CAMBRIDGE MATTERS # 5

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To start this report, I wish to thank all of you who took the time to let me, the Mayor, and the other Commissioners know your views about proposed ordinance 1168 and your desire that elected officials in the incoming City Council not receive health, dental, and life insurance benefits. Your response helped immensely in passing a fair ordinance properly establishing compensation for the Mayor and Commissioners who will be elected shortly. It corrected and eliminated a long-standing tradition of providing these insurance benefits to elected officials who requested them even though they had never been authorized by any City Council with proper notice to the public.

As for our meeting last evening, it is not possible for me adequately to describe it, so I won’t try other than it was a mess, and probably the one of the biggest messes that we have had during these past four years. If you have a couple of hours to watch what took place, please go to the website of Town Hall Streams for Cambridge located at <https://townhallstreams.com/towns/cambridgemd>.

The meeting began shortly after 6:00 p.m. with the Mayor recognizing the recent passing of Walt Vickers, a former City Commissioner for Ward 1. She also made note that October is Breast Cancer Awareness Month. After a moment of silence, Commissioner Hanson led everyone in the Pledge of Allegiance.

When the Mayor asked for the approval or amendment of the Agenda, I moved to remove Item 14 from the Agenda. I will discuss it in more detail later, but it dealt with a proposed MOU among the Cal Ripkin, Sr. Foundation (CRFS), the City of Cambridge, and Maces Lane Community Center, Inc. (MLCC). After discussion and vote, the matter was removed from the agenda with the direction that a work session be set up after the upcoming elections. The vote was 3-2 with Commissioners Hanson, Cannon, and me in favor and Commissioners Foster and Sydnor in opposition. The reason for the request was that the matter was very complicated, Commissioner Hanson and I had many questions about the proposal, and that we had only received the City report on the proposed MOU by way of a 4:00 p.m. email that afternoon.

Earlier in the day, I had determined that I needed to recuse myself from a matter regarding Alpha Genesis that was on the agenda with a request for a letter of support. I provided to the City Manager and City Attorney the appropriate form stating my reasons. Recusal means that I could not be involved or able to vote in that matter when it came before City Council.

The next matter to come up regarding the agenda was the request by Commissioner Sydnor to move Item 13 regarding the request of Alpha Genesis for a letter of support to the consent calendar. Commissioner Hanson indicated that he had some questions about this item and so raised them. They were answered to his satisfaction. After some confusing discussion as to whether this item and item 3 on the consent calendar should also be put over for the upcoming work session, Commissioner Hanson asked that items 2 and 13 be approved. That motion was properly seconded, and the vote was 3-1-0 with Commissioners Hanson, Cannon, and Foster in favor (Commissioner Foster was in opposition at one point and in favor of approving item 13 alone at another point) and Commissioner Sydnor being in opposition. As the two items were joined, and I had recused myself from item 13, I declined to vote. As a result letters of support will go to the state for the tax credit request made by Brett Summers for the property at 421 Race Street and for the Alpha Genesis request for a letter of support for grant funding for the purchase of the Cannery Building at 428-430-432 Race Street.

The remaining matter on the Consent Calendar was the meeting minutes of September 14th Meeting. I thought that I had moved to approve them, but it appears that my microphone was muted so the Mayor did not hear me. As such I believe that those meeting minutes were not approved and so should probably be set for possible approval at our next meeting.

There were no new Ordinances for first reading, so the City Attorney then read proposed Ordinance 1168 for its second reading, public hearing, and possible adoption. On proper motion made by Commissioner Sydnor to open public discussion that was seconded by Commissioner Hanson, on a vote of 5-0 the public comment period was held during which no members of the public spoke. The Mayor, Commissioner Foster, and I commented that we had received numerous emails and contacts that opposed any life, dental, and health insurance being provided for the part time elected officials. Commissioner Hanson then moved to close the public meeting that was seconded by me and approved 5-0.

Commissioner Hanson then moved to adopt Ordinance 1168 but removing paragraph (2) that removed the language allowing for life, health, and dental insurance. I seconded the motion. There was some brief discussion to make some technical edits to the remainder of the proposed ordinance that was then passed 5-0.

Under Old Business the following were approved:

* Amending the budget to accept some additional funding for the repairs to the Franklin Street Boat Ramp on a 5-0 vote.
* The proposed contract for the replacement of the roof at the rear of the Old City Hall building with GGI Builders in the amount of $154,742 with a contingency for unforeseen issues of up to 10%. This was approved on my motion and properly seconded on a vote of 3-2 with Commissioners Hanson, Cannon, and me in favor and Commissioners Foster and Sydnor in opposition. This will correct a long-standing problem with this roof that has allowed this building to be exposed to the weather and deteriorate for years.
* The MOU with the State for a grant of up to $100,000 for High Speed Internet in the Phillips Packing House Project with an appropriate budget amendment was approved on my motion and second by Commissioner Hanson on a vote of 5-0.
* Resolution 20-21 that extends the State of Emergency in the City of Cambridge until our December 2020 meeting was approved on Commissioner Cannon’s motion and second by Commissioner Hanson and a vote of 5-0. After this was adopted, Commissioner Foster raised the issue of water being cut off in some properties in the city. The City Manager indicated that it was now allowed under Maryland law until now and that several properties had not paid their water bill for months despite notices from MUC. He indicated that while the city was prepared to work with owners and tenants the plan was to shut off the water and then be open to negotiation with a tenant and/or landlord/property owner. At the request of Commissioner Foster with agreement of the City Manager, the Commissioners voted that he give those subject to water turn off a week to come in to try to resolve the matter.

Under New Business several matters were brought up and disposed of in quick order. They included the following:

* Approval of Resolution 20-22 that allows the City of Cambridge to receive a sub award of $187,500 from the State of Maryland for FEMA monies to address Water Hazzard Mitigation. The required match will be provided by in kind services of volunteers, local interested nonprofits, and City Staff. This award was achieved thanks to the leadership of Larry White, a friend and city resident with a great deal of professional expertise in this area, who volunteered to help the city at no cost for his time and expertise in undertaking this project. He has put in a great deal of time already on this effort and will be doing even more work in the future. This will allow the city to identify projects in the future to help with sea level rise issues that when approved will be funded by the federal government through the state at a rate of 90% federal funding and 10% local funding. This was approved 5-0 on my motion with the second by Commissioner Cannon.
* The request of Cross Street Partners for the City to donate a lumber pile on City Cannery Park property for use at the Phillips Packing House. This is lumber that has been left on the property for years and is the kind used in the building itself. On my motion and second by Commissioner Cannon, this request was approved 5-0.
* What appears to have been a staff request for a legal opinion about the clearing of property adjoining Edgewood Avenue was then considered. A legal opinion was provided by the City Attorney that the city could take action regarding the property to the extent that notices could be provide to the owners to clear their properties; and if they failed to do so, proper notice of assessments of fines and potential court action could then be undertaken by the City Attorney on behalf of the City. On Commissioner Sydnor’s motion and second by Commissioner Cannon, on a vote of 5-0, city staff was asked to make this a priority.
* The final action item of the evening was setting of trick or treat on the same day and at the same times and under the same safety conditions as set by the county with notice to the public in the Banner. On Commissioner Hanson’s motion and my second the matter was approved 4-0 with Commissioner Cannon abstaining due to the publishing of the notice in the Banner that created a conflict of interest for him.

Before an explanation of the matter that I first mentioned above, City Council also heard a report from the traffic and safety committee that it approved 5-0. The police chief mentioned a party for kids coming up on the 18th and a drive through trunk or treat for children who might not otherwise be able to go trick or treating. He also reported that the police department has a You Tube Chanel where they have put some safety videos for the community. Finally, he reported on the incident on Poplar Street with some youth who were riding their bikes in the closed portion of Poplar during the al fresco dining hours and the actions that the police department has and will be taking to address possible similar incidents in the future.

The matter that was continued over for a public work session involves a proposed MOU from the Cal Ripkin, Sr. Foundation (CRSF) that, among other things, had the City and Maces Lane Community Center, Inc. (MLCC) doing the following:

* Secure funding for the Maces Lane Community Center project for an estimated aggregate of $3,500,000
* Work with CRSF to develop a mutually agreed upon project design
* Work with CRSF to develop a mutually agreed total Project budget including hard and soft construction costs
* Provide $355,000 per the approved Project budget to cover the cost of planning, design, and engineering with a payment schedule

Over the past several years the city has been providing funds to support the efforts of the Maces Lane Alumni Association to turn the old Maces Lane School into a Community Center. There has never been a discussion in which I was involved that indicated that the City was going to be in partnership or association with the Alumni Association that has now become MLCC, Inc. MLCC was undertaking this project on their own with some limited city financial assistance that had been routinely approved on 5-0 votes by the City Council. That is not what the proposed MOU indicated would be happening. Under the language of the MOU, the city would be a partner in the project, per the above language and other wording, and would be responsible for the funding of the project along with MLCC.

While the proposed MOU and attachments were provided a week or so ago, the Commissioners only received from city staff after 4 p.m. on our meeting date any information to explain what had been going on during the past 4 months. As I had reviewed the material provided, I saw several matters that gave me concerns and about which I needed answers to some in depth questions that I had. During the meeting additional information was revealed that caused me to have additional questions.

To help you understand my belief that we needed to have an in-depth discussion of these issues in a less formal work session, I offer the following:

1. We learned at the meeting that the county would maintain ownership of the property and would lease it to MLCC. We were provided no information on the nature of that lease or what the county would or would not do under that lease or what services it would provide to MLCC.
2. The proposed MOU indicated that “at the completion of the Project” CRSF would “assign to MLCC all right, title, and interest in and to the assets and property improvements of the Project, including all applicable warranties”. Since the County would retain ownership of the building that would be increased in value by at least $3.5 million, I wondered how CRSF could do what they proposed under the MOU. Could they give the property that was improved to MLCC when the county owned the property? There would have to be some separate agreement about that. At the same time, the City would be responsible for payment of all monies of an undetermined amount that were not granted or provided by MLCC, and at the end the building would go to MLCC or the County.
3. We learned from the memo from city staff that the State would be providing during FY 21 and FY 22 a total of $2.6 million toward the project which is $900,000 short of the estimated cost of the project, some of which funding MLCC says it has in its possession from prior city contributions and state grand funds. The work of MCA Architecture and CRSF to prepare for and to build/renovate the Maces Lane School would be done well in advance of funding being available in FY 21 and FY 22. CFSR and MCA clearly expect payment as they do the work, so where would the money come to pay them and the company constructing the building? Either the city would have to come up with it or MLCC would need to obtain a loan that could be secured by the state promise to pay in FY 21 and FY 22. I was not ready to commit the City to pay these monies with two hours’ notice of what was expected.
4. In one of the attachments to the MOU dated 4 months ago in June 2020 (and which was only recently provided to the Commissioners) MCA Architecture states the following: “We are assuming a project with a construction budget of approximately $3.5 million, exclusive of furniture, fixtures, equipment, fees and permits costs, and our fee based on this premise. This budget appears tight based on our limited understanding of the building and scope at this time.” So, the proposed budget was tight, and no furniture or furnishings were included in that cost.
5. MCA in its proposal with CRSF also notes that there could be extra costs to the project that are unknown and relate to the following:
   1. Removal of hazardous materials
   2. Unknown existing building conditions
   3. Structural assumptions that might be wrong
   4. Communications and AV systems design not included in their fee
   5. LEED Green Building Rating System Certification of conformance is not included in their fee
   6. Services of a private utility location specialist are not included in their fee
   7. The design of a fire pump is not included in their fee
   8. The review of Contractor initiated and proposed substitutions during the Bidding Phase or Contract Administration Phase are not included
   9. A list of additional services that are excluded from their scope of services and would presumably have to be provided by someone else either under the $3.5 million or in addition to it.

It does not appear from the MOU that there is really a clear understanding of what the cost of construction might be. In addition, in the MCA proposal is a reference to the programs for the Community Center being provided by the Boys & Girls Clubs of America. There is no detail as to what programs or number of staff they will provide and what services they will undertake and what they expect, if anything, from the City or MLCC in the way of financial support.

Despite the 3-2 vote that removed this matter from the agenda, efforts were made to have us discuss this item and ask questions of a representative of MLCC. There was also the claimed urgency to approve the MOU immediately, which was not contained in the staff memo and was only raised at the last minute as the reason for us having to decide now. The matter remained as continued for the work session.

As this proposed MOU does not have a date indicated as to when it was signed, it is hard to know when that was. It appears that the MCA proposal was signed on June 15, 2020 almost 4 months ago yet this matter was just brought to the attention of some of us on City Council while others appear to have significant knowledge of what was being proposed that was not shared with the rest of us until now.

The City of Cambridge needs a Community Center for the youth of this community. It needs more than this for the youth of this community and has failed to provide it for the 10 years that I have lived here, and from discussion with others for many years beyond that. During my time on City Council I have tried to get the city to put up some money to address youth issues and lack of services that need to be provided here for all our youth but in particular our African American youth. I have not been successful so far in those efforts.

When I compare what Cambridge and Dorchester County have done or not done for the youth of Cambridge to what I have seen other communities do, we do not rate very well. While undertaking this project appears to be a worthwhile endeavor, it must be done the right way so that it becomes a reality and can be supported well into the future.

Thanks for reading.

Steve