

## **NOTICES :**

1. On January 22, 2014, the Board of Estimates approved the Resolution on the Regulation of Board of Estimates Meetings and Protests, effective February 05, 2014. Pursuant to the Resolution:

a. Anyone wishing to speak before the Board, whether individually or as the spokesperson of an entity must notify the Clerk of the Board in writing no later than by noon on the Tuesday preceding any Board meeting, or by an alternative date and time specified in the agenda for the next scheduled meeting. The written protest must state (1) whom you represent and the entity that authorized the representation (2) what the issues are and the facts supporting your position and (3) how the protestant will be harmed by the proposed Board action.

b. Matters may be protested by a person or any entity directly and specifically affected by a pending matter or decision of the Board. In order for a protest to be considered, the protestant must be present at the Board of Estimates meeting at 9:00 A.M., Room 215 City Hall.

c. A Procurement Lobbyist, as defined by Part II, Sec. 8-8 (c) of The City Ethics Code must register with the Board of Ethics as a Procurement Lobbyist in accordance with Section 8-12 of The City Ethics Code.

The full text of the Resolution is posted in the Department of Legislative Reference, the President of the Board's web site, ([http://www.baltimorecitycouncil.com/boe\\_agenda.htm](http://www.baltimorecitycouncil.com/boe_agenda.htm)) and the Secretary to the Board's web site (<http://www.comptroller.baltimorecity.gov/BOE.html>).

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

NOTICES - cont'd:

2. BALTIMORE CITY OFFICES WERE CLOSED ON MONDAY, JANUARY 18, 2016 IN OBSERVANCE OF DR. MARTIN LUTHER KING, JR.'S BIRTHDAY.

ALL PROTESTS MUST BE RECEIVED NO LATER THAN 8:45 AM ON WEDNESDAY JANUARY 20, 2016 PRECEDING THE BOARD OF ESTIMATES' MEETING.

## BOARD OF ESTIMATES' AGENDA - JANUARY 20, 2016

### BOARDS AND COMMISSIONS

#### 1. Prequalification of Contractors

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

A/C Power, Inc.	\$ 8,000,000.00
Broughton Construction Company, LLC	\$ 5,103,000.00
Dustin Construction, Inc.	\$74,574,000.00
Gabe's Services, Inc.	\$ 8,000,000.00
HASCON, LLC	\$ 5,976,000.00
L.J. Brossoit and Sons, Inc.	\$ 1,500,000.00
McNew Excavating, Inc.	\$ 1,500,000.00
North Point Builders, Inc.	\$ 8,000,000.00
Southern Insulation, 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:

E2CR, Inc.	Engineer
EA Engineering, Science, and Technology, Inc., PBC	Engineer
EMA, Inc.	Engineer
Gannett Fleming, Inc.	Engineer
Rummel, Klepper & Kahl, LLP	Engineer Landscape Architect Land Survey
Shah & Associates, Inc.	Engineer
Site Resources, Inc.	Engineer Landscape Architect

**AGENDA**

**BOARD OF ESTIMATES**

**01/20/2016**

Department of Real Estate - Deed

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize the execution of a deed with the Maryland Transportation Authority, an agency of the State of Maryland, to convey the former Bed of Cardiff Avenue, which has been legally closed.

**AMOUNT OF MONEY AND SOURCE:**

\$0.00

**BACKGROUND/EXPLANATION:**

The subject parcel which is approximately 70 ft. by 145 ft. is part of the bed of the former Cardiff Avenue. The parcel lies inside of the State right-of-way line that is part of the Baltimore Harbor Tunnel which was built in the 1960's. At the time of the construction of the Harbor Tunnel, there were numerous properties transferred between the City and the State Highway Administration in order to provide the right-of-way for the tunnel. For some reason, this parcel was never conveyed to the State. The authority for the sale of the parcel is contained in Ordinance No. 15-432 recently passed by the City Council.

(The Deed has been approved by the Law Department as to form and legal sufficiency.)

**AGENDA**

**BOARD OF ESTIMATES**

**01/20/2016**

Department of Real Estate - Side Yard Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a Side Yard Agreement with 1400 Hull Street, LLC, Purchaser.

**AMOUNT OF MONEY AND SOURCE:**

\$500.00

**BACKGROUND/EXPLANATION:**

The authority to sell this property was approved by City Council Ordinance No. 15-410 on September 25, 2015. The property is known as the NS Worcester Street 417-10 Ridgely Street (Block 833, Lot 1A), which contains 875 square feet. The Purchaser will use the property for parking and equipment storage for Len The Plumber, Inc. The Purchaser accepts the property "as is" in its present condition. The Purchaser will provide, construct, and maintain all necessary footways which abut on and form the perimeter of the property.

(The Side Yard Agreement has been approved by the Law Department as to form and legal sufficiency.)

AGENDA

BOARD OF ESTIMATES

01/20/2016

OPTIONS/CONDEMNATION/QUICK-TAKES:

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>Dept. of Housing and Community Development (DHCD) - Option</u>			
1. Bevco, Inc.	1600 Argyle Ave.	G/R \$ 50.00	\$ 333.00
Funds are available in account 9910-905507-9588-900000-704040, AG Demolition Project.			
2. Groundlease Management, LLC	718 E. Chase St.	G/R \$120.00	\$ 1,000.00
Funds are available in account 9910-910715-9588-900000-704040.			

DHCD - Condemnation

3. Ihor Krawec (prior owner)	1832 Division St.	F/S	\$ 1,864.00
Funds are available in account 9910-910634-9588-900000-704040.			

On September 16, 2014, the City filed a condemnation action to acquire the fee simple interest in the property located at 1832 Division Street. On August 13, 2014, the Board approved the condemnation of the fee simple interest for the fair market value of \$18,640.00, based on an independent appraisal report of the property. The property owner did not formally respond to the condemnation suit and was found to be in default. The mortgage holder offered to settle the case for an additional 10% over the approved valuation, a total of \$20,504.00. Therefore, the Board is requested to approve an additional \$1,864.00.

**AGENDA**

**BOARD OF ESTIMATES**

**01/20/2016**

Department of Law - Settlement Agreement and Release

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the Settlement Agreement and Release for the action brought by Kianga Mwamba against the Baltimore City Police Department, Officers Stephanie Uruchima, Marlon Koushall, Erick Jackson, and Kelly Larson for alleged assault, battery, "illegal arrest," false imprisonment, intentional infliction of emotional distress and violations of a provision of the Maryland Declaration of Rights arising out of an incident in which the Plaintiff was arrested.

**AMOUNT OF MONEY AND SOURCE:**

\$60,000.00 - 1001-000000-2041-716700-603070

**BACKGROUND/EXPLANATION:**

The Plaintiff was traveling northbound Harford Road and stopped to record an interaction between Baltimore City Police Officers and an individual being arrested. An Officer saw the Plaintiff and told her to pull over and park if she wished to continue doing so because she was blocking traffic. The situation escalated and resulted in an Officer using a stun gun to subdue and arrest the Plaintiff. There are conflicting accounts regarding whether the Plaintiff's car struck an officer on the scene. The Plaintiff also claims to have been punched several times during the arrest.

As a result of the incident, the Plaintiff filed suit seeking \$1,000,000.00 in compensatory damages and \$1,000,000.00 in punitive damages. Because of conflicting factual issues and given the uncertainties and unpredictability of jury verdicts, the parties propose to settle the matter for a total sum of \$60,000.00 in return for a dismissal of the litigation.

**AGENDA**

**BOARD OF ESTIMATES**

**01/20/2016**

Department of Law - cont'd

Based on a review of the facts and legal issues specific to this case, the Settlement Committee of the Law Department recommends that the Board approve the settlement of this case as set forth herein.

**APPROVED FOR FUNDS BY FINANCE**

(The Settlement Agreement and Release has been approved by the Law Department as to form and legal sufficiency.)



**AGENDA**

**BOARD OF ESTIMATES**

**01/20/2016**

Department of Law - Settlement Agreement and Release

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the Settlement Agreement and Release for the action brought by Leonard Key against Sgt. Fontaine Smallwood, Officer Norman Rogers and Officer Michael Mercado for alleged assault, battery, false arrest, false imprisonment, and violations of provisions of the Maryland Declaration of Rights arising out of an incident in which the Plaintiff was arrested by the Defendants.

**AMOUNT OF MONEY AND SOURCE:**

\$75,000.00 - 1001-000000-2041-716700-603070

**BACKGROUND/EXPLANATION:**

A Baltimore Police Department Officer who is not a party to the lawsuit observed the Plaintiff carrying what appeared to be CDS and pointed him out to the Defendants. When one of the officers approached the Plaintiff, he ran into the street and collided with the vehicle occupied by the Defendants. The officer who initially pursued the Plaintiff fell. The Plaintiff continued running. The Defendants continued pursuing the Plaintiff on foot until they apprehended him. A "stun gun" was used to take the Plaintiff into custody. The Plaintiff contends the Defendants used excessive force on him. The Plaintiff was transported by ambulance from the scene of the incident to Johns Hopkins ER for evaluation. X-rays showed a fracture/dislocation of the left ankle. His ankle was adjusted and splinted before he was transported to Central Booking. The Plaintiff subsequently had an open reduction and internal fixation of his left ankle and went to Johns Hopkins for physical therapy and follow-up medical treatment. The Plaintiff incurred medical bills in excess of \$20,000.00 related to this incident. He claims to need an additional surgery.

**AGENDA**

**BOARD OF ESTIMATES**

**01/20/2016**

Department of Law - cont'd

As a result of the incident, the Plaintiff filed suit seeking an unspecified amount of damages. Because of conflicting factual issues and objective injuries suffered by the Plaintiff, and given the uncertainties and unpredictability of jury verdicts, the parties propose to settle the matter for a total sum of \$75,000.00 in return for a dismissal of the litigation.

Based on a review of the facts specific to this case, the Settlement Committee of the Law Department recommends that the Board approve the Settlement of this case as set forth herein.

**APPROVED FOR FUNDS BY FINANCE**

(The Settlement Agreement and Release has been approved by the Law Department as to form and legal sufficiency.)

**AGENDA**

**BOARD OF ESTIMATES**

**01/20/2016**

Department of Transportation - 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. 36 S. Paca Street	36 South Paca Street, LLC	Two awnings 1.66' x 4' each, two non-illuminated blade signs 21.6' x 5.75' each, two cornice signs 25.5' x 3'
Annual Charge:	\$1,543.57	
2. 1801 W. North Avenue	Jin Suk Kim	One ADA ramp 36' x 7'
Flat Charge:	\$ 25.00	

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

TRANSFERS OF FUNDS

\* \* \* \* \*

The Board is requested to approve  
the Transfers of Funds  
listed on the following pages:

11 - 12

In accordance with Charter provisions  
reports have been requested from the  
Planning Commission, the Director  
of Finance having reported  
favorably thereon.

**AGENDA**

**BOARD OF ESTIMATES**

**01/20/2016**

**TRANSFER OF FUNDS**

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Department of Recreation and Parks</u>		
1. <b>\$ 65,000.00</b> State (Program Open Space)	9938-920026-9475 (Reserve) CC Jackson Pool and Park Improve- ments	9938-921026-9474 (Active) CC Jackson Pool and Park Improvements
This transfer will provide funds to cover the costs associated with the security system required for the CC Jackson Community Center.		
2.    \$ 89,000.00 Rec. & Parks 26 <sup>th</sup> Series	9938-935010-9475 (Reserve) Park Lighting and Signage	
56,000.00 1 <sup>st</sup> Parks & Public <u>Facilities</u>	9938-910058-9475 (Reserve) FY16 Park/Rec Facility Signage	
<b><u>\$145,000.00</u></b>		

**AGENDA**

**BOARD OF ESTIMATES**

**01/20/2016**

**TRANSFER OF FUNDS**

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Department of Recreation and Parks - cont'd</u>		
\$ 89,000.00	-----	9938-936010-9474 (Active) Park Lighting and Signage
<u>56,000.00</u>	-----	9938-911058-9474
<b><u>\$145,000.00</u></b>		(Active) FY16 Park/ Rec. Facility Signage

This transfer will provide funds to cover the costs associated with the furnishing and installing park signs in Carroll Park, Federal Hill Park, and Luckman Park.

Department of General Services

3. \$250,000.00	9916-912086-9194	9916-903386-9197
1 <sup>st</sup> Community & Eco. Dev. Loan	Peale Museum Restoration - Reserve	Peale Museum Renovations - Active
70,000.00	9916-910124-9194	9916-903386-9197
1 <sup>st</sup> Parks & Public <u>Facilities Loan</u>	Peale Museum Roof Replacement - Reserve	Peale Museum Renovations - Active
<b><u>\$320,000.00</u></b>		

This project will stem ongoing damage to a Baltimore City Landmark and prepare the building for eventual reopening. The future usage of the Peale Museum will increase tourism, both fulfilling the Mayor's initiative of a Growing Economy, and reducing the City's long-term operational expenses at the property.