


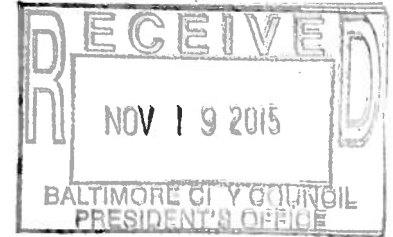
FROM	NAME & TITLE	Steve Sharkey, Director	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	Department of General Services 800 Abel Wolman Municipal Building		
	SUBJECT	City Council Bill 15-0590: Demolition, etc., of City Structures		

TO

DATE:

November 17, 2015

The Honorable President and Members
of the Baltimore City Council
c/o Natawna Austin
Room 400 – City Hall



I am herein reporting on City Council Bill 15-0590 introduced by Council Member Henry, President Young, Council Members Middleton, Costello, Kraft, Clarke, Reisinger, Spector, Welch, Scott, and Mosby.

The purpose of the Bill is to prohibit the demolition or reconstruction of certain City-owned structures unless expressly authorized by an ordinance of the Mayor and City Council; define certain terms; and require that, on introduction of a proposed authorizing ordinance, the bill be referred to certain agencies for their reports and recommendations.

City Council Bill 15-0590 would prohibit the demolition of any City structure unless the demolition or reconstruction has been expressly authorized by an ordinance. A City structure is defined as any building or other structural improvement that is owned by the Mayor and City Council of Baltimore and has been or is being used for a municipal function or public purpose. Examples provided in the legislation included offices, work places, schools, fire stations, police stations, monuments, recreation facilities, and neighborhood centers. Once the ordinance is introduced, it would be referred to the Planning Department, the agency or public official that has or will have control over the City structure, the Department of Real Estate, and any other agency so designated by the Council President for comment.

According to the Charter of Baltimore City, Article VII, § 132 *Powers and duties of Department*, the Department of General Services is responsible for the supervision of municipal buildings, related improvements and the construction, maintenance, etc., of buildings, related improvements. The Director shall supervise all municipal buildings and related improvements made in Baltimore City or elsewhere by or for the City or any municipal agency. The Department has charge of the construction, demolition, alteration, operation and maintenance of all municipal buildings and related improvements. Assuming that an ordinance can modify the Department's Charter-granted authority over these facilities, this Department has the following issues with City Council Bill 15-0590 which prevent supporting the legislation as written: demolition is not conducted in a unilateral decision, but is determined to be necessary through an exhaustive process which includes long-term planning through the Capital Improvement Program, and the burdensome maintenance and security costs associated with the custody of unused City facilities.

Unfavorable w/ comment:

The Department of General Services performs long-term planning of its facilities to be prepared for new or changing demands of City agencies on facilities, ensure vital services continue unabated, and to meet the needs of the Agencies housed or conducting services out of the facilities. Many of these projects take multiple years to go from design to completed construction, and require significant preparations to ensure all phases of the projects are adequately funded. This process includes extensive dialogue with City agencies to determine current and project needs. Many times agencies determine that the structure is not a modern facility and no longer meets the needs of the community, the agency, or the services provided. The structure then goes through the City's surplus process. If no other agency is able to conduct services or perform their duties from the location it may be slated for demolition.

As a result, any demolition, substantial reconstruction, or new construction projects generated by this Department are included in the City's Six Year Capital Improvement Program (CIP). The CIP projects go through an extensive prioritization process within the agency, are presented to and publicly heard by the Planning Commission, and the proposed CIP program is included in the Ordinance of Estimates, which has its own extensive hearing process conducted by the City Council. Based on these processes, it is the opinion of this Department that its capital projects included in the Ordinance of Estimates already comply with the ordinance requirement of City Council Bill 15-0590.

In addition, the Department has concerns that the cost burden of maintaining unusable city facilities will diminish funding available for life safety and upgrade needs for active city buildings in addition to the liability concerns, blight in neighborhoods, and deferred maintenance costs in stark contrast to the Mayor's goals for the City which include Stronger Neighborhoods, Safer Streets, Better Schools, and a Cleaner, Healthier City. In the current Fiscal Year, the Department has a \$8 million capital projects budget. Maintaining and securing an otherwise unused building costs an average of 40% of operational costs. Over time the building deterioration increases costs and creates higher safety risks leading to liability concerns. The Department is also concerned that this will lead to a cycle of deterioration and community complaints calling for either additional capital improvements, further straining the Department's limited capital improvements budget, or prompt demolition.

The Department of General Services recommends disapproval of City Council Bill 15-0590, as it is in direct conflict with the Department's chartered authority. However, the Department would relish the opportunity to work with the Council members to develop language that serves the needs of the Council by providing a voice to constituents during the demolition process.



Steve Sharkey

Director