratt Street	4

## MINUTES

Department of General Services - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of the The Board is requested to approve and authorize execution of an agreement with Coulomb Technologies, Inc. to install 50 electric vehicle charging stations.

## MINUTES

Dept. 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. 413 W. Baltimore St.	Balti-West 400, LLC	Four awnings 10'4" x 3'8" with eight gooseneck lights, two awnings 10'6" x 3'8", and one single face electric sign 27¾" x 21'4½"
		\$1,367.90 Annual Charge
2. 201 W. Chase St.	Coffee & Cream, LLC	Handicap ramp and stair
		\$ 140.60 Annual Charge
3. 2108 Eastern Ave.	2106-08 Eastern, Avenue, LLC	Outdoor seating 22' x 4'
		\$ 449.50 Annual Charge
4. 16 S. Calvert St.	Palmetto Hospitality of Baltimore I, LLC	One single face electric sign 25' x 40"
		\$ 466.65 Annual Charge

## MINUTES

Dept. of General Services - cont'd

<u>LOCATION</u>	<u>APPLICANT</u>	<u>PRIVILEGE/SIZE</u>
5. 2400 E. Fayette St.	Norino Properties, LLC	One handicap ramp 3' x 6'
\$ 70.30 Annual Charge		

There are no objections, since no protests were received.

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

**MINUTES**

Department of Public Works - Agreement and  
Expenditure of Funds

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of an agreement with The Jacob France Institute, University of Baltimore. The period of the agreement is December 1, 2011 through February 15, 2012.

The Board is further requested to approve and authorize payment by expenditure authorization to The Jacob France Institute, University of Baltimore for professional services associated with the agreement.

**AMOUNT OF MONEY AND SOURCE OF FUNDS:**

\$5,000.00 - The Jacob France Institute, University of Baltimore  
2,083.88 - Retreat Accommodations. (pre-paid on City  
Procurement Card)  
**\$7,083.88** - 1001-000000-1901-190300-603020

**BACKGROUND/EXPLANATION:**

The expenditure of funds will be for a training and team building event for the executive staff of the Department. The training retreat is scheduled for December 19, 2011 through December 20, 2011.

The Department has pre-paid for the accommodations at the Pearl Stone Conference and Retreat Center, located in Reisterstown Maryland. The payment was made on City issued credit card assigned to Ms. Lyque O'Connor. The training and team building retreat will be for ten executive staff members.

In December, 2010 the Department of Public Works developed a list of goals to accomplish within the following 5 years. In December of 2011, the Department is seeking facilitation services to review and potentially modify the vision and mission statement as well as the goals in the long range strategic plan. In addition, the Department will develop an action plan with

**MINUTES**

DPW - cont'd

timelines, performance metrics and schedule for ongoing monitoring and evaluation.

**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 Jacob France Institute, University of Baltimore. The Board also approved and authorized, payment by expenditure authorization, to The Jacob France Institute, University of Baltimore for professional services associated with the agreement.

**MINUTES**

Department of Housing and - Side Yard Land Disposition  
Community Development      Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a side yard land disposition agreement with the JSP Partners, LLC, for the sale of the lots known as 2443 Lakeview Avenue (Block 3457, Lot 023D) and 2439 Lakeview Avenue (Block 3457, Lot 023C).

**AMOUNT OF MONEY AND SOURCE:**

\$4,107.28 - 2439 Lakeview Avenue  
1,644.82 - 2443 Lakeview Avenue  
\$5,752.10 - Purchase Price, payable at the time of settlement

**BACKGROUND/EXPLANTION:**

The DHCD's Land Resources Division strategically acquires and manages vacant or abandoned properties, ultimately enabling these properties to be returned to productive use and improving Baltimore's neighborhoods.

In accordance with the City's Side Yard Policy, the City has agreed to convey the property known as 2443 Lakeview Avenue and 2439 Lakeview Avenue to the adjacent non-owner occupied property. As a condition of conveyance, JSP Partners, LLC has agreed to the terms of the land disposition agreement, which prohibits development of the parcel for a minimum of ten years.

The City may dispose of the property by virtue of: 1) Article 28, Subtitle 8 of the Baltimore City Code (2011 Edition); 2) Article II, Section 15 of the Baltimore City Charter, (2011 Edition); and 3) Article 13 of the City Code.

## MINUTES

DHCD - cont'd

**STATEMENT OF PURPOSE AND RATIONALE FOR SALE:**

The property is being sold for \$5,752.10 in accordance with the City of Baltimore's Side Yard Policy, which authorizes the City to dispose of City-owned vacant lots to adjacent owner-occupied and non-owner occupants for a fixed-price of \$500.00 per 1,500 square feet and \$1,000.00 per 1,500 square feet, respectively.

In the event the total square footage of the lot exceeds 1,500 square feet, the additional square footage will be calculated at a rate of \$0.33 per square foot for adjacent owner-occupants and \$0.66 per square foot for adjacent non-owner occupants.

2439 Lakeview Avenue has a square footage of 6,208 SF. In accordance with the Side Yard Policy, the purchase for this lot is \$4,107.28.

2443 Lakeview Avenue has a square footage of 2,477 SF. In accordance with the Side Yard Policy, the purchase price for this lot is \$1,644.82.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the side-yard land disposition agreement with the JSP Partners, LLC, for the sale of the lots known as 2443 Lakeview Avenue and 2439 Lakeview Avenue.

**MINUTES**

Department of Housing and - Land Disposition Agreement  
Community Development

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a land disposition agreement with the Baltimore Green Space, for the sale of the vacant lot known as 1825 E. Pratt Street (Block 1754, Lot 074).

**AMOUNT OF MONEY AND SOURCE:**

\$1.00 - Purchase Price, payable at the time of settlement.

**BACKGROUND/EXPLANTION:**

The DHCD's Land Resources Division strategically acquires and manages vacant or abandoned properties, ultimately enabling these properties to be returned to productive use and improving Baltimore's neighborhoods.

In an effort to further the new Sustainability Plan, which calls on the City to "develop and support a land trust to help communities retain control of appropriate open space upon their commitment to maintain the space". The DHCD is seeking approval for the transfer of the community managed open space at 1825 E. Pratt Street, which has been used by the Fells Point Community for a number of years as a community garden.

The transfer of 1825 E. Pratt Street into a land trust represents a cost-effective way to provide neighborhoods with amenities such as community gardens and other beautification and recreational spaces. Through their own labor and investments, as well as outside funding, residents increase property values while creating social and environmental benefits.

**MINUTES**

DHCD - cont'd

**STATEMENT AND PURPOSE OF RATIONALE FOR SALE BELOW THE APPRAISED VALUE:**

Sale of the property to a land trust, whose purpose is to ensure the preservation of the community managed open space, below the appraised value is reflective of the City's understanding that community-managed open spaces serve a specific benefit to the immediate community by elimination of blight and by providing the neighborhood with amenities, such community gardens and other beautification and recreational spaces.

**MBE/WBE PARTICIPATION:**

N/A

UPON MOTION duly made and seconded, the Board approved and authorized execution of the land disposition agreement with the Baltimore Green Space, for the sale of the vacant lot known as 1825 E. Pratt Street (Block 1754, Lot 074).

**MINUTES**

Department of Housing and - HOME Loan  
Community Development

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a HOME Investment Partnerships Program loan in the amount of \$1,380,000.00 (the HOME Loan) to LJ Johnson Square, LLC (the Borrower). The Board is further 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 MONEY AND SOURCE:**

<u>SOURCES</u>		<u>USES</u>	
LIHTC Equity	\$14,513,249.00	Construction Costs	\$11,672,678.00
Baltimore City	1,380,000.00	Fees Related to	1,126,919.00
HOME Funds		Construction	
Deferred Develop-	<u>143,832.00</u>	Financing Fees &	537,744.00
er Fee		Charges	
		Acquisition Costs	104,000.00
		Syndication	243,584.00
		Related Costs	
		Reserves	513,022.00
		Developer Fee	<u>1,839,134.00</u>
<b>TOTAL:</b>	<b>\$16,037,081.00</b>	<b>TOTAL:</b>	<b><u>\$16,037,081.00</u></b>

Accounts: 9910-902182-9610

**BACKGROUND/EXPLANATION:**

Proceeds of the HOME Loan will be used to support a portion of the new construction and construction related costs for a 74 unit apartment building known as the Lillian Jones Apartments located at 1303 Greenmount Avenue (the Project).

The Borrower consists of a joint venture between a for-profit developer known as the French Development Company, Inc. and a non-profit entity, known as Empire Homes of Maryland, Inc. and an investor, Raymond James Tax Credit Funds. Jointly, they have proposed to construct and operate a rental housing development comprised of 74 apartment units on a 1.4 acre parcel of land located in the Johnston Square neighborhood. Approximately 2,400

## MINUTES

DHCD - cont'd

square feet on the ground floor of the building will be allocated for multipurpose and community office space. Upon completion of the construction, there will be 25 one-bedrooms, 37 two-bedroom, and 12 three-bedroom units.

The project will have 28 of the 74 units set aside for special populations including the non-elderly disabled residents requiring accessible units under Section 504 and the Uniform Federal Accessibility Standards (UFAS) and residents with hearing and visual impairments (HVI). The Housing Authority of Baltimore City (HABC) intends to support the Project by providing Project-Based Section 8 subsidies for 22 units for persons earning 30% or less of AMI. The remaining 52 units will be set aside for persons earning 50% or less of AMI. The project will be built in conformance with LEED Silver standards, creating a healthier and more energy efficient environment for the residents.

As a condition for receiving the HOME Loan, the Borrower has agreed to provide 14 units that will be targeted and restricted to non-elderly disabled residents (NEDs), which is greater than the 15% of the total units required. The Borrower has further agreed to provide an additional eight units which will be compliant with the UFAS rules and the Bailey Consent Decree. The NEDs units will be restricted for at least 15 years in accordance with and meeting the requirement of the Bailey Consent Decree. The term "Non Elderly Person with Disabilities" 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.

Eight of the UFAS units must be reserved for residents from HABC's waiting list for a period of 40 years, and must conform to the Long Term Affordable Standards as set forth in the Bailey Consent Decree.

## MINUTES

DHCD - cont'd

Chaney & Associates has prepared an appraisal for the permanent lenders dated September 21, 2011. The estimated market value of the subject property as if completed and stabilized at restricted rents with consideration to the tax credits is \$13,811,247.00. 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.

**PARTICIPATING PARTIES:**

- A. **Developer** - The managing member of the Borrower, LJ Johnson Square, LLC is a joint venture consisting of the French Development Company and Empire Homes of Maryland, Inc.
- B. **General Contractor** - Southway Builders, Inc. will act as the general contractor and will post a payment and performance bond. Cho Benn Hollback & Associates will provide architectural services.
- C. **Participating Lenders**

Bank of America, or its affiliate will provide a construction bridge loan in a first lien position in the approximate amount of \$5,300,000.00 (the Bank of America Construction Loan). The Bank of America Construction Loan will have a term of 24 months. The interest rate will be

**MINUTES**DHCD - cont'd

the 1-month LIBOR plus 3%. Interest will be due and payable monthly and interest will accrue at a variable rate, which will be determined monthly using a spread over the one-month LIBOR. The Bank of America Construction Loan will be repaid from tax credit equity available at construction completion. The HOME Loan will be secured by a second-lien during construction and will be in an aggregate principal amount not to exceed \$1,380,000.00. During the construction loan period, which will not exceed 24 months from the date of initial closing, no interest will be charged on the outstanding principal balance of the loan. During the permanent loan period, the HOME Loan will be secured by a first lien and have a 40 year term. During the permanent loan period, interest will accrue at the lower of the Applicable Federal Rate or 4% simple interest. Payments of principal and interest will be made from available surplus cash flow on an annual basis following the payment of all acceptable project expenses. The HOME Loan will be a non-recourse debt.

The Department of Finance has reviewed the loans and recommends approval by the Board.

**MBE/WBE PARTICIPATION :**

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

**TRANSFER OF FUNDS**

	<b><u>AMOUNT</u></b>	<b><u>FROM ACCOUNT/S</u></b>	<b><u>TO ACCOUNT/S</u></b>
1.	<b>\$1,380,000.00</b>	9910-915011-9609	9910-902182-9610
	Federal HOME	Reserve A/C	Lillian Jones
		HOME FY 2011	Senior Apartments

This transfer will provide HOME funds to LP Johnson Square, LLC to support a portion of the construction cost of Lillian Jones Apartments.

## MINUTES

DHCD - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of the HOME Investment Partnerships Program loan to LJ Johnson Square, LLC. The Board also further authorized 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. The transfer of funds was approved subject to receipt of a favorable report from the Planning Commission, the Director of Finance having reported favorably thereon, as required by the provisions of the City Charter. The President **ABSTAINED**.

**MINUTES**

Department of Housing and - HOME Loan  
Community Development

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a HOME Investment Partnerships Program loan in an amount not to exceed \$210,000.00 to 2301 N. Charles Street, Inc. The Board is further 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 MONEY AND SOURCE:**

<u>SOURCES</u>		<u>USES</u>	
HOME Funds	\$ 210,000.00	Acquisition	\$324,800.00
CDA/Partnership	525,000.00	Construction	655,508.00
Rental		Financing Fees	90,395.00
MD/DHMH Grant	<u>560,014.00</u>	Construction	54,575.00
		Financing Fees	
		Guarantees/Reserves	33,607.00
		Developer's Fee	<u>136,129.00</u>
<b>TOTAL</b>	<b>\$ 1,295,014.00</b>	<b>TOTAL</b>	<b>\$1,295,014.00</b>

Accounts: 9910-905081-9610

**BACKGROUND/EXPLANATION:**

The Community Housing Associates, Inc. (CHA) is a private, non-profit organization dedicated to developing and managing affordable housing for low-income individuals and families in the City who are affected by psychiatric disabilities. By linking residents of the program's housing with a network of mental health services, the organization can enable individuals to live safely within communities with the greatest independence. The CHA was established as an independent, housing development organization in 1989 through an initiative of the Baltimore Mental Health Systems (BMHS), a public, coordinating agency for mental health services in the City.

## MINUTES

DHCD - cont'd

Since 1989, the CHA has provided comprehensive housing services to enhance the quality of life and emphasize self-sufficiency for their clientele.

The borrower, 2301 N. Charles Street, Inc., is a wholly owned non-profit subsidiary of the CHA. In the earlier part of 2010, the CHA acquired 2301 North Charles Street (the Property) and has proposed renovating the Property into seven, one-bedroom units for individuals at or below 30% of the Area Median Income (AMI).

The CHA has agreed that the units will be targeted and restricted to "non-elderly disabled residents" (NEDs) earning 30% or less of the AMI. The City and the HABC will require the units to be restricted for exclusive use for at least 15 years in accordance with and meeting the requirements of the Bailey Consent Decree. The term "non-elderly disabled" refers to a family whose: 1) sole member, head of household, or head of household's spouse is a person with a disability who is under age 62, 2) is eligible for a one-bedroom public or a two-bedroom public housing unit because a second bedroom is needed for disability-related reasons, and 3) is on a HABC waiting list for public or Section 8 subsidized housing.

2301 North Charles Street is located in the Charles Village section of the City. Due to the historic nature of the rehabilitation, the Project will require an extensive historic and environmentally sensitive renovation to include the addition of a handicapped accessible unit and the addition of all new plumbing services. Not only does the project afford the CHA an opportunity to provide housing to an extremely vulnerable population (very low-income with disabilities), but the project will also meet the priorities of the Bailey Consent Decree.

The Cassidy Turley Valuation Group prepared an appraisal for the borrower dated, April 2010, which was updated by Grubb-Ellis Landauer Valuation Advisory Services on November 30, 2011. The estimated market value of the subject property as if completed and stabilized at restricted rents is estimated to be \$825,000.00. The appraised value is below the total development cost of the project,

## MINUTES

DHCD - cont'd

which is common for transactions with subsidized rents and preferred governmental financing. 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 Department is comfortable with recommending the HOME Loan as described under these circumstances.

**Participating Parties:**

- A. **Developer:** 2301 N. Charles St., Inc., a wholly owned subsidiary of Community Housing Associates, Inc., will be the developer of record.
- B. **General Contractor:** Brinton Building, Inc. will be the General Contractor and will be required to post a 100% Payment and Performance Bond.
- C. **Architect:** The GBA will be the architect of record for the project.
- D. **Participating Lenders:** The State of Maryland's Department of Housing and Community Development will provide Partnership Rental Housing loan funds for \$525,000.00. Proceeds of the loan will be used to assist with the rehabilitation of the seven rental units. The loan will bear an interest rate equal to the rate of interest paid by the State on the State Bonds and secured by a first lien. All payments of principal and interest will be deferred as long as the project is owned and operated as a Partnership Rental Housing project. Loan payments will be deferred and remain outstanding in perpetuity. The entire principal balance, together with all deferred interest will become due and payable on the occurrence of: (a) the project is no longer being used as a Partnership Rental Housing project; (b) the refinancing, sale, transfer, or conveyance of the project; (c) any encumbrance of the project without the prior written consent of the CDA.

**MINUTES**DHCD - cont'd

The Department will provide HOME funds in an amount not to exceed \$210,000.00 and be secured by a second lien on the property. During the "construction loan period," which will be the twelve-month period from loan closing, interest will accrue at a rate of 0% per annum on sums advanced. During the permanent loan period, the interest rate charged will be at 0% on sums advanced. The permanent loan period will be 20 years commencing at the end of the construction loan period. The entire outstanding principal amount and any accrued interest will be forgiven upon the completion of the permanent loan period.

The Maryland Department of Health and Mental Hygiene will provide grant funds in an amount not to exceed \$560,014.00. These funds will be used to assist with the rehabilitation of the building and will be unsecured.

**MBE/WBE PARTICIPATION:**

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

The Department of Finance reviewed the loans and recommended approval by the Board.

**TRANSFER OF FUNDS**

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$210,000.00	9910-926010-9609	9910-905081-9610
Federal HOME FY 2010	Reserve A/C	2301 North Charles St.

This transfer will provide HOME funds to 2301 N. Charles Street, Inc. for the construction and rehabilitation of 2301 N. Charles Street.

**MINUTES**

DHCD - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of the HOME Investment Partnerships Program loan in an amount not to exceed \$210,000.00 to 2301 N. Charles Street, Inc. The Board also authorized 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. The President **ABSTAINED**.



## MINUTES

DHCD - cont'd

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

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

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

**MWBOO GRANTED A WAIVER.**

**3. KIPP BALTIMORE, INC. \$326,000.00**

Account: 9910-907904-9588-900005-709099

KIPP Baltimore, Inc. is a middle school in the Park Heights community. Under the terms of this agreement, the funds will be used to continue the organization's educational programs and to expand and improve academic achievement. The period of the agreement is effective upon Board approval for two years.

**FOR FY 2011, MBE AND WBE PARTICIPATION GOALS FOR THE ORGANIZATION WERE SET ON THE AMOUNT OF \$11,500.00, AS FOLLOWS:**

**MBE:** \$1,725.00

**WBE:** \$ 575.00

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

MINUTES

DHCD - cont'd

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

**MINUTES**

Department of Housing and - Head Start Agreement  
Community Development

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a Head Start agreement with Baltimore Mental Health Systems, Inc., provider of mental health services for Baltimore City Head Start Programs. The period of the agreement is July 1, 2011 through June 30, 2012.

**AMOUNT OF MONEY AND SOURCE:**

\$315,710.00 - 4000-486311-6051-452299-603051

**BACKGROUND/EXPLANATION:**

The organization is the provider of mental health services for ten of the City's Head Start Programs. Under the terms of this agreement, the organization is responsible for providing Head Start mental health services to children and their families in Baltimore City.

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

**MWBOO GRANTED A WAIVER.**

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Head Start agreement with Baltimore Mental Health Systems, Inc. The President **ABSTAINED**.

MINUTES

TRANSFER OF FUNDS

\* \* \* \* \*

UPON MOTION duly made and seconded,

the Board approved

the Transfers of Funds

listed on the following page:

4160

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

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Department of Recreation and Parks</u>		
1. \$ 100,000.00	9938-904758-9475	9938-901758-9474
MVR	Reserve	Active
	Major Park	Major Park
	Improvements	Improvements
	FY09	FY09

This transfer will provide funds to cover the costs associated with the furnishing and installing of park signs in Druid Hill Park.

**MINUTES**

Department of Transportation - Memorandum of Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a memorandum of agreement (MOA) among the Department of Transportation (DOT), Federal Highway Administration (FHWA), Maryland State Highway Administration (MD SHA), and the Maryland State Historic Preservation Office (MD SHPO), for Replacement of the Annapolis Road Bridge over MD 295, Baltimore, MD. This MOA will be null and void if its terms are not carried out within five years from the date of its execution, unless signatories agree in writing to an extension for carrying out its terms.

**AMOUNT OF MONEY AND SOURCE:**

N/A

**BACKGROUND/EXPLANATION:**

The FHWA proposed to assist the City with the replacement of the Annapolis Road Bridge over MD 295 in Baltimore City. The FHWA through the interagency Historic Bridge Committee determined that the Annapolis Road Bridge over MD 295 is eligible for inclusion on the National Register of Historic Places under Criterion C, and the MD SHPO. The FHWA, the City, MD SHA, and the MD SHPO agreed that undertaking will be implemented in accordance with the following stipulation (included in the MOA) in order to take into account the effect of the undertaking on historic properties. The FHWA will ensure that the following measures will be implemented: The City will provide to MD SHPO black and white photographs sufficient to portray the bridge's elevations, a copy (8 ½ X 11) of any original drawings that may exist for the Annapolis Road Bridge, and will submit the required documentation to the MD SHPO for review and comment prior to any demolition work.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the memorandum of agreement among the

**MINUTES**

Department of Transportation - cont'd

Department of Transportation, Federal Highway Administration, Maryland State Highway Administration, and the Maryland State Historic Preservation Office, for replacement of the Annapolis Road Bridge over MD 295, Baltimore, MD.

**MINUTES**

Department of Transportation - On-Call Task Assignment

**ACTION REQUESTED OF B/E:**

The Board is requested to approve an assignment of Task No. 007 to McCormick Taylor, Inc. under Project No. 1123, On-Call Transportation Planning/Policy/Feasibility.

**AMOUNT OF MONEY AND SOURCE:**

\$116,942.88 - 9950-904545-9506-900010-703032

**BACKGROUND/EXPLANATION:**

This authorization provides for engineering design services for the creation of the Federal Railroad Administration (FRA) Quiet Zone in the Locust Point area. The FRA Quiet Zone will allow the railroad to operate at the crossings without sounding their horns. This process requires extensive study before rail crossing can be silenced. This process will include but not be limited to developing Quiet Zone scenario, coordination with railroads and stakeholders, issue of intent for a Quiet Zone and create Final Design for the Quiet Zone, should it be approved by the FRA.

**MBE/WBE PARTICIPATION:**

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

**APPROVED FOR FUNDS BY FINANCE**

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

UPON MOTION duly made and seconded, the Board approved the assignment of Task No. 007 to McCormick Taylor, Inc. under Project No. 1123, On-Call Transportation Planning/Policy/Feasibility.

**MINUTES**

Department of Transportation - Assignment and Assumption Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of an assignment and assumption agreement for a company name change formerly under the name 24/7 Cable Company, LLC (Lessee) to be changed to 24/7 Mid-Atlantic Network, LLC (Buyer). The period of the agreement is effective upon Board approval.

**AMOUNT OF MONEY AND SOURCE:**

N/A

**BACKGROUND/EXPLANATION:**

The Department of Transportation has agreed to accept the name change of 24/7 Cable Company, LLC to 24/7 Mid-Atlantic Network, LLC, upon Board's approval. This consent of assignment and assumption in connection with a Conduit Lease Agreement with Baltimore City, dated August 29, 2007, Pursuant to the terms of the Asset Purchase Agreement between the lessee and buyer (the transaction), the lessee will sell substantially all of its assets to the buyer. Upon the consummation of the transaction (closing), and upon the execution of the Instant Agreement, the buyer will assume the obligations of the lessee under the terms of the conduit lease agreement and will pay the City at Closing no less than \$447,429.06, the full remaining balance of what is owned by the lessee. The buyer will continue to purchase service from the City, pursuant to the terms of the conduit lease agreement, including the use of the 329,803.68 linear feet of conduit which lessee is presently leasing at an annual rate of \$0.95 per duct foot.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the assignment and assumption agreement for a company name change formerly under the name 24/7 Cable Company, LLC to be changed to 24/7 Mid-Atlantic Network, LLC.

**MINUTES**

Department of Transportation - On-Call Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of an on-call agreement with HAKS Engineers, Inc. for Project No. 1162, On-call Consultant Services for Reconstruction and Resurfacing Projects. The period of the agreement is effective upon Board approval for two years, or until the upset limit is reached, whichever comes first.

**AMOUNT OF MONEY AND SOURCE:**

\$1,000,000.00 - Upset limit

**BACKGROUND/EXPLANATION:**

The Department has negotiated and procured a consulting agreement approved by the Office of Boards and Commission as well as the Architectural and Engineering Commission and now desires to utilize the services of the consultant. The cost of services rendered will be on actual payroll rates not including overhead and burden times a set multiplier. The payroll rates and multiplier have been reviewed by the Department of Audits. The consultant will assist the Transportation Engineering and Construction Division in engineering design services to include, but are not limited to, on-site project support, GIS support and tasks for various Capital Improvement Projects.

The consultant has been approved by the Architect and Engineering Awards Commission (AEAC) procedures.

**MBE/WBE PARTICIPATION:**

<b>MBE:</b> EBA Engineering, Inc.	\$270,000.00	27.00%
<b>WBE:</b> Carroll Engineering, Inc.	\$ 90,000.00	9.00%

## MINUTES

DOT - cont'd

MWBOO FOUND VENDOR IN COMPLIANCE.

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

UPON MOTION duly made and seconded, the Board approved and authorized execution of the on-call agreement with HAKS Engineers, Inc. for Project No. 1162, On-call Consultant Services for Reconstruction and Resurfacing Projects.

**MINUTES**

Department of Real Estate - Tax Sale Certificate

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the assignment of a Tax Sale Certificate to Mr. Richard Karel, Managing Partner of Robinson-Maisel, LLC, for an amount that is less than the lien amount, for the property located at 2639 Maisel Street.

**AMOUNT OF MONEY AND SOURCE:**

<u>Property Address</u>	<u>Assessed Value</u>	<u>Flat Taxes &amp; Water</u>	<u>Total Liens</u>	<u>Assignment Amount</u>
2639 Maisel Street	\$1,190.00	\$1,055.48	\$315,664.96	\$1,190.00

**BACKGROUND/EXPLANATION:**

The City acquired the Tax Sale Certificate for 2639 Maisel Street on May 17, 2010 in the amount of \$315,664.96. Mr. Karel, Managing Partner of Robinson-Maisel, LLC owns the adjacent property located at 2637 Maisel Street and has offered to purchase the Tax Sale Certificate in the amount of \$1,190.00, file the petition to foreclose, acquire title to the property and return it to productive use as a side yard for the adjacent property.

The purchase price of \$1,190.00 will cover the property's flat taxes and water of \$1,055.00. Comparable sales of vacant properties in the neighborhood indicate an appraised value of approximately \$1,000.00.

UPON MOTION duly made and seconded, the Board approved the assignment of a Tax Sale Certificate to Mr. Richard Karel, Managing Partner of Robinson-Maisel, LLC, for an amount that is less than the lien amount, for the property located at 2639 Maisel Street.

**MINUTES**

Baltimore City Health Department - Notice of Grant Award and  
Revised Notice of Grant Award

**ACTION REQUESTED OF B/E:**

The Board is requested to approve acceptance of the notice of award (NOA) for the Comprehensive STD Prevention Systems Project and approve the revised notice of grant award (RNOA) from the Centers for Disease Control and Prevention. The period of the grant extension is June 1, 2008 through September 30, 2011.

**AMOUNT OF MONEY AND SOURCE:**

\$1,023,915.00	Original Notice of Award
<u>435,895.00</u>	Revised Notice of Award
<b>\$1,459,810.00</b>	- 4000-422511-3030-271500-404001

**BACKGROUND/EXPLANATION:**

On December 28, 2010, the BCHD received the Notice of Award for the amount of \$1,023,915.00 for the period of January 01, 2011 through December 31, 2011. However, because of staffing changes the NOA was misplaced. On August 25, 2011, the BCHD received the revised NOA award for an increase of \$435,895.00.

This award will allow the Baltimore City Health Department (BCHD) to provide clinical services for STD's at two full service free STD clinics located in high STD morbidity areas within the City. The program's mission is to reduce the incidence of STDs in Baltimore City, and thereby improve the health status of its citizens.

**APPROVED FOR FUNDS BY FINANCE**

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

UPON MOTION duly made and seconded, the Board approved the acceptance of the notice of award for the Comprehensive STD

MINUTES

Baltimore City Health Department - cont'd

Prevention Systems Project and approve the revised notice of grant award from the Centers for Disease Control and Prevention.

**MINUTES**

Health Department - Memorandum of Understanding

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the memorandum of understanding (MOU) with the Maryland Department of Public Safety and Correctional Services, Division of Parole and Probation, a unit of the Maryland Department of Public Safety and Correctional Services (DPP/DPSCS). The period of the MOU is July 1, 2011 through June 30, 2012.

**AMOUNT OF MONEY AND SOURCE:**

\$590,000.00 - 5000-531112-3070-518500-405001

**BACKGROUND/EXPLANATION:**

The MOU will establish the terms and conditions of the award from DPP/DPSCS to the Baltimore City Health Department for the purpose of funding Baltimore Substance Abuse Systems to provide certain treatment services for a targeted population of criminal offenders.

The Baltimore City Health Department as the fiscal administrator will contract with BSAS to administer substance abuse treatment services for the Intensive Outpatient Substance Abuse Treatment Project.

The MOU is late because it was just finalized.

**APPROVED FOR FUNDS BY FINANCE**

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

UPON MOTION duly made and seconded, the Board approved and authorized execution of the memorandum of understanding with the

## MINUTES

Health Department - cont'd

Maryland Department of Public Safety and Correctional Services, Division of Parole and Probation, a unit of the Maryland Department of Public Safety and Correctional Services. The Mayor **ABSTAINED**. The President **ABSTAINED**.

**MINUTES**

Health Department - Expenditure of Funds

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize payment to Mission Media, LLC for providing a media campaign for the B'More for Healthy Babies, Safe Sleep. The period of invoices is June 6, 2011 through August 26, 2011.

**AMOUNT OF MONEY AND SOURCE:**

\$32,323.31 - 4000-422811-3080-294286-603051

**BACKGROUND/EXPLANATION:**

In April 2011, the Department obtained approval from the Maryland State Department of Health and Mental Hygiene (DHMH) to modify its fiscal year 2011 Improved Pregnancy Outcome (IPO) award budget to include funds to extend the safe sleep campaign. Mission Media, LLC was included in the modification because they previously provided media campaign services through a sub-grantee agreement with the Johns Hopkins University.

The Department apologizes for the delay in submitting the request to the Board. This item is being presented at this time due to delays in the administrative process.

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

UPON MOTION duly made and seconded, the Board approved and authorized payment to Mission Media, LLC for providing a media campaign for the B'More for Healthy Babies, Safe Sleep.

## MINUTES

Health Department - Agreements

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

1. **LIVING CLASSROOMS FOUNDATION, INC.** **\$348,000.00**

Account: 4000-485110-5750-694100-603051

The organization will provide services to stop or if possible, reduce the shootings and killing occurring in Baltimore City. The five components of the model are: Community Mobilization, Public Education, Cooperation with Law Enforcement, Outreach and Faith-based involvement.

The agreement is late because the Department was waiting on signatures and budget revisions.

**MWBOO GRANTED A WAIVER.**

2. **UNIVERSITY OF MARYLAND, BALTIMORE** **\$ 98,000.00**

Account: 4000-494412-3080-295900-603051

The University of Maryland, School of Social Work will provide a process and outcome evaluation for the Baltimore City Teen Pregnancy Prevention Initiative: Out of Home Youth Project.

The agreement is late because it was just completed.

**MWBOO GRANTED A WAIVER.**

3. **UNIVERSITY OF MARYLAND, BALTIMORE** **\$157,117.00**

Account: 4000-427112-3080-294300-603051

Under this agreement, the funds will be utilized to fund the Premature Infant Development and Enrichment Program (PRIDE 2). The purpose of Maryland's PRIDE 2 program is to

## MINUTES

Health Dept. - cont'd

provide a collaborative effort of identification, evaluation and service coordination for infants in the University of Maryland Hospital for Children (UMHC) Neonatal Intensive Care Unit (NICU), Mercy NICU who attend the UMHC NICU follow-up clinic, or who receive primary health care at Pediatrics at the Harbor who are eligible to receive primary health care through the Baltimore Infants and Toddlers Program.

The agreement is late because budget revisions delayed processing.

**MWBOO GRANTED A WAIVER.**

4. **UNIVERSITY OF MARYLAND, BALTIMORE** **\$255,000.00**

Account: 4000-422012-3030-513250-603051

The University will complete 8,500 rapid HIV tests for the Expanded HIV Program. Services will be provided in the Emergency Department at the University of Maryland Medical System, Mercy Hospital, and Maryland General Hospital. Services will also include but not be limited to; one site visit and potentially unannounced site visits as needed, and attend at least one collaborative grant meeting with the project monitors. All HIV testing counselors will attend required trainings and participate in annual competencies and proficiency testing programs.

The agreement is late because of a delay in receiving an acceptable scope and budget.

**MWBOO GRANTED A WAIVER.**

## MINUTES

Health Dept. - cont'd

5. **UNIVERSITY OF MARYLAND, BALTIMORE** **\$ 70,508.00**

Accounts: 5000-587410-5750-672212-603051 \$ 15,000.00  
 4000-428212-3080-294383-603051 \$ 55,508.00

The University of Maryland, Taghi Modaressi Center for Infant Study will work with the Baltimore Infants & Toddlers Program to provide case collaboration on identified children and families as well as training on social, emotional, and mental health topics. The agreement is late because budget revisions delayed processing.

**MWBOO GRANTED A WAIVER.**

6. **V-LINC, INC.** **\$ 16,550.00**

Account: 4000-428212-3080-294300-603051

The organization will provide home-based technology services to families referred by service coordinators of the Baltimore Infants & Toddlers Program, with primary focus on children with special needs. The agreement is late because it was just returned.

7. **PROGRESSUS THERAPY, LLC** **\$232,221.00**

Accounts: 4000-427112-3080-294300-603051 \$167,000.00  
 5000-587410-5750-668804-603051 \$ 65,221.00

The organization will conduct occupational speech language pathology and physical therapy services for the Baltimore Infants & Toddlers Program. Services will be coordinated with the program staff and in compliance with the local early intervention systems. This coordination will include orientation, training and time allocation for accumulation of documentation and reporting for compliance to the Maryland Model for School Readiness.

The agreement is late because it was just finalized.

**MWBOO GRANTED A WAIVER.**

## MINUTES

Health Dept. - cont'd

8. **THE JOHNS HOPKINS HOSPITAL (JHH)** **\$ 26,130.00**

Account: 4000-427112-3080-294300-603051

The JHH Department of Pediatrics will provide a service coordinator for early intervention coordination at the Martin Luther King Jr. Head Start Program.

The agreement is late because it was just finalized.

**MWBOO GRANTED A WAIVER.**

9. **THE JOHNS HOPKINS UNIVERSITY (JHU)** **\$301,612.00**

Account: 4000-418812-3030-273100-603051

The University will provide HIV counseling, testing and referral for 13,000 clients presenting in the Eastern/Druid Sexually Transmitted Diseases Clinics of the Baltimore City Health Department who are at risk for HIV infection or who are in various stages of HIV infection.

The agreement is late because of a delay in receiving an acceptable scope and budget.

**MWBOO GRANTED A WAIVER.**

10. **THE JOHNS HOPKINS UNIVERSITY (JHU)** **\$ 25,000.00**

Account: 4000-422712-3080-271200-603051

The JHU School of Medicine for reproductive health services at Harriett Lane Adolescent Clinic will provide reproductive health services for uninsured and underinsured citizens of Baltimore City. Services will include but not be limited to: education, contraception, screening, and referral of reproductive-related cancers.

The agreement is late because it was just completed.

**MWBOO GRANTED A WAIVER.**

## MINUTES

Health Dept. - cont'd

11. **UNION MEMORIAL HOSPITAL, INC.** **\$181,022.00**

Account: 4000-497312-3041-688202-603051

The organization will provide colorectal cancer screening services. The organization will provide colorectal cancer screening services to clients referred by the Health Department. Services will include but not be limited to pre-consult or physical examination, post colonoscopy visit, hospital services for colonoscopy with or without biopsy, and physician services for colonoscopy.

The agreement is late because of a delay in receiving an acceptable scope of services.

**MWBOO GRANTED A WAIVER.**

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

Account: 4000-424212-3030-513201-603051

The organization will provide the services of a Prevention Specialist to conduct behavior modification sessions and counseling for intravenous drug users and other substance abusers in Baltimore City. The period of the agreement is July 1, 2011 through December 31, 2011.

The agreement is late because the request was received on July 22, 2011.

13. **HEALTH CARE FOR THE HOMELESS, INC.** **\$664,582.00**

Account: 5000-523012-3041-606000-603051

The organization will continue to provide primary health care services for homeless persons through its clinic and outreach program in the greater Baltimore area.

The agreement is late because it was just finalized.

**MWBOO GRANTED A WAIVER.**

## MINUTES

Health Dept. - cont'd

14. **HEALTHY TEEN NETWORK, INC. (HTN)** **\$ 55,000.00**

Account: 4000-494412-3080-295900-603051

The HTN will assist the Health Department with the development and implementation of a health education curriculum for child welfare workers and foster care providers for the Baltimore City Teen Pregnancy Prevention Initiative: Out of Home Youth Project.

The agreement is late because the Department was notified of the award on July 28, 2011.

**MWBOO GRANTED A WAIVER.**

15. **PLANNED PARENTHOOD OF MARYLAND, INC. (PPM)** **\$ 75,000.00**

Account: 4000-494412-3080-295900-603051

The PPM will assist the Health Department with the development and implementation of a health education curriculum for child welfare workers and foster care providers for the Baltimore City Teen Pregnancy Prevention Initiative: Out of Home Youth Project. The goals of this initiative are to educate significant adults and work with out-of-home youth on pregnancy prevention and to develop a curriculum for integration within in-service programs for professionals and providers.

The agreement is late because the signatory changed.

**MWBOO GRANTED A WAIVER.**

## MINUTES

Health Dept. - cont'd

16. **BALTIMORE SUBSTANCE ABUSE SYSTEMS, INC. (BSAS)** **\$1,354,268.00**

Account: 1001-000000-3070-286400-603051

The funds will be utilized to provide funds to BSAS for recovery support, integration of services, oversight, coordination and improvement of the Buprenorphine Initiative.

**MWBOO GRANTED A WAIVER.**

17. **THE BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS** **\$9,664,683.00**

Account: 6000-624912-3100-297100-406001

The Baltimore City Public School System (BCPSS) with the assistance of the Baltimore City Health Department will provide adequate and appropriate School Health Services to students of the BCPSS.

The BHCD will provide School Health Suite Coverage, the School Health Assessment Program and School Based Health Centers.

The agreements are late because they were just returned from the providers.

**MWBOO GRANTED A WAIVER.**

18. **SISTERS TOGETHER AND REACHING, INC. (STAR)** **\$ 28,807.00**

Account: 4000-424212-3030-513208-603051

STAR will provide HIV Health Education and Risk Reduction Services to women in communities most impacted by HIV/AIDS who engage in behaviors that put them at high risk for becoming HIV infected. The agreement is late because it was just completed.

**MWBOO GRANTED A WAIVER.**

## MINUTES

Health Dept. - cont'd

19. **PACT: HELPING CHILDREN WITH SPECIAL NEEDS, INC.** \$ 55,588.00

Account: 5000-585810-5750-668805-603051

PACT will serve four children with Autism in a comprehensive, integrated childcare setting. The children will spend two hours, three days a week in an intensive classroom that utilizes mixed methods teaching approach, incorporating Picture Exchange Communication Systems, Discrete Trial and Pivotal Response Training, and verbal behavior.

The agreement is late because budget revisions delayed processing.

**MWBOO GRANTED A WAIVER.**

20. **THE HEARING AND SPEECH AGENCY OF OF METROPOLITAN BALTIMORE, INC.** \$104,140.00

Accounts: 4000-427112-3080-294300-603051 \$ 44,140.00  
5000-587410-5750-672201-603051 \$ 60,000.00

The organization will provide a speech language pathologist to staff the Baltimore Infants and Toddlers Program Eligibility Center to cover assessment documentation and meeting attendance as requested by the Director of the Baltimore Infants and Toddlers Program.

The agreement is late because budget revisions delayed processing.

**MWBOO GRANTED A WAIVER.**

**APPROVED FOR FUNDS BY FINANCE**

## MINUTES

Health Dept. - cont'd

**AUDITS REVIEWED AND HAD NO OBJECTION.**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the aforementioned agreements. The Mayor **ABSTAINED** on items no. 1, and 16. The President **ABSTAINED** on items no. 1, 8, 9, 10, and 16.

## 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. Randy Philip and Muriel Debrosse	933 N. Castle St.	L/H	\$ 9,240.00
Funds are available in account 9910-906416-9588-900000-704040, EDBI Project, Phase II. This project is part of the Middle East Renewal Plan.			
2. Vince Torain and Connie Torain, Jr.	1701 Ellsworth St.	L/H	\$46,875.00
Funds are available in account 9910-906416-9588-900000-704040, EDBI Project, Phase II. This project is part of the Broadway East Renewal Plan.			
3. Eugene Noah Bankard	1307 Hillman St.	G/R \$30.00	\$ 200.00
Funds are available in account 9910-910715-9588-900000-704040, Johnston Square Project.			
4. Sarah Day's, LLC	4806 Pimlico Rd.	F/S	\$11,650.00
5. Toba Grant	3300 Virginia Ave.	G/R \$120.00	\$ 1,100.00
Funds are available in account 9910-903187-9588-900000-704040, Park Heights Site.			

## MINUTES

OPTIONS/CONDEMNATION/QUICK-TAKES:

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>DHCD - Options - cont'd</u>			
6. Fieldcrest Ltd. Partnership	3332 Woodland Ave.	G/R \$90.00	\$ 600.00
7. Fieldcrest Ltd. Partnership	3332 ½ Woodland Ave.	G/R \$96.00	\$ 640.00

Funds are available in account 9910-903187-9588-900000-704040, Park Heights Demo-Woodland/Virginia Corridor.

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

8. Michelle V. Brown	3323 Virginia Ave.	F/S	\$34,000.00
9. Interstate Mortgage Servicing, Inc.	3417 Woodland Ave.	G/R \$120.00	\$ 1,000.00

Funds are available in account 9910-903187-9588-900000-704040, Park Heights Demo-Woodland/ Virginia Corridor.

10. Marcel Gardner	616 E. Biddle St.	L/H	\$ 3,620.00
11. JJM Realty, LLC and J. Edison Properties, LLC	936 E. Biddle St.	L/H	\$ 3,900.00

Funds are available in account 9990-907714-9593-900001-704040, Johnston Square Project.

## MINUTES

OPTIONS/CONDEMNATION/QUICK-TAKES:

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>DHCD - Condemnations</u> - cont'd			
12. Environmental Crisis Center, Inc.	914 E. Preston St.	L/H	\$ 1,400.00
13. Emerald Bay Development Group One, Inc.	1219 Valley St.	L/H	\$ 4,720.00
14. Fraternity Federal Savings and Loan Assn.	1310 Valley St.	G/R \$84.00	\$ 560.00

Funds are available in account 9990-907714-9593-900001-704040, Johnston Square Project.

15. Edward J. Quintero, (Deceased)	314 E. 20 <sup>th</sup> St.	G/R \$96.00	\$ 640.00
16. Joan Hoppert (Deceased) and Glenn Hoppert (Deceased)	428 E. 20 <sup>th</sup> St.	G/R \$65.00	\$ 433.33

Funds are available in UDAG Funds account 9912-910713-9591-900000-704040, Barclay Project.

17. Julius Levin (Deceased)	1000-1012 Valley St.	G/R \$45.00	\$ 300.00
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Funds are available in CDBG Funds, account 9990-907714-9593-900001-704040, Johnston Square Project.

**MINUTES**DHCD - Condemnations - cont'd

The Board is requested to approve acquisition of the ground rent interest by condemnation, or in the alternative may, SUBJECT to the prior approval of the Board, make application to the Maryland Department of Assessments and Taxation to redeem or extinguish the ground rent interest for item nos. 15, 16, and 17.

UPON MOTION duly made and seconded, the Board approved the options, and condemnations.

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

\* \* \* \* \*

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

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

4187 - 4192

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

The Transfer of Funds was approved  
SUBJECT to receipt of favorable a report  
from the Planning Commission,  
the Director of Finance having reported favorably  
thereon, as required by the provisions  
of the City Charter.

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

Item no. 1 was **WITHDRAWN**.

## MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONSDepartment of Recreation & Parks

1. B50002071, Management and Operation of Recreation Centers

<u>Vendor</u>	<u>Center/s</u>	<u>Seed Money Award</u>
Boys and Girls Clubs of Metropolitan Baltimore	Brooklyn O'Malley	\$ 0.00
Little Dimples II Corporation	Woodholme & Liberty	\$100,000.00 (for Woodholme)
Omega Baltimore Foundation, Inc.	Easterwood	\$ 50,000.00
Reclaiming Our Children and Community Project, Inc.	Collington Square & Lillian Jones	\$ 50,000.00 (for Lillian Jones) <b>\$200,000.00</b>

**MWBOO SET GOALS OF 7% FOR MBE AND 3% FOR WBE.**

BOYS AND GIRLS CLUBS OF METROPOLITAN BALTIMORE

**MBE:** A&J Cleaning Services See note below \*

**WBE:**

\*A&J Cleaning services is not certified as a MBE with Baltimore City.

**MWBOO FOUND VENDOR IN NON-COMPLIANCE.**

## MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONSDepartment of Recreation & Parks - cont'dLITTLE DIMPLES II CORPORATION

**MBE:** Food Co See note below<sup>1</sup>

**WBE:** Sue Ann's Office Supplies 0.75%<sup>2</sup>

<sup>1</sup>Food Co is not certified as a MBE with Baltimore City.

<sup>2</sup>Only 25% of each contract goal may be attained by expenditures to MBEs/WBEs that are non-manufacturing suppliers; therefore the maximum amount has been applied.

**MWBOO FOUND VENDOR IN NON-COMPLIANCE.**OMEGA BALTIMORE FOUNDATION, INC.

**MBE:** Taylor Made Transportation Services, Inc. 6%  
Lambert Insurance Agency, Inc. 1%

**WBE:** Eminence Group, LLC 3%

**MWBOO FOUND VENDOR IN COMPLIANCE.**RECLAIMING OUR CHILDREN AND COMMUNITY PROJECT, INC.<sup>1</sup>

**MBE:** Keene Cut Lawn Service, Inc. 7.00%<sup>2</sup>

**WBE:**

<sup>1</sup>Reclaiming Our Children and Community Project, Inc. is not in good standing with the Maryland Department of Assessments and Taxation.

<sup>2</sup>Keene Cut Lawn Service, Inc. is not in good standing with the Maryland Department of Assessments and Taxation. The bidder will be allowed to substitute an approved MBE if Keene Cut Lawn Service, Inc. is not in good standing at the time of the award.

**MWBOO FOUND VENDOR IN NON-COMPLIANCE.**

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

Department of Recreation & Parks - cont'd

THE AWARDS TO BOYS AND GIRLS CLUBS OF METROPOLITAN BALTIMORE, LITTLE DIMPLES II CORPORATION, AND RECLAIMING OUR CHILDREN AND COMMUNITY PROJECT, INC. ARE CONTINGENT UPON THE VENDORS COMING INTO COMPLIANCE WITH MBE/WBE REQUIREMENTS AND THE MARYLAND DEPARTMENT OF ASSESSMENTS AND TAXATION WITHIN TEN DAYS OF THIS AWARD.

A PROTEST WAS RECEIVED FROM KIM TRUEHEART.

2.	RP 11851, Roof and Related Work Carroll Park 800 Bayard Street	J&K Contracting, Inc. Recreation	\$ 138,000.00   Center
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MBE:	Couser Supply, Inc.	\$11,040.00	8.00%
WBE:	Bay Associates Environmental, Inc.	\$ 5,520.00	4.00%

MWBOO FOUND VENDOR IN COMPLIANCE.

3. TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$ 60,000.00 25 <sup>th</sup> Series Rec. & Parks	9938-903789-9475 Reserve Recreation Facility Renovation	9938-902789-9475 Active Recreation Facility Renovation

This transfer will provide funds to cover the costs associated with the award of contract RP 11851, Carroll Park Recreation Center Roof Replacement to J&K Contracting, Inc.

# Kim A. Trueheart

December 12, 2011

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 neighborhoods surrounding the Liberty Recreation Center located at 3901 Maine Ave, of which I am a member, in good standing.

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. Solicitation No. B50002071 if awarded:
    - i. Violates Baltimore City Minority and Women's Business Enterprise Law of November 27, 2007 (Ordinance 07-474);
    - ii. Promotes disparate and preferential treatment between users/stewards/constituents of Bureau of Parks and Bureau of Recreation;
    - iii. Will be more costly to the citizens of Baltimore;
    - iv. Will introduce barriers which limit opportunity and access to recreational services and programs.
3. How the protestant will be harmed by the proposed Board of Estimates' action: As a citizen I am experiencing a significant financial burden with annual tax increases, sewer and water service increases, user fee increases, parking meter rate increases and significantly reduce services as a resident. This already onerous burden will be exacerbated by this privatization initiative and will increase municipal costs in other departments as a result of the reduction of opportunity and access to recreational services and programs for our most vulnerable residents, children and seniors.

I look forward to the opportunity to address this matter in person at your upcoming meeting of the Board of Estimates on December 14, 2011.

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

Sincerely,

  
Kim Trueheart  
Citizen

COMPT/BOE DEC 13 '11 AM11:46

5519 Belleville Ave  
Baltimore, MD 21207

## MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONSBureau of Purchases

4. B50002131, Lead		<b>\$1,800,000.00</b>
Abatement at Low		
Income Residences	Colossal Contractors, Inc.	300,000.00
	Coalition to End Childhood Lead Poisoning, Inc.	300,000.00
	Hawkeye Construction, LLC	300,000.00
	MAC-Par Services, Inc.	300,000.00
	U.K. Construction & Management, LLC	300,000.00
	Goel Services	300,000.00

**MWBOO SET GOALS OF 27% MBE AND 10% WBE.**Colossal Contractors, Inc.

**MBE:** First Potomac Environmental Corp., Inc. 27.00%  
**WBE:** Adapt Home Improvement Company LLC. 10.00%

**MWBOO FOUND VENDOR IN COMPLIANCE**Coalition to End Childhood Lead Poisoning, Inc.

**MBE:** Adapt Home Improvement Company LLC. 27.00%  
**WBE:** Baltimore Window Factory, Inc. see note below\*

\*Baltimore Window Factory, Inc. is not certified for materials/supplies: 'lead hazard reduction supplies.'

**MWBOO FOUND VENDOR IN NON-COMPLIANCE.**

## MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONSBureau of Purchases - cont'dHawkeye Construction, LLC

**MBE:** First Potomac Environment Corp. LLC. 27.00%  
**WBE:** Baltimore Window Factory, Inc. see note below\*

\*The Baltimore Window Factory, Inc. is not certified to perform the work/service: 'install replacement windows.'

**MWBOO FOUND VENDOR IN NON-COMPLIANCE.**

MAC-Par Services, Inc.

**MBE:** Adapt Home Improvement Company, LLC. 27.00%  
**WBE:** Baltimore Window Factory, Inc. see note below\*

\*The Baltimore Window Factory, Inc. is not certified to perform the work/service: 'window installations.'

**MWBOO FOUND VENDOR IN NON-COMPLIANCE.**

U.K. Construction & Management, LLC

**MBE:** First Potomac Environmental Corp. Inc. 27.00%  
**WBE:** Rosemarys Cleaning Company 3.00%  
The Law Offices of Lara Wilkinson see note below\*

\*On Part B: Statement of Intent Form, The Law Offices of Lara Wilkinson is not certified for the work/service listed.

**MWBOO FOUND VENDOR IN NON-COMPLIANCE.**

## MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONSBureau of Purchases - cont'dGoel Services, LLC

**MBE:** Danison, Inc. see note below<sup>1</sup>  
**WBE:**

<sup>1</sup> Part B: MBE/WBE Statement of Intent form does not list a description of the work/service or materials/supplies and does not list a subcontract amount or subcontract percentage. Danison, Inc. is not in good standing with the Maryland Department of Assessments and Taxation. The bidder will be allowed to substitute an approved MBE if Danison, Inc. is not in good standing at the time of award.

**MWBOO FOUND VENDOR IN NON-COMPLIANCE**Department of Transportation

5.	B50002149, Thermo-plastic Pavement Marking Vehicle	M-B Companies, Inc.	\$412,796.00
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**MWBOO GRANTED A WAIVER.**Department of Finance

6.	B50002157, Auction Services	Express Auction Services, Inc.	\$ N/A
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The vendor will deduct its commission and will deposit to the City, the balance of the auction proceeds. The anticipated vendor commission for three years is \$321,000.00. The period of this award is January 1, 2012 through December 31, 2014, with two 1-year renewal options.

MINUTES

PERSONNEL MATTERS

\* \* \* \* \*

UPON MOTION duly made and seconded,

the Board withdrew

all of the Personnel matters

listed on the following pages:

4194 - 2195

All of the Personnel matters have been approved

by the EXPENDITURE CONTROL COMMITTEE.

All of the contracts have been approved

by the Law Department

as to form and legal sufficiency.

**MINUTES****PERSONNEL**

1. Dept. of Human Resources - Salary Adjustment for  
Elected Officials

**ACTION REQUESTED OF B/E:**

The Board is requested to **NOTE** the adjustment of the salary of the following classes pursuant to City Council Bill 07-0612:

00100 - Mayor

FROM: Grade 88E (\$155,493.00 - \$155,493.00)  
TO: Grade 88E (\$159,380.00 - \$159,380.00)

00740 - Comptroller

FROM: Grade 87E (\$102,961.00 - \$102,961.00)  
TO: Grade 87E (\$105,535.00 - \$105,535.00)

01165 - President City Council

FROM: Grade 87E (\$102,961.00 - \$102,961.00)  
TO: Grade 87E (\$105,535.00 - \$105,535.00)

01167 - Vice President City Council

FROM: Grade 83E (\$ 66,189.00 - \$ 66,189.00)  
TO: Grade 83E (\$ 67,844.00 - \$ 67,844.00)

01166 - Council Member

FROM: Grade 81E (\$ 59,886.00 - \$ 59,886.00)  
TO: Grade 81E (\$ 61,383.00 - \$ 61,383.00)

**AMOUNT OF MONEY AND SOURCE:**

Costs: \$ 1,943.00 - 1001-000000-1250-152800-601001  
1,287.00 - 1001-000000-1300-157300-601001  
11,845.00 - 1001-000000-1000-104800-601001  
\$15,075.00

**BACKGROUND/EXPLANATION:**

City Council Bill 04-0007 established the Compensation Commission for Elected Officials. The Commission's recommendation concerning the compensation was codified in City Council Bill 07-0612. This bill passed the Baltimore City Council in December 2007 and authorizes pay increases for the Mayor, the Comptroller, and the President of City Council, Vice

## MINUTES

PERSONNEL - cont'd

President of the City Council, and the Council Members. The terms of the legislation stipulate that Elected Officials are entitled to receive an annual salary increase equal to 2.5% of their respective salaries only if at least one of the following employee groups i.e. AFSCME, CUB, FOP, IAFF, and MAPS are receiving an increase in compensation during the fiscal year that began the preceding July. The Board of Estimates is requested to NOTE that the adjustments of the above classes are in compliance with the law. Although not required by Council Bill 07-0612, the Department of Human Resources in an effort to be fully transparent, has presented the salary increase to the Board of Estimates. Article III, Section 35 of the Maryland Constitution provides that the salaries of Elected Officials may not be "diminished" during their term of office. The Citywide Elected Officials have decided to contribute the net increase in pay to one or more charities that have been included in the Directory of the Combined Charity Campaign that is currently underway.

	<u>Hourly Rate</u>	<u>Amount</u>
<u>Bureau of Solid Waste</u>		
2. <b>MAXINE ERLWEIN</b>	\$25.04	<b>\$45,900.00</b>

Account: 1001-000000-5131-387800-601009

Ms. Erlwein will work as a Grant Administrator. Her duties will include, but are not limited to coordinating all Bureau of Solid Waste grant activities including overseeing contracts with third parties involved in the CDBG grants. She will also provide periodic project progress reports, monitor the program budget, alert the Bureau Head when problems arise, maintain project files, and file quarterly reports, as required under the terms of the grants. The salary shows a 2% increase from the previous contract period. The period of the agreement is effective upon Board approval for one year.

## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

Bureau of Purchases

- |   |             |         |
|---|-------------|---------|
| 1. STEVE'S CLEANING COMPANY   | \$18,000.00 | Renewal |
| Solicitation No. B50001261 - Janitorial Services at 301 Stockholm Street - Health Department - Req. No. P511319 |             |         |

On December 23, 2009, the Board approved the initial award in the amount of \$18,000.00. The award contained three 1-year renewal options. Subsequent actions have been approved. This renewal in the amount of \$18,000.00 is for the period January 4, 2012 through January 3, 2013, with one 1-year renewal option remaining.

- |  |              |         |
|--|--------------|---------|
| 2. GOVERNMENT.JOBS.COM, INC.<br>d/b/a NEOGOV,  | \$152,600.00 | Renewal |
| Contract No. B50001787 from State of Oregon Contract No. 107-1815-09-E-Recruitment Management Systems - Department of Human Resources - Req. No. R588945 |              |         |

On January 19, 2011, the Board approved the initial award in the amount of \$198,100.00. The award contained four 1-year renewal options. This renewal in the amount of \$152,600.00 is for the period January 19, 2012 through January 18, 2013, with three 1-year renewal options remaining.

**MWBOO GRANTED A WAIVER.**

- |   |              |          |
|---|--------------|----------|
| 3. NIGHTMARE GRAPHICS   | \$ 60,000.00 | Increase |
| Solicitation No. B50000972 - T Shirts and Other Active Wear - Agencies - Various - P.O. No. P514789 |              |          |

On June 17, 2009, the Board approved the initial award with Replay Sports in the amount of \$119,573.00. The award contained three 1-year renewal options. Subsequent actions have been approved. On September 15, 2010, the Board rescinded

## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS
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Bureau of Purchases

the award with Replay Sports and re-awarded it to Nightmare Graphics. Additional funds are needed to meet an increased demand for these products. This increase in the amount of \$60,000.00 will make the award amount \$469,573.00.

**MWBOO GRANTED A WAIVER.**

- |   |              |         |
|---|--------------|---------|
| 4. REPUBLIC PARKING SYSTEMS,<br>INC.  | \$360,000.00 | Renewal |
| Solicitation No. B50001251 - Parking Meter Coin Collection<br>Services - Department of Finance, Bureau of Revenue<br>Collections - Req. No. R591839 |              |         |

On December 9, 2009, the Board approved the initial award in the amount of \$705,600.00. The award contained eight 1-year renewal options. This renewal in the amount of \$360,000.00 is for the period February 1, 2012 through January 31, 2013, with seven 1-year renewal options remaining.

**MWBOO GRANTED A WAIVER.**

- |   |         |                                      |
|---|---------|--------------------------------------|
| 5. HD SUPPLY WATERWORKS,<br>LIMITED PARTNERSHIP, a/k/a<br>HD SUPPLY   | \$ 0.00 | Ratification/<br>Term Purchase Order |
| Solicitation No. 06000 - Water Meter Box Lids - Department of<br>Public Works, Bureau of Water and Wastewater - P.O. No.<br>P501266 |         |                                      |

On February 6, 2008, the Board approved the initial award in the amount of \$500,000.00. The submission to the Board included an error in the term and as a result the initial award for Solicitation No. B50000067 was approved for three years expiring on December 31, 2011. The award should have been for two years expiring on December 31, 2010. B50000067

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS
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Bureau of Purchases

had a provision for two 1-year renewal options. This action will ratify the period awarded in error which covered the first year renewal for the period January 1, 2011 through December 31, 2011 and the term order will cover the final renewal period.

**MWBOO GRANTED A WAIVER.**

6. M&T BANK	\$ 0.00	Renewal
B50000011, Provide Credit Card Services - Department of Finance, Bureau of Revenue Collections - Req. No. N/A		

On January 9, 2008, the Board approved the initial award. Subsequent actions were approved. The contractor is compensated by charging customers a convenience fee for each credit card transaction. This is the second renewal of three one-year renewal options. The period of the renewal is February 1, 2012 through January 31, 2013.

**MWBOO GRANTED A WAIVER.**

7. PSR, INC.	\$36,622.00	
	7,700.00	
	<u>\$44,322.00</u>	Damages
Solicitation No. 06000 - IBM z10 Mainframe Agreement - Mayor's Office of Information Technology (MOIT) - Req. No. - To Be Determined Later		

On February 16, 2011, the Board approved the initial award. MOIT determined that there was no longer a need for this contract. On August 10, 2011, the Board approved termination of this contract for convenience. The Board is requested to approve payment of damages associated with the termination of this contract. The requested action has been reviewed by the Law Department.

## 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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<u>Bureau of Purchases</u>		
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UPON MOTION duly made and seconded, the Board approved and authorized execution of the informal awards, renewals, increases to contracts and extensions and deferred item no. 7 until 01/11/2012. The President **ABSTAINED** on item no. 5. The Comptroller **ABSTAINED** on items no. 3, and 5.

## MINUTES

Department of Planning - Report on Previously  
Approved Transfers of Funds

At previous meetings, the Board of Estimates approved Transfers of Funds subject to receipt of favorable reports from the Planning Commission, the Director of Finance having reported favorably thereon, as required by the provisions of the City Charter. Today, the Board is requested to **NOTE 12** favorable reports on Transfers of Funds approved by the Board of Estimates at its meetings on November 23, 2011.

The Board **NOTED 12** favorable reports on the Transfers of Funds previously approved by the Board of Estimates.

**MINUTES**

Department of Planning - 2012 Loan Authorization Program  
FY 2014 & FY 2015 General Obligation  
(G.O.) Bond Issues

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the 2012 Loan Authorization Program, which includes \$50,000,000.00 for appropriation in FY 2014 and \$50,000,000.00 for appropriation in FY 2015.

**AMOUNT OF MONEY AND SOURCE:**

\$100,000,000.00

**BACKGROUND/EXPLANATION:**

The 2012 Loan Authorization Program will enable the City to issue \$100,000,000.00 in G.O. bonds.

The G.O. bonds are borrowed funds that must be reviewed and approved by the Planning Commission, the Board of Finance, the Board of Estimates, the City Delegation to the Maryland General Assembly, the City Council, and the voters of Baltimore City. This loan package will go to referendum in November 2012 and must be approved by a majority of the voters before the funds can be appropriated and expended. This fund source is secured by the full faith and credit of the City and, therefore, comprises a portion of the City's annual debt.

The Planning Commission approved the submitted 2012 loan authorization program on November 17, 2011. The Board of Finance approved the program on December 5, 2011.

UPON MOTION duly made and seconded, the Board approved the 2012 Loan Authorization Program for the appropriation in FY 2014 and for appropriation in FY 2015. The President **ABSTAINED**.

**MINUTES**

Bureau of Treasury Management - 2012 Loan Authorization Program

**ACTION REQUESTED OF B/E:**

The Board is requested to **NOTE** receipt of the Board of Finance endorsement, without amendments of the Planning Commission's 2012 loan authorization program.

**BACKGROUND/EXPLANATION:**

The Baltimore City Charter requires that the Board of Finance provide recommendations to the Board of Estimates on the Mayor and City Council of Baltimore Loan Authorization Program. The Planning Commission has recommended an authorization of \$50,000,000.00 in General Obligation Bonds in FY 2014 and \$50,000,000.00 in FY 2015 for a total of \$100,000,000.00. The Board of Finance endorsed the 2012 loan authorization program as summarized below:

<u>Department/Organization</u>	<u>FY 2014</u>	<u>FY 2015</u>
BDC	\$ 6,450,000.00	\$ 6,450,000.00
Cultural Organizations	1,400,000.00	1,400,000.00
DHCD	12,000,000.00	12,000,000.00
Downtown Partnership	650,000.00	650,000.00
Enoch Pratt Library	1,500,000.00	1,500,000.00
Public Buildings	7,000,000.00	7,000,000.00
Public Schools	17,000,000.00	17,000,000.00
Rec. & Parks	4,000,000.00	4,000,000.00
	<u>\$50,000,000.00</u>	<u>\$50,000,000.00</u>

The Board of Finance approved the 2010 loan authorization program on December 5, 2011.

UPON MOTION duly made and seconded, the Board **NOTED** receipt of the Board of Finance endorsement, without amendments of the Planning Commission's 2012 loan authorization program.

MINUTES

EXTRA WORK ORDERS

\* \* \* \* \*

UPON MOTION duly made and seconded,

the Board approved the

Extra Work Order

listed on the following pages:

4204 - 4206

All of the EWOs had been reviewed and approved

by the Department of Audits, CORC,

and MWBOO, unless otherwise indicated.

The President **ABSTAINED** on items no. 1, and 2.

MINUTES

EXTRA WORK ORDERS

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

Bureau of Water and Wastewater

- |  |                 |                   |      |
|--|-----------------|-------------------|------|
| 1. EWO #006, \$1,200,000.00 - WC 1160R, Montebello Plant 2 |                 |                   |      |
| <u>Finished Water Reservoir Cover</u>                      |                 |                   |      |
| \$36,922,950.00  | \$ 1,146,379.63 | Alan A. Myers, LP | 0 60 |

Water Contract 1160R includes the construction of a finished water reservoir and related piping and junction chambers which will receive water from Montebello Filtration Plant 2 and send it to the distribution system. The piping and junction chamber configuration as originally shown in the WC 1160R contract documents would have required a Plant 2 shutdown duration of five months. This long shutdown period was due to the need to build the new junction chamber and piping in the location now occupied by the Plant 2 discharge piping. The original WC 1160R configuration was necessary to accommodate the needs of future WC 1111, Montebello Filtration Plant Improvements. In January 2011, it was learned that WC 1111 is no longer being considered for construction. This presents the opportunity to reduce the Plant 2 shutdown from five months to five weeks by changing the location of the new junction chamber and piping so as to allow the existing Plant 2 discharge piping to remain in service until the final connection is made. This will reduce the risk that the City will experience a water emergency during the Montebello Plant 2 shutdown period. Payment to the contractor will be contingent upon the Plant 2 shutdown not exceeding 35 days. There will be a \$10,000.00 per day reduction of payment for each day the shutdown exceeds the agreed 35 days.

## MINUTES

EXTRA WORK ORDERS

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

Bureau of Water and Wastewater

2. EWO #007, \$2,000,000.00 - WC 1160R, Montebello Plant 2  
 Finished Water Reservoir Cover
- |                 |                 |                   |   |    |
|-----------------|-----------------|-------------------|---|----|
| \$36,922,950.00 | \$ 2,346,379.63 | Alan A. Myers, LP | 0 | 60 |
|-----------------|-----------------|-------------------|---|----|

Construction of the tie-in for WC 1160R-Montebello Plant 2 Finished Water Reservoir requires filtration Plant 2 to be taken off-line during the tie-in period. During this time, Plant 1 will have to meet the entire water demand normally met by Plant 1 and 2. Recently it was learned that Filtration Plant 1 could not produce water at full capacity because several filters are deteriorated and have been taken out of service. The Filtration Plant Operator has recommended that to better ensure an adequate supply of water, the Plant 1 filters should be restored to full capacity before Plant 2 is taken out of service. Water Facilities Engineering has provided a scope of work, drawing, and details for the filter repairs, and the contractor has been directed to proceed with this additional work on a lump sum Unit Price Basis. Measurement for payment will be done by the City's on-site inspector. Due to the urgent need to bring the Filtration Plants to full capacity, this work has started and as of October 12, 2011 is 35% completed.

Department of Transportation

3. EWO #001, (\$ 56,253.14) - TR 07305, Curtis Avenue & Rock  
 Glen Road Resurfacing
- |                 |   |                                   |   |   |
|-----------------|---|-----------------------------------|---|---|
| \$ 1,146,596.45 | - | M. Luis Construction<br>Co., Inc. | - | - |
|-----------------|---|-----------------------------------|---|---|
4. EWO #004, \$ 59,724.00 - TR 09305, Fairfield Ecological  
 Industrial Park
- |                 |               |                             |   |   |
|-----------------|---------------|-----------------------------|---|---|
| \$ 4,877,745.30 | \$ 313,633.25 | P. Flanigan & Sons,<br>Inc. | - | - |
|-----------------|---------------|-----------------------------|---|---|

## MINUTES

EXTRA WORK ORDERS

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

Department of Transportation

5. EWO #007, \$	0.00	- PB 09828R, Renovations to the Benton Building, Floors 5 & 7 and 6400 Pulaski Highway		
\$ 1,706,000.00	\$ 578,452.18	JA Argetakis Contracting Co., Inc.	91	-

MINUTES

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

\* \* \* \* \*

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

BIDS, PROPOSALS AND CONTRACT AWARDS

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

Bureau of Purchases

- TR 10301, North Charles  
Street Construction from 25th  
Street to University Parkway  
**BIDS TO BE RECV'D: 12/21/11**  
**BIDS TO BE OPENED: 12/21/11**

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

## MINUTES

Bureau of Water and Wastewater - PB SC 895, Improvements to  
Maryland Avenue Sub-Sewer shed  
Sewers

Miller Pipeline Corporation  
AM-Liner East, Inc.  
Pleasants Construction, Inc.  
Inland Waters Pollution Control, Inc.  
Metra Industries

Bureau of Purchases - B50002161, Maintenance  
Services For Life & Safety  
Systems For Convention Center

Honeywell Building Solutions

Bureau of Purchases - B50002197, Fall 2011 BCRP -  
Tree Planting

Lorenz, Inc.  
Homes Lawn Care, Inc.

Dept. Recreation & Parks - RP 10854RR, Luckman Park Site  
Improvements

Allied Contractors, Inc.  
Bensky Construction Co., LLC  
JLN Construction Services, LLC

MINUTES

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There being no objections, the Board UPON MOTION duly made and seconded, adjourned until its next regularly scheduled meeting on Wednesday, December 21, 2011.

JOAN M. PRATT

Secretary