

CITY OF BALTIMORE

BOARD OF ESTIMATES

Room 204, City Hall  
Baltimore, Maryland 21202  
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AND CLERK TO THE BOARD

November 24, 2010

Honorable President and Members  
of the City Council

Ladies and Gentlemen:

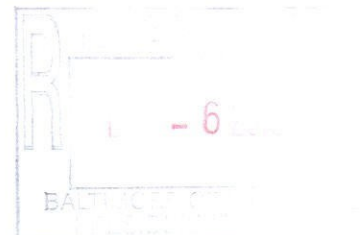
On November 24, 2010 the Board had before it for consideration the following pending City Council Bills:

10-0598 - Franchise - Private Fuel Pipeline Under and Across a Portion of the Frankfurst Avenue Right-of-Way for the purpose of granting a franchise to Apex Oil Company to construct, use, and maintain a private fuel pipeline under and across a portion of the 1800 block of Frankfurst Avenue right-of-way, connecting facilities located on the properties known as NuStar - LP Terminal pier and Center Point Terminal on Vera Street, subject to certain terms, conditions, and reservations; and providing for a special effective date.

**IN ACCORDANCE WITH THE MINOR PRIVILEGE SCHEDULE OF CHARGES AND REGULATIONS AS ESTABLISHED BY THE BOARD OF ESTIMATES, THE DEPARTMENT OF GENERAL SERVICES RECOMMENDS AN ANNUAL FRANCHISE FEE OF \$210.00 FOR THIS TYPE OF ENCROACHMENT INTO THE PUBLIC WAY.**

**THE PLANNING COMMISSION RECOMMENDS APPROVAL, SUBJECT TO THE COMMENTS FROM THE DEPARTMENT OF GENERAL SERVICES.**

**THE DEPARTMENT OF TRANSPORTATION TAKES NO POSITION ON THE PASSAGE OF CITY COUNCIL BILL 10-0598, AND DEFERS TO THE DEPARTMENT OF GENERAL SERVICES.**



CITY COUNCIL BILLS - cont'd

10-0611 - Franchise - Private 115 kV Conduit Under and Across Portions of the West Patapsco Avenue, Potee Street, Hanover Street, Baltic Avenue, Second Street, Frankfurst Avenue, Frankfurst Avenue Relocated, Shell Road and East Patapsco Avenue Rights-of-way for the purpose of granting a franchise to Energy Answers International, Inc., to construct, use, and maintain a private 115 kV cable conduit system under and across portions of the West Patapsco Avenue, Potee Street, Hanover Street, Baltic Avenue, Second Street, Frankfurst Avenue, Frankfurst Avenue Relocated, Shell Road, and East Patapsco Avenue rights-of-way, to connect a Fairfield Alternative and Renewable Energy Project located on the property known as 1701 E. Patapsco Avenue with the Pumphrey Substation located in Anne Arundel County, Maryland, subject to certain terms, conditions, and reservations; and providing for a special effective date.

**THE DEPARTMENT OF GENERAL SERVICES RECOMMENDS SEVERAL TECHNICAL AMENDMENTS THAT ARE NECESSARY TO CORRECT CERTAIN REFERENCES AND CERTAIN ALIGNMENT DESCRIPTIONS. THE AMENDMENTS AND CORRECTIONS ARE AS FOLLOWS:**

Amendment No. 1

On page 1, line 10 and on page 2, lines 7 and 17, correct the location of the Pumphrey Substation from "Anne Arundel County, Maryland" to "Baltimore County, Maryland".

Amendment No. 2

On page 2, beginning on line 13, correct the word "consist" to "consisting", correct the number of conduit rows from "two" to "three" and increase the minimum cover from "3 foot" to "4 foot", so that it reads:

"...a private 115kV cable conduit system consisting of ~~two~~ three rows of three conduit and one row of two communications conduit measuring 2 feet wide by 3 feet deep, with a minimum of ~~3~~ 4 foot cover, ..."

CITY COUNCIL BILLS - cont'd

Amendment No. 3

On page 2, line 44, between "Route I-895" and "Westbound" insert the phrase "at the conduit alignment centerline station of 354+83, said point being at the I-895", so that it reads:

"...Maryland Route I-895 at the conduit alignment centerline station of 354+83, said point being at the I-895 Westbound Exit Ramp to Frankfurst Avenue."

Amendment No. 4

On page 3, line 12 correct the centerline alignment station from "401+64" to "410+64" and on line 16 correct the centerline alignment station from "397+75" to "412+44", so that it reads:

"...said point being at the conduit alignment centerline station of ~~401+64~~ 410+64, thence running southeasterly through the right-of-way of East Patapsco Avenue 180 feet to the Eastbound Side, Southerly right-of-way line of East Patapsco Avenue, 1436 feet Easterly of Shell Road, said point being at the conduit alignment centerline station of ~~397+75~~ 412+44."

IN ACCORDANCE WITH THE MINOR PRIVILEGE SCHEDULE OF CHARGES AND REGULATIONS AS ESTABLISHED BY THE BOARD OF ESTIMATES, THE DEPARTMENT OF GENERAL SERVICES RECOMMENDS AN ANNUAL FRANCHISE FEE OF \$73,662.62 FOR THIS TYPE OF ENCROACHMENT INTO THE PUBLIC WAY.

THE PLANNING COMMISSION RECOMMENDS THAT THE BILL BE AMENDED TO REPLACE ALL REFERENCES OF ANNE ARUNDEL COUNTY WITH BALTIMORE COUNTY, AND RECOMMENDS APPROVAL, SUBJECT TO THE COMMENTS FROM THE DEPARTMENT OF GENERAL SERVICES.

**CITY COUNCIL BILLS** - cont'd

10-0515 - An Ordinance concerning Sale of Property - Former Beds of Woodall Street and Clemm Street for the purpose of authorizing the Mayor and City Council of Baltimore to sell, at either public or private sale, all its interest in certain parcels of land known as the former beds of (1) Woodall Street, extending from Fort Avenue southwesterly to Clemm Street, and (2) Clemm Street, extending from Key Highway, southeasterly to the southeasternmost extremity, thereof, and no longer needed for public use; and providing for a special effective date.

**THE DEPARTMENT OF GENERAL SERVICES SUPPORTS PASSAGE OF CITY COUNCIL BILL NO. 10-0515 PROVIDED THE CLOSING ORDINANCE IS APPROVED.**

**THE DEPARTMENT OF REAL ESTATE SUPPORTS BILL NO. 10-0515, SUBJECT TO ANY EXISTING UTILITIES EASEMENTS NEEDED BY THE CITY.**

10-0572 - An Ordinance concerning Sale of Property - Former Bed of Diamond Street for the purpose of authorizing the Mayor and City Council of Baltimore to sell, at either public or private sale, all its interest in a certain parcel of land known as the former bed of Diamond Street, extending from Fayette Street northerly 220.2 feet, more or less, to Shad Alley and no longer needed for public use; and providing for a special effective date.

**CITY COUNCIL BILLS** - cont'd

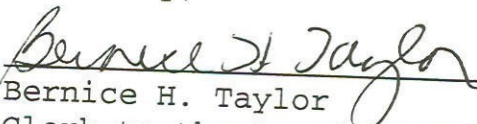
10-0580 - An Ordinance concerning Sale of Property - Former Beds of Bruce Street and Two Ten-foot alleys Lying Within the Penn North Housing and Community Development Project for the purpose of authorizing the Mayor and City Council of Baltimore to sell, at either public or private sale, all its interest in certain parcels of land known as the former beds of (1) Bruce Street, extending from Clifton Avenue, Southerly and Southeasterly 400.4 feet, more or less, (2) a ten-foot alley located on the west side of Bruce Street, distant 106.0 feet, more or less, southerly from Clifton Avenue, and extending westerly 52.0 feet, more or less, and (3) a ten-foot alley located on the east side of Bruce Street, distant 82.0 feet, more or less, southerly from Clifton Avenue, and extending easterly 35.0 feet, more or less, and lying within the Penn North Housing and Community Development Project and no longer needed for public use; and providing for a special effective date.

**ALL REPORTS RECEIVED WERE FAVORABLE. THE DEPARTMENT OF REAL ESTATE SUPPORTS BILL NO. 10-0580, SUBJECT TO ANY EXISTING UTILITIES EASEMENTS NEEDED BY THE CITY.**

After NOTING AND CONCURRING in all favorable reports received, the Board approved the Bills and referred them to the City Council with the recommendation that they be approved and passed by that Honorable Body.

The President ABSTAINED from voting.

Sincerely,

  
Bernice H. Taylor  
Clerk to the Board of Estimates