

TWENTY-SEVENTH DAY

FIFTH COUNCILMANIC YEAR- SESSION OF 1999 - 2004

JOURNAL
CITY COUNCIL OF BALTIMORE

December 6, 2004

Reverend Eleanor Holland, Rector of St. Matthias Episcopal Church, led the Council in Prayer.

The President and members of the Council recited the Pledge of Allegiance to the Flag.

The City Council of Baltimore met pursuant to adjournment. Present: Sheila Dixon, President, and Councilmembers Cain, D'Adamo, Garey, Branch, Carter, Young, Curran, Harris, Stancil, Mitchell, Pugh, Welch, Holton, Rawlings Blake, Spector, Abayomi, Reisinger, Stukes

Councilmember Curran, duly seconded, made a motion to journalize the invocation. It was so ordered.

Almighty God, creator of all that is, in you we live and move and have our being. We give thanks to you for the gift of Life, especially for the gift of our common life together. Bless, we pray, these members of the Baltimore City Council and all in administrative authority gathered here this afternoon. We ask that you send down upon those who hold office in this city a spirit of charity and justice, that with steadfast purpose they may faithfully serve in their offices to promote the well-being of all the people in this great city of Baltimore. Give them courage and foresight in their deliberations, and grant them wisdom and grace in the exercise of their duties.

For yours is the kingdom O God, and we are exalted as head over all.

Amen.

JOURNAL APPROVED

The Journal of November 29, 2004 was read and approved.

Journal of the City Council

COMMUNICATIONS FROM THE MAYOR

APPROVED BY THE MAYOR

OFFICE OF THE MAYOR

November 29, 2004

Honorable Sheila Dixon, President
and Members of the City Council

Dear Council Members:

I am pleased to inform your Honorable Body that I have signed into law this day:

- C.C. Bill 04-1288** - An Ordinance concerning - Sale of Property — SS East Northern Parkway, SWC York Road, Block 5093, Lot 062 - 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 unimproved property ~~or a portion of the property~~ known as SS East Northern Parkway, SWC York Road, Block 5093, Lot 062 and no longer needed for public use; and providing for a special effective date.
- C.C. Bill 04-1290** - An Ordinance concerning - Urban Renewal — Key Highway — Amendment 1 - For the purpose of amending the Urban Renewal Plan for Key Highway to amend Exhibits C and D to reflect the change in zoning, upon approval by separate ordinance, for 1301 Covington Street; to amend Exhibit C to designate Areas D, D-1, and D-2 and to reflect the change in the land use category for these areas, from Industrial to Office/Residential, and to reflect the closing of Ostend Street between Key Highway and Covington Street; to amend Exhibit F, “Proposed Zoning”, to designate Areas D, D-1, and D-2 and to reflect a change in the zoning in these areas, from the M-2-2 Zoning District to the O-R-2 Zoning District; to amend the development area controls for Area D, new Areas D-1, and D-2, and to create additional development controls for new Area D-1; and to amend the development area controls for Area E to increase the maximum permitted height; waiving certain content and procedural requirements; making the provisions of this Ordinance severable; providing for the application of this Ordinance in conjunction with certain other ordinances; and providing for a special effective date.
- C.C. Bill 04-1342** - An Ordinance concerning - Zoning – Restaurants, Taverns, Halls, and Similar Establishments – Live Entertainment – Nightlife - For the purpose of defining certain terms relating to restaurants, taverns, halls, after-hour establishments, and certain other establishments that serve food or beverages, that offer live entertainment or dancing, or that otherwise involve nightlife activities; conforming certain language; repealing certain

provisions relating to the status of certain restaurants or taverns that, as of a certain date, operated with live entertainment or dancing; establishing certain criteria for conditional use approval of certain restaurants, taverns, and after-hours establishments; providing for the delayed effect of certain provisions on certain nonconforming establishments; and generally relating to the zoning and related regulation of auditoriums, halls, restaurants, taverns, and other establishments serving food or beverages or offering live entertainment or dancing.

C.C. Bill 04-1405 - An Ordinance concerning - Housing and Community Development – License and Registration Fees - For the purpose of increasing the annual registration fee for vacant lots; defining and redefining certain terms applicable to the registration of vacant lots; repealing an exception to that fee; modifying certain terminology applicable to late payments of license or registration fees for vacant lots, rental properties, or multiple-family dwellings and rooming houses; correcting, clarifying, and conforming certain language; and generally relating to the licensing or registration of certain properties.

C.C. Bill 04-1417 - An Ordinance concerning - Urban Renewal — Washington Village — Amendment 4 - For the purpose of amending the Urban Renewal Plan for Washington Village ~~to revise the boundary description for the project area~~, to specify uses to be allowed, not allowed, regulated, conditioned, or otherwise limited in certain land use areas, to revise provisions for design and rehabilitation standards, to provide for the review by community organizations of all plans for new construction, exterior rehabilitation, demolition, use, or any exterior change of any kind, to authorize the acquisition by purchase or by condemnation of certain properties for urban renewal purposes, to eliminate certain structures and disposition lots where development is complete, to propose a zoning district change, and to revise exhibits and appendices to reflect the changes in the Plan; correcting, clarifying, and conforming certain language; correcting certain references; waiving certain content and procedural requirements; making the provisions of this Ordinance severable; providing for the application of this Ordinance in conjunction with certain other ordinances; and providing for a special effective date.

C.C. Bill 04-1426 - An Ordinance concerning - Rezoning — 3100 Waterview Avenue -For the purpose of changing the zoning for the property known as 3100 Waterview Avenue, as outlined in red on the accompanying plat, from the M-2-1 Zoning District to the R-6 Zoning District.

C.C. Bill 04-1427 - An Ordinance concerning - Planned Unit Development — Designation — 3100 Waterview Avenue and Ward 25, Section 05, Block 7610, Lot 019 - For the purpose of approving the application of Waterview Avenue, LLC, owner of certain property known as 3100 Waterview Avenue and Ward 25, Section 05, Block 7610, Lot 019, (collectively, the “Property”) to have that Property designated a Residential Planned Unit Development; and approving the Development Plan submitted by the applicant.

- C.C. Bill 04-1480** - An Ordinance concerning - Supplementary Tax Increment Financing Loan Fund Capital Appropriation — Department of Transportation — \$3,000,000 - For the purpose of providing a Supplementary Tax Increment Financing Loan Fund Capital Appropriation in the amount of \$3,000,000 to the Department of Transportation (Account #9950-508-438), to provide Tax Increment Financing for the North Locust Point Development District project; and providing for a special effective date.
- C.C. Bill 04-1484** - An Ordinance concerning - Urban Renewal — Howard Park Business Area — Amendment 1 - For the purpose of amending the Urban Renewal Plan for the Howard Park Business Area to revise the boundary description for the project area, authorize the acquisition by purchase or by condemnation of certain properties for urban renewal purposes, create an expanded disposition lot and designate land use for the added area, propose a zoning district change, and revise exhibits and appendix to reflect the changes in the Plan; correcting, clarifying, and conforming certain language; correcting certain references; waiving certain content and procedural requirements; making the provisions of this Ordinance severable; providing for the application of this Ordinance in conjunction with certain other ordinances; and providing for a special effective date.
- C.C. Bill 04-1491** - An Ordinance concerning - Zoning – Conditional Use Convalescent, Nursing, and Rest Home (Assisted Living) – 2600 Keyworth Avenue - For the purpose of permitting, subject to certain conditions, the establishment, maintenance, and operation of a convalescent, nursing, and rest home (assisted living) on the property known as 2600 Keyworth Avenue, as outlined in red on the accompanying plat.
- C.C. Bill 04-1494** - An Ordinance concerning - Zoning – Conditional Use Convalescent, Nursing, and Rest Home (Assisted Living) – 5315 Norwood Avenue - For the purpose of permitting, subject to certain conditions, the establishment, maintenance, and operation of a convalescent, nursing, and rest home (assisted living) on the property known as 5315 Norwood Avenue, as outlined in red on the accompanying plat.
- C.C. Bill 04-1497** - An Ordinance concerning - Urban Renewal — Waterview — Amendment 2 - For the purpose of amending the Urban Renewal Plan for Waterview to specify uses to be allowed in a certain land use area, to provide for the review by the community organization of all plans for new construction, exterior rehabilitation, site improvement, or change in the use of any property, to provide that the provisions of the Waterview Planned Unit Development supercede the provisions of the urban renewal plan, and revising certain exhibits to reflect the change in land use, upon approval by separate ordinance, for the property known as 3100 Waterview Avenue; waiving certain content and procedural requirements; making the provisions of this Ordinance severable; providing for the application of this Ordinance in conjunction with certain other ordinances; and providing for a special effective date.

- C.C. Bill 04-1509** - An Ordinance concerning - City Streets — Closing — Certain Streets or Portions of them Lying Within the Area Bounded by Monument Street, Constitution Street, Exeter Street, Hillen Street, the Orleans Street Viaduct, and the Fallsway - For the purpose of condemning and closing certain streets or portions of them lying within the area bounded by Monument Street, Constitution Street, Exeter Street, Hillen Street, the Orleans Street Viaduct, and the Fallsway, as shown on Plat 293-A-3C in the Office of the Department of Public Works; and providing for a special effective date.
- C.C. Bill 04-1510** - An Ordinance concerning - City Streets — Opening — Certain Streets and Alleys Lying Within the Middle East Urban Renewal Project - For the purpose of condemning and opening certain streets and alleys lying within the Middle East Urban Renewal Project, bounded by Washington Street, Madison Street, Rutland Avenue, and Ashland Avenue, as shown on Plat 346-A-48 in the Office of the Department of Public Works; and providing for a special effective date.
- C.C. Bill 04-1511** - An Ordinance concerning - City Streets — Closing — Certain Streets and Alleys Lying Within the Middle East Urban Renewal Project - For the purpose of condemning and closing certain streets and alleys lying within the Middle East Urban Renewal Project, bounded by Washington Street, Madison Street, Rutland Avenue, and Ashland Avenue, as shown on Plat 346-A-48A in the Office of the Department of Public Works; and providing for a special effective date.
- C.C. Bill 04-1516** - An Ordinance concerning - Zoning – Conditional Use Massage Therapist’s Office – 211 East Mount Royal Avenue - For the purpose of permitting, subject to certain conditions, the establishment, maintenance, and operation of a massage therapist’s office on the property known as 211 East Mount Royal Avenue, as outlined in red on the accompanying plat.
- C.C. Bill 04-1525** - An Ordinance concerning - Hotel Room Tax – Tax Rate - For the purpose of repealing rate-setting procedures made obsolete by Acts of the General Assembly limiting the use of hotel tax funds by dedicating revenues from the hotel tax; correcting, clarifying, and conforming certain language; and generally relating to the imposition and collection of a hotel room tax.
- C.C. Bill 04-1526** - An Ordinance concerning - Supplementary Tax Increment Financing Loan Fund Capital Appropriation — Department of Housing and Community Development — \$9,900,000 - For the purpose of providing a Supplementary Tax Increment Financing Loan Fund Capital Appropriation in the amount of \$9,900,000 to the Department of Housing and Community Development — (Account #9910-601-575), to provide Tax Increment Financing for the redevelopment of the 3200 block of St. Paul Street; and providing for a special effective date.
- C.C. Bill 04-1527** - An Ordinance concerning - Charles Village Special Taxing District - For the purpose of designating a “special taxing district” to be known as the “Charles Village

Special Taxing District”; providing for and determining various matters in connection with the establishment of the special taxing district; creating a special fund for the special taxing district; providing for the levy of a special tax on all taxable real property located in the special taxing district; providing for a special effective date; and generally relating to the designation and operation of the special taxing district, the establishment and use of the special fund and the issuance and payment of bonds issued in connection with the special taxing district.

C.C. Bill 04-1528 - An Ordinance concerning - Charles Village Special Obligation Bonds - For the purpose of providing for the issuance of special obligation bonds in an amount not exceeding \$9,900,000 for the purpose of financing the acquisition of land and public infrastructure improvements; providing for the method and sources of payment for these special obligation bonds; authorizing the Board of Finance to specify, prescribe, determine, provide for and approve the details, forms, documents or procedures in connection with the special obligation bonds and any other matters necessary or desirable in connection with the authorization, issuance, sale and payment of these special obligation bonds; providing for a special effective date; and generally relating to the issuance and payment of special obligation bonds.

C.C. Bill 04-1529 - An Ordinance concerning - Charles Village Development District - For the purpose of designating a “development district” to be known as the “Charles Village Development District”; providing for and determining various matters in connection with the establishment of the development district; creating a special, tax increment fund for the development district; allocating certain property taxes to that fund; making certain findings and determinations; providing for a special effective date; and generally relating to the designation and operation of the development district, the establishment and use of the tax increment fund and the issuance and payment of special obligation bonds issued in connection with the development district.

C.C. Bill 04-1530 - An Ordinance concerning - North Locust Point Special Taxing District - For the purpose of designating a “special taxing district” to be known as the “North Locust Point Special Taxing District”; providing for and determining various matters in connection with the establishment of the special taxing district; creating a special fund for the special taxing district; providing for the levy of a special tax on all taxable real property located in the special taxing district; providing for a special effective date; and generally relating to the designation and operation of the special taxing district, the establishment and use of the special fund and the issuance and payment of bonds issued in connection with the special taxing district.

C.C. Bill 04-1531 - An Ordinance concerning - North Locust Point Special Obligation Bonds - For the purpose of providing for the issuance of special obligation bonds in an amount not exceeding \$3,000,000 for the purpose of financing public infrastructure improvements; providing for the method and sources of payment for these special obligation bonds; authorizing the Board of Finance to specify, prescribe, determine, provide for and approve

the details, forms, documents or procedures in connection with the special obligation bonds and any other matters necessary or desirable in connection with the authorization, issuance, sale and payment of these special obligation bonds; providing for a special effective date; and generally relating to the issuance and payment of special obligation bonds.

C.C. Bill 04-1538 - An Ordinance concerning - Urban Renewal — Orchard-Biddle — Amendment 11 - For the purpose of amending the Urban Renewal Plan for Orchard-Biddle to change the land use category for 510-528 St. Mary Street and to revise Exhibit 1 to reflect the change; waiving certain content and procedural requirements; making the provisions of this Ordinance severable; providing for the application of this Ordinance in conjunction with certain other ordinances; and providing for a special effective date.

C.C. Bill 04-1549 - An Ordinance concerning - Supplementary Water Utility Fund Operating Appropriation — Department of Public Works — \$3,000,000 - For the purpose of providing a Supplementary Water Utility Fund Operating Appropriation in the amount of \$3,000,000 to the Department of Public Works — Program 552 (Water Facilities), to provide funding to cover additional operating expenses; and providing for a special effective date.

Sincerely,

Martin O'Malley
Mayor

December 2, 2004

Honorable Sheila Dixon, President
and Members of the City Council

Dear Council Members:

I am pleased to inform your Honorable Body that I have signed into law this day:

C.C. Bill 03-1111 - An Ordinance concerning - Street Vendors — Licensing and Regulation - For the purpose of consolidating and revising provisions governing street vendors; expanding certain of these provisions to apply Citywide; defining certain terms; modifying certain penalties as they apply to street vendors and to other regulated persons and activities; changing the name and composition of the applicable licensing entity; correcting, clarifying, and conforming certain language; and generally relating to the licensing and regulation of street vendors.

C.C. Bill 03-1219 - An Ordinance concerning - Zoning – Parking Lot Districts – Clarification - For the purpose of clarifying the scope of the restrictions applicable to certain parking lots in the Parking Lot Districts.

- C.C. Bill 04-1278** - An Ordinance concerning - Rezoning — 3610 Dillon Street - For the purpose of changing the zoning for the property known as 3610 Dillon Street, as outlined in red on the accompanying plat, from the M-3 Zoning District to the R-8 Zoning District.
- C.C. Bill 04-1347** - An Ordinance concerning - Rezoning — 1208 Bank Street - For the purpose of changing the zoning for the property known as 1208 Bank Street, as outlined in red on the accompanying plat, from the M-2-2 Zoning District to the B-3-2 Zoning District.
- C.C. Bill 04-1418** - An Ordinance concerning - Planned Unit Development — Amendment 2 — York Road and Belvedere Avenue (Belvedere Square) - For the purpose of approving a certain amendment to the Development Plan of the York Road and Belvedere Avenue (Belvedere Square) Planned Unit Development.
- C.C. Bill 04-1420** - An Ordinance concerning - Planned Unit Development — Designation — 1950 East Fayette Street, 1951 East Fayette Street, and 1921-1939 Orleans Street - For the purpose of approving the application of Capital Development, LLC, and Dell House, LLC, which are the owners of certain properties known as 1950 East Fayette Street, 1951 East Fayette Street, and 1921-1939 Orleans Street (collectively, the “Property”), to have the Property designated a Residential Planned Unit Development; and approving the Development Plan submitted by the applicant.
- C.C. Bill 04-1428** - An Ordinance concerning - Rezoning — 1300 East Clement Street and a Portion of 1450 Beason Street - For the purpose of changing the zoning for the property known as 1300 East Clement Street and a portion of the property known as 1450 Beason Street, as outlined in red on the accompanying plat, from the M-3 Zoning District to the R-8 Zoning District.
- C.C. Bill 04-1482** - An Ordinance concerning - Sale of Property — 1312 Guilford Avenue and Ward 11, Section 1, Block 468, Lot 034 - 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 property properties that is are located at 1312 Guilford Avenue (Ward 11, Section 1, Block 468, Lot 022) and Ward 11, Section 1, Block 468, Lot 034 and is are no longer needed for public use; and providing for a special effective date.
- C.C. Bill 04-1483** - An Ordinance concerning - Rezoning — 4600, 4602, 4604, 4606, 4608, and 4612 Maine Avenue - For the purpose of changing the zoning for the properties known as 4600, 4602, 4604, 4606, and 4608 Maine Avenue, as outlined in red on the accompanying plat, from the R-4 Zoning District to the B-2-2 Zoning District, and changing the zoning for the property known as 4612 Maine Avenue, as outlined in blue on the accompanying plat, from the B-2-2-P Zoning District to the B-2-2 Zoning District.
- C.C. Bill 04-1485** - An Ordinance concerning - Urban Renewal — Brooklyn Business Area — Amendment 3 - For the purpose of amending the Urban Renewal Plan for Brooklyn Business Area to change the name and expand the project boundary to include portions of the adjacent

Curtis Bay area and to provide that the included area of Curtis Bay come under all of the provisions and procedures of the Brooklyn Business Area Urban Renewal Plan; approving certain regulations, controls, and restrictions for certain uses within the project area; creating new appendices; creating revised exhibits attached to the Renewal Plan to reflect the proposed changes; correcting, clarifying and conforming certain language; waiving certain content and procedural requirements; making the provisions of this Ordinance severable; providing for the application of this Ordinance in conjunction with certain other ordinances; and providing for a special effective date.

C.C. Bill 04-1486 - An Ordinance concerning - Urban Renewal — Poppleton — Amendment 10 - For the purpose of amending the Urban Renewal Plan for Poppleton to revise the boundary description for the Project Area, authorize the acquisition by purchase or by condemnation of certain properties for urban renewal purposes, create new disposition lots and revise the boundaries of existing disposition lots and designate land use for the expanded Project Area, revise exhibits, and amend Appendix C to reflect the changes in the Plan; waiving certain content and procedural requirements; making the provisions of this Ordinance severable; providing for the application of this Ordinance in conjunction with certain other ordinances; and providing for a special effective date.

C.C. Bill 04-1492 - An Ordinance concerning - Rezoning — 831 East Lombard Street - For the purpose of changing the zoning for the property known as 831 East Lombard Street, as outlined in red on the accompanying plat, from the M-2-2 Zoning District to the B-3-2 Zoning District.

C.C. Bill 04-1505 - An Ordinance concerning - Sale of Property — 4504 Harford Road - 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 property that is located at 4504 Harford Road (Ward 27, Section 07, Block 5342, Lot 002) and is no longer needed for public use; and providing for a special effective date.

C.C. Bill 04-1506 - An Ordinance concerning - Sale of Property — 1110/1112 East Baltimore 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 property known as 1110/1112 East Baltimore Street (Ward 5, Section 7, Block 1338, Lot 2/3) and no longer needed for public use; and providing for a special effective date.

C.C. Bill 04-1508 - An Ordinance concerning - Acquisition of Property — Perpetual Easements and Temporary Rights of Access Needed for The Upper Jones Falls Interceptor Improvements Project - For the purpose of authorizing the Mayor and City Council of Baltimore to acquire, by purchase or condemnation, the fee simple or other interests in certain properties located along the Upper Jones Falls between Union Avenue and Smith Avenue and needed for the Upper Jones Falls Interceptor Improvements Project, as shown on plats numbered R.W. 20-36091, R.W. 20-36092, R.W. 20-36102, R.W. 20-36103, and Figure

2 through Figure 12 in the Office of the Department of Public Works; and providing for a special effective date.

C.C. Bill 04-1513 - An Ordinance concerning - Rezoning — 2305-2311 Essex Street - For the purpose of changing the zoning for the property known as 2305-2311 Essex Street, as outlined in red on the accompanying plat, from the M-2-2 Zoning District to the R-8 Zoning District.

C.C. Bill 04-1515 - An Ordinance concerning - Rezoning — 1301 Covington Street - For the purpose of changing the zoning for the property known as 1301 Covington Street, as outlined in red on the accompanying plat, from the M-2-2 Zoning District to the O-R-2 Zoning District.

C.C. Bill 04-1520 - An Ordinance concerning - Sale of Property — Lots located in the Vicinity of Patterson and - Wabash Avenues known as: Block 4264, Lot 013; Block 4265, Lot 003; Block 4267, Lots 019 through 025 and 028; and Block 4275, Lots 008 through 023 - 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 properties known as Block 4264, Lot 013; Block 4265, Lot 003; Block 4267, Lots 019 through 025 and 028; and Block 4275, Lots 008 through 023 and no longer needed for public use; and providing for a special effective date.

C.C. Bill 04-1524 - An Ordinance concerning - City Property — Renaming the Baltimore Conservatory and Gardens to ~~The Honorable~~ the Howard Peters Rawlings Conservatory and Botanic Gardens of Baltimore - For the purpose of changing the name of the Baltimore Conservatory and Gardens, located at 3100 Swann Drive, to ~~The Honorable~~ the Howard Peters Rawlings Conservatory and Botanic Gardens of Baltimore.

C.C. Bill 04-1533 - An Ordinance concerning - Planned Unit Development — Amendment 3 — Canton Crossing - For the purpose of approving certain amendments to the Development Plan of the Canton Crossing Planned Unit Development.

C.C. Bill 04-1536 - An Ordinance concerning - Zoning – Conditional Use Convalescent, Nursing, and Rest Home (Assisted Living) – 3410 Woodbine Avenue - For the purpose of permitting, subject to certain conditions, the establishment, maintenance, and operation of a convalescent, nursing, and rest home (assisted living) on the property known as 3410 Woodbine Avenue, as outlined in red on the accompanying plat.

C.C. Bill 04-1537 - An Ordinance concerning - Zoning – Conditional Use Convalescent, Nursing, and Rest Home (Assisted Living) – 767 Linnard Street - For the purpose of permitting, subject to certain conditions, the establishment, maintenance, and operation of a convalescent, nursing, and rest home (assisted living) on the property known as 767 Linnard Street, as outlined in red on the accompanying plat.

C.C. Bill 04-1546 - An Ordinance concerning - City Property — Naming the Fire Station Located at ~~901~~ 1001 East Fort Avenue to be the Chief Peter J. O'Connor Fire Station - For the purpose of naming the fire station located at ~~901~~ 1001 East Fort Avenue to be the Chief Peter J. O'Connor Fire Station.

C.C. Bill 04-1559 - An Ordinance concerning - Supplementary Federal Grant Operating Appropriation — Baltimore City Police Department — \$6,865,998.76 - For the purpose of providing a Supplementary Federal Grant Operating Appropriation in the amount of \$6,865,998.76 to the Baltimore City Police Department — Program 201 (Field Operations Bureau), to provide appropriation to support requirements of a grant; and providing for a special effective date.

C.C. Bill 04-1560 - An Ordinance concerning - Supplementary Federal Grant Operating Appropriation — Baltimore City Police Department — \$2,176,850 - For the purpose of providing a Supplementary Federal Grant Operating Appropriation in the amount of \$2,176,850 to the Baltimore City Police Department — Program 202 (Investigations), to provide appropriation to support requirements of a grant; and providing for a special effective date.

C.C. Bill 04-1561 - An Ordinance concerning - Supplementary Federal Grant Operating Appropriation — Baltimore City Police Department — \$579,251.94 - For the purpose of providing a Supplementary Federal Grant Operating Appropriation in the amount of \$579,251.94 to the Baltimore City Police Department — Program 201 (Field Operations), to provide appropriation to support requirements of a grant; and providing for a special effective date.

C.C. Bill 04-1562 - An Ordinance concerning - Supplementary Federal Grant Operating Appropriation — Baltimore City Police Department — \$465,000 - For the purpose of providing a Supplementary Federal Grant Operating Appropriation in the amount of \$465,000 to the Baltimore City Police Department — Program 201 (Field Operations Bureau), to provide appropriation to support requirements of a grant; and providing for a special effective date.

Sincerely,

Martin O'Malley
Mayor

INTRODUCTION AND READ FIRST TIME

The President laid before the City Council the following bills and resolutions for first reading:

Bill No. 04-1573 - By Councilmember Curran, President Dixon, Councilmembers Young, Branch, Holton, Spector, Mitchell, Reisinger, Rawlings Blake, Cain, Stancil, Carter, Welch, Harris, Abayomi, Stukes, Pugh:

Introduced: December 6, 2004
(Read and adopted)

A COUNCIL RESOLUTION CONCERNING

**In Appreciation to Barbara E. Jackson, Election Director
Baltimore City Board of Elections**

FOR the purpose of expressing appreciation to Barbara E. Jackson for the many years of service to the citizens of Baltimore in her capacity as supervisor of the City Board of Elections and wishing her the best of luck in all her future personal and professional endeavors.

Recitals

In September 1987, Barbara E. Jackson was sworn in as the 1st African American and 1st woman administrator of the Baltimore City Board of Election Supervisors. Prior to this post, Ms. Jackson served as the Deputy Director for 8 years and as a temporary employee of the Election Board prior to 1967.

In addition to her dedication to fulfilling her duties to the Board of Elections, as authorized by the Public General Laws of Maryland to make rules consistent with State laws to ensure the proper and efficient registration of voters and conduct of elections, Ms. Jackson has been very active in public service to the citizens of Baltimore and her immediate neighborhood as a member of a number of professional and service organizations.

Over the years Ms. Jackson has been a member of the Maryland Association of Elected Officials (MAEO); the International Association of Clerks, Recorders, Election Officials and Treasurers (IACREOT); the Maryland Coalition of Women for Responsive Government, Inc.; 100 Black Women of Baltimore City; lifetime membership of NAACP; the Sudbrook Neighborhood Association; St. Gregory the Great Catholic Church; the Lebanon Baptist Church; the Pastors Aide, the Hospitality Committee; and the Culinary Ministry.

Despite the often rough and tumble nature of Baltimore City and Maryland State politics, the soft-spoken Election Administrator has always risen above the fray to treat her colleagues with the utmost integrity, incontrovertible professionalism, and unassailable dignity.

Thank you Barbara E. Jackson for 38 years of excellent service.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE, That this Body hereby expresses sincere appreciation to Barbara E. Jackson for the many years of service

to the citizens of Baltimore in her capacity as supervisor of the City Board of Elections and wishes her the best of luck in all her future personal and professional endeavors.

AND BE IT FURTHER RESOLVED, That a copy of this Resolution be sent to the Mayor, Barbara E. Jackson, Election Administrator, and the Mayor's Legislative Liaison to the City Council.

Councilmember Curran made a motion, which was duly seconded, that the Rules be suspended.

The roll was called on the motion, resulting as follows:

Yeas - President and Councilmembers Cain, D'Adamo, Garey, Branch, Carter, Young, Curran, Harris, Stancil, Mitchell, Pugh, Welch, Holton, Rawlings Blake, Spector, Abayomi, Reisinger, Stukes - Total 19.

Nays - 0.

The President declared the Rules "Suspended".

Then Councilmember Curran made a motion, which was duly seconded, that the Resolution be adopted.

The roll was called on the motion, resulting as follows:

Yeas - President and Councilmembers Cain, D'Adamo, Garey, Branch, Carter, Young, Curran, Harris, Stancil, Mitchell, Pugh, Welch, Holton, Rawlings Blake, Spector, Abayomi, Reisinger, Stukes - Total 19.

Nays - 0.

The President declared the Resolution "Adopted".

CONSENT CALENDAR

CEREMONIAL RESOLUTIONS No. 9963, 9964, 9965, 9966, 9967, 9968, 9969, 9970, 9971, 9972, 9973, 9974, 9975, 9976, 9977, 9978, 9979, 9980, 9981, 9982, 9983, 9984, 9985, 9986, 9987, 9988, 9989, 9990, 9991, 9992, 9993, 9994, 9995, 9996, 9997, 9998, 9999, 10,000, 10,001, 10,002, 10,003, 10,004, 10,005, 10,006, 10,007, 10,008, 10,009, AND 10,010 ADOPTED UNDER RULE 3-9.

The resolutions were read.

The roll was called on the adoption of the resolutions, resulting as follows:

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Yeas - President and Councilmembers Cain, D'Adamo, Garey, Branch, Carter, Young, Curran, Harris, Stancil, Mitchell, Pugh, Welch, Holton, Rawlings Blake, Spector, Abayomi, Reisinger, Stukes - Total 19.

Nays - 0.

The President declared the resolutions adopted under Rule 3-9.

Ceremonial Resolutions will be found at the end of the Journal.

ACTION ON EXECUTIVE APPOINTMENTS

Councilmember Young made a motion, which was duly seconded, that the favorable report of the Committee on Executive Appointments be adopted.

The Appointment of

MARILYNN K. DUKER

Member

BOARD:

Board of Finance

EXPIRATION OF TERM:

December 7, 2004

The motion prevailed.

The President declared the favorable report adopted.

Councilmember Young made a motion, which was duly seconded, that the appointment of Marilyn K. Duker be confirmed.

The roll was called, resulting as follows:

Yeas - President and Councilmembers Cain, D'Adamo, Garey, Branch, Carter, Young, Curran, Harris, Stancil, Mitchell, Pugh, Welch, Holton, Rawlings Blake, Spector, Abayomi, Reisinger, Stukes - Total 19.

Nays - 0.

The President declared the appointment of Marilyn K. Duker confirmed.

COMMITTEE REPORTS

**BILL NO. 04-1567 REPORTED FAVORABLY
AND ADOPTED**

Councilmember Stukes, for the Education and Labor Subcommittee, reported Bill No. 04-1567 favorably.

A COUNCIL RESOLUTION CONCERNING

Alternative Schools – Disruptive Students Need a Place

FOR the purpose of requesting that alternative schools be created for disruptive students currently in the Baltimore City Public School System, in order to help teachers teach and to give more opportunity to students who are serious and driven in their will to learn.

Recitals

The National Center for Education Statistics reported that 1 in 8 students does not complete high school. Minorities, the poor, and the disabled often fare worse. Over 50% of students in a quarter of the nation's poor, urban high schools fail to graduate. Suspension, expulsion, retention, chronic failure, and alienation all contribute to unacceptable dropout and incompleteness rates. Many states have created alternative schools for the "problem" individuals thought to degrade general education quality.

Are classes or schools so large that students don't get personal attention, fall behind, and become alienated? When Baltimore's troubled Patterson High School subdivided its student body into 5 small academies featuring personalization and career-focused curricula, student behavior, attendance, and achievement improved dramatically, according to a 1997 study done by McPartland, Jordan, Legters and Balfanz.

The purpose of most early alternative schools was educational, offering students an option for learning, while the purpose of many new alternative settings is correctional – either disciplinary or therapeutic. There are 3 categories of schools set up to help disruptive students on multiple levels.

In 1994, after over 30 years of research on the subject, M. Raywid reported on and characterized the 3 general school types. Type I schools offer full-time, multi-year, education options for students of all kinds, including those needing more individualization, those seeking an innovative or challenging curriculum, or dropouts wishing to earn their diplomas. A full instructional program offers students the credits needed for graduation. Other characteristics include divergence from standard school organization and practices (deregulation, flexibility, autonomy, and teacher and student empowerment), an especially caring, professional staff, small size and small classes, and a personalized, whole-student approach that builds a sense of affiliation and features individual instruction, self-paced work, and career counseling. Models range from schools-within-schools to magnet schools, charter schools, schools without walls, experiential schools, career-focused and job-based schools, dropout-recovery programs, after-hours schools, and schools in atypical settings like shopping malls and museums.

Discipline is the distinguishing characteristic of Type II programs, which aim to segregate, contain, and reform disruptive students. Students typically do not choose to attend, but are sent to the school for specified time periods or until behavior requirements are met. Since placement is short-term, the curriculum is limited to a few basic, required courses or is entirely supplied by the “home school” as a list of assignments. Familiar models include last-chance schools and in-school suspension.

Type III programs provide short-term but therapeutic settings for students with social and emotional problems that create academic and behavioral barriers to learning. Although Type III programs target specific populations – offering counseling, access to social services, and academic remediation – students can choose not to participate.

The purpose of a state’s alternative schools, as defined by its laws and policies, remains critical to program implementation, evaluation, effectiveness, and even equity. The language in laws and policies related to purpose may create the following dilemmas for schools that must implement the legislation. Baltimore City needs these alternative schools in order to allow its teachers to teach and its students to learn. No child should be given up on, and alternative schools may be a solutions to a difficult problem.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE, That it is requested that alternative schools be created for disruptive students currently in the Baltimore City Public School System, in order to help teachers teach and give more opportunity to students who are serious and driven in their will to learn.

AND BE IT FURTHER RESOLVED, That a copy of this Resolution be sent to the Mayor, the Members of the Baltimore City School Board, the Chief Executive Officer of Baltimore City Public Schools, the Director of Finance, the City Comptroller, and the Mayor’s Legislative Liaison to the City Council.

Favorable report adopted.

The roll was called on the adoption of the Resolution, resulting as follows:

Yeas - President and Councilmembers Cain, D'Adamo, Garey, Branch, Carter, Young, Curran, Harris, Stancil, Mitchell, Pugh, Welch, Holton, Rawlings Blake, Spector, Abayomi, Reisinger, Stukes - Total 19.

Nays - 0.

The President declared the Resolution adopted.

**BILL NO. 04-1568 REPORTED FAVORABLY
AND ADOPTED**

Councilmember Stukes, for the Education and Labor Subcommittee, reported Bill No. 04-1568 favorably.

A COUNCIL RESOLUTION CONCERNING

Baltimore City Public School System – Mandatory School Uniform Policy

FOR the purpose of requesting the Board of School Commissioners and the Chief Executive Officer to adopt a policy of mandatory uniform requirements for all schools in the Baltimore City Public School System; and urging all students and their families to support this policy change that seeks to further safeguard our children and to work to ensure a smooth transition to a policy of school uniforms for all.

Recitals

The U.S. Department of Education, in consultation with local communities and the U.S. Department of Justice, published *School Uniforms: Where They Are and Why They Work*, a manual on school uniforms. The study found, in part, that a safe and disciplined learning environment is the first requirement of a good school. Young people who are safe and secure, who learn basic American values and the essentials of good citizenship, are better students, and that in response to growing levels of violence in schools, many parents, teachers, and school officials have come to see school uniforms as one positive and creative way to reduce discipline problems and increase school safety.

It was observed that the adoption of school uniform policies can promote school safety, improve discipline, and enhance the learning environment. The potential benefits of school uniforms are said to include:

- decreasing violence and theft – even life-threatening situations – among students over designer clothing or expensive sneakers;
- helping prevent gang members from wearing gang colors and insignia at school;
- instilling students with discipline;
- helping parents and students resist peer pressure;
- helping students concentrate on their school work; and
- helping school officials recognize intruders who come to the school.

At the time the federal government adopted this policy, nearly 8 years ago, many local communities were adopting school uniform policies as part of an overall program to improve school safety and discipline. California, Florida, Georgia, Indiana, Louisiana, Maryland, New York, Tennessee, Utah, and Virginia had enacted school uniform regulations. Many large public school systems, including Baltimore, Cincinnati, Dayton, Detroit, Los Angeles, Long Beach,

Miami, Memphis, Milwaukee, Nashville, New Orleans, Phoenix, Seattle, and St. Louis, had schools with either voluntary or mandatory uniform policies, mostly in elementary and middle schools. In addition, many private and parochial schools have required uniforms for quite a few years, and other schools have implemented dress codes to encourage a safe environment by prohibiting certain clothes, expensive jewelry, and popular footwear.

Although individual schools, mainly at the elementary and middle school level, have instituted voluntary uniform codes, the Baltimore City Public School system falls short of instituting a mandatory uniform policy and has instead adopted an exclusionary dress code that addresses issues related to the safety of its students. The policy provides that certain dress is excluded from approved wear by students:

- Fur and Leather – No real or imitation leather, fur, or animal skin jackets, coats, vests, pants, or skirts are allowed.
- Sweat Suits and Jogging Suits – No sweat pants or jogging pants with elastic at the bottom of the legs are allowed. No elastic fabric sportswear is allowed.
- Torn Clothing – No clothing designed or altered to expose undergarments or parts of the body except arms or legs, as defined throughout these rules, is allowed.
- Jewelry – Because theft and/or loss is a school security concern, the wearing of precious jewelry in our schools is prohibited. 1) no metal chains, ropes, necklaces, bracelets, or rings are allowed. 2) no large or extravagant earrings are allowed. 3) no multi-fingered rings are allowed.
- Exceptions – 1) wedding rings for married students. 2) school rings. 3) non-visible metal religious items. 4) medical identification bracelets.
- Underwear – No undergarments worn as outerwear are allowed.
- Printed matter on Clothes – No wearing apparel printed with vulgar statements or statements promoting the use of drugs, alcohol, sex and/or violence is allowed.
- Footwear – No footwear such as slippers, thongs, and flip-flops is allowed.
- Head-wear – No hats, hair rollers, and hair curlers are allowed.
- Bedtime Apparel – No pajama-type attire, undershirts, or other bedtime attire is allowed.
- Shorts, Skirts, and Tops – No shorts above the knee (when a student is standing), halter tops, tank tops, muscle shirts, or see-through tops are allowed. No miniskirts are allowed.

The escalation in school violence in Baltimore City, from shootings outside to the setting of fires within school buildings, shows that the school system needs to revisit current practices. The schools, students, care-givers, and the community must cooperate in adopting and enforcing policies that have the potential to keep our children, and those who labor to give them an education, safe. To that end, we should embrace the evidence presented by the U.S. Department of Education and adopt a mandatory uniform policy for all of the schools within the Baltimore City Public School System.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE, That the Board of School Commissioners and the Chief Executive Officer are requested to adopt a policy of mandatory uniform requirements for all schools in the Baltimore City Public School System;

and all students and their families are urged to support this policy change that seeks to further safeguard our children and to work to ensure a smooth transition to a policy of school uniforms for all.

AND BE IT FURTHER RESOLVED, That a copy of this Resolution be sent to the Mayor, the Members of the Board of School Commissioners, the Chief Executive Officer of the Baltimore City Public School System, the Parent Teacher Associations and Organizations of Baltimore City, and the Mayor's Legislative Liaison to the City Council.

Favorable report adopted, with Councilmember Welch out of Chambers.

The roll was called on the adoption of the Resolution, resulting as follows:

Yeas - President and Councilmembers Cain, D'Adamo, Garey, Branch, Carter, Young, Curran, Harris, Stancil, Mitchell, Pugh, Holton, Rawlings Blake, Spector, Abayomi, Reisinger, Stukes - Total 18.

Nays - 0.

Out of Chambers - Councilmember Welch - Total 1.

The President declared the Resolution adopted.

**BILL NO. 04-1571 REPORTED FAVORABLY
AND ADOPTED**

Councilmember Stukes, for the Education and Labor Subcommittee, reported Bill No. 04-1571 favorably.

A COUNCIL RESOLUTION CONCERNING

Prostitution – Predict, Prevent, and Protect

FOR the purpose of calling upon the Mayor, the Baltimore Police Commissioner, the Health Commissioner, and the Baltimore City Criminal Justice Coalition to work together to develop a comprehensive approach to prostitution that incorporates the varied approaches of predicting social and economic trends that put women in danger of turning to prostitution as a means of survival; to cooperate in developing and implementing social safety-nets and legal interventions that discourage women from engaging in this illegal and demoralizing activity; and to concentrate law enforcement efforts in apprehending and adjudicating the social deviants that habitually prey on this vulnerable and stigmatized population.

Recitals

In *Tackling Crime and Other Public-Safety Problems: Case Studies in Problem Solving*, a publication of the U.S. Department of Justice Office of Community Oriented Policing Services, the Editor notes that while prostitution has been around for a long time, police responses to it, such as citations, reverse stings, and arrests, have remained the same for several decades. Police and community groups have recently tried new approaches based on a better understanding of prostitution markets, after looking at the markets' economics and health risks, and the environmental conditions that allow them to flourish. More recent strategies include altering street traffic and parking patterns, pushing local judges to reassess their sentencing practices, using civil laws, offering social services, educating "johns", shaming johns, discouraging facilitating prostitution, and engaging outraged communities.

In 1998, the media in Baltimore reported that the Baltimore Police were initiating a new crime-fighting initiative that was being watched with interest by law enforcement communities across the country. Police here were recruiting prostitutes to help hunt down violent criminals. In 6 months, interrogations of prostitutes had yielded 2 witnesses to homicides and firsthand information on 15 killings. More than 1/3rd of the 195 women interviewed by police reported at least 1 incident in which they were raped or sexually assaulted by a customer. The police believed that prostitutes constituted the front-line 'volunteers' to apprehending dangerous criminals. According to the police involved, "all rapists are potential serial rapists who frequently hone their skills on prostitutes before moving on to other women...prostitutes are the laboratory on which the violent recidivist sex offender can safely practice his methods of domination...if police can solve crimes against prostitutes they can put the offender behind bars before he attacks a neighbor or the stranger coming out of the grocery store."

In the Southeastern District of Baltimore, a neighborhood, with the cooperation of the Police Department, took a more holistic approach to the problems inherent in prostitution. In 2002, DAART (the Dundalk Avenue Area Residents Together) anti-crime group was formed, in part, to combat problems caused by prostitutes, johns, and drug addicts. As part of their work, the group furnishes the court with impact statements when participants are being tried for prostitution-related offenses. The statement lets the court know that when a john engages in this type of behavior "he will find prostitutes – many whom are addicted to the hardest, most unforgiving substances like crack...carry one or more of the sexually transmittable through sexual intercourse and needle exchange and the transmission of body fluids...these are very sick women working on our sidewalks".

The Director of *You Are Not Alone* , a Baltimore outreach program for prostitutes confirms that prostitutes are at great risk to themselves and others. At the lowest rung of the commercial sex industry, these streetwalkers are very, very sick and likely to have any of a number of diseases ranging from hepatitis, to tuberculosis, to HIV/AIDS. Prostitution is a health crisis. In addition to suffering from HIV/AIDS, many women who are arrested for prostitution are mentally and physically ill. Many suffer from liver and heart problems. Of the 500 women being held in the Women's Detention Center on any given day, it is estimated that at least 60% are suffering from a mental illness. Officials note that crimes committed by women, such as theft, fraud, bad check writing, and including prostitution, are drug-driven.

Until society admits that prostitution is not an issue of individual morality but is instead an issue of the economic, health, and well-being of the entire community there will be no change in the world's oldest profession. We can not be content to punish those who break these laws, we must provide those who engage in this activity with viable alternatives. We must provide drug treatment, psychiatric counseling, medical treatment, job training, and other social services that are needed to assist the prostitute in securing economic and emotional independence. In order to keep our City healthy we must become our brother's, and our sister's, keepers.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE, That this Body hereby calls upon the Mayor, the Baltimore Police Commissioner, the Health Commissioner, and the Baltimore City Criminal Justice Coalition to work together to develop a comprehensive approach to prostitution that incorporates the varied approaches of predicting social and economic trends that put women in danger of turning to prostitution as a means of survival; to cooperate in developing and implementing social safety-nets and legal interventions that discourage women from engaging in this illegal and demoralizing activity; and to concentrate law enforcement efforts in apprehending and adjudicating the social deviants that habitually prey on this vulnerable and stigmatized population.

AND BE IT FURTHER RESOLVED, That a copy of this Resolution be sent to the Mayor, the Police Commissioner, the Health Commissioner, and Members of the Baltimore City Criminal Justice Coalition.

Favorable report adopted, with Councilmember Welch out of Chambers

The roll was called on the adoption of the Resolution, resulting as follows:

Yeas - President and Councilmembers Cain, D'Adamo, Garey, Branch, Carter, Young, Curran, Harris, Stancil, Mitchell, Pugh, Holton, Rawlings Blake, Spector, Abayomi, Reisinger, Stukes - Total 18.

Nays - 0.

Out of Chambers - Councilmember Welch - Total 1.

The President declared the Resolution adopted.

**BILL NO. 04-1566 REPORTED FAVORABLY, WITH AMENDMENT,
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Curran, for the Judiciary and Legislative Investigations Committee, reported Bill No. 04-1566 favorably, with amendment.

An Ordinance changing the name of Digital Harbor High School #416, located at 1100 Covington Street, to Harlow Fullwood, Jr. Digital Harbor High School.

Amendment to City Council Bill No. 04-1566

Amendment No. 1

On page 1, in line 17, after “That”, insert “, subject to the approval of the Baltimore City Board of School Commissioners,”.

The amendment was read and adopted, with Councilmember Pugh out of Chambers.

Favorable report, as amended, adopted, with Councilmember Pugh out of Chambers.

The bill, as amended, was read the second time and ordered printed for third reading.

**BILL NO. 04-1569 REPORTED FAVORABLY
AND ADOPTED**

Councilmember Curran, for the Judiciary and Legislative Investigations Committee, reported Bill No. 04-1569 favorably.

A COUNCIL RESOLUTION CONCERNING

Major League Baseball – Negro League Fund

FOR the purpose of requesting that a fund be established consisting of a percentage of the proceeds from major league baseball to be donated to the players who are still living and the spouses of deceased Negro League Players.

Recitals

The first effort to form a professional Negro League was made in 1887. The result was the very short-lived League of Colored Base Ball Clubs, which lasted only a week.

The first successful Negro League was formed in 1920 by Andrew "Rube" Foster, owner of the powerful Chicago American Giants. The inaugural season of the Negro National League featured the Chicago American Giants, Chicago Giants, Cuban Stars, Dayton Marcos, Indianapolis ABCs, Kansas City Monarchs, and the St. Louis Giants.

After the integration of professional baseball two factors combined to bring about the collapse of the Negro Leagues; (a) the best players from the top Negro League teams were signed by major league organizations, thus weakening the top Negro League teams, and (b) the interest of black fans was quickly drawn away from the Negro Leagues as they focused their interest on the performance of Jackie Robinson and other black pioneers in the major leagues. As fan attendance dwindled at the close of the 1940s, most Negro League teams collapsed under financial pressure.

Although the integration of professional baseball was one important step in the integration of American society, the event did have at least one negative aspect for the African-American community. By the 1940s, Negro League baseball had become one of the largest and most successful black-owned business enterprises in America. The integration of baseball meant the end of baseball as a profitable industry in the black community. The original Negro National League disbanded after the 1931 season, unable to weather the financial hardships of the Great Depression.

Major League Baseball is now the only professional baseball league in the United States. Millions of dollars are made everyday, and many players are paid daily more than many Americans see in a lifetime. Without the Negro Leagues, none of this would have even been possible. The recruitment of African-American players from around the country created a market which helped make Major League Baseball what it is today.

Baltimore has its own rich Negro League history. Having numerous teams throughout the course of league history, Baltimore was a Negro League staple. Many memorable players came from Baltimore and played here with vigor, gusto, and respect. Players like Leon Day, whom Baltimore honored with the naming of a park, have been a shining example for our youth, as well as the many athletes who still play the great game of baseball.

Despite all the profits that Major League Baseball has been able to accumulate, the living widows of Negro League players have not seen any money from Major League Baseball. Major League Baseball has a duty to return the good fortune it has had by giving a small percentage of their proceeds to the widows of the players who made the league's current financial status possible.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE, That it is requested that a fund be established consisting of a percentage of the proceeds from Major League Baseball to be donated to living players and living spouses of deceased Negro League Players.

AND BE IT FURTHER RESOLVED, That a copy of this Resolution be sent to the Mayor's Legislative Liaison to the Council, each owner of a Major League Baseball franchise, and the Commissioner of Major League Baseball.

Favorable report adopted.

The roll was called on the adoption of the Resolution, resulting as follows:

Yeas - President and Councilmembers Cain, D'Adamo, Garey, Branch, Carter, Young, Curran, Harris, Stancil, Mitchell, Pugh, Welch, Holton, Rawlings Blake, Spector, Abayomi, Reisinger, Stukes - Total 19.

Nays - 0.

The President declared the Resolution adopted.

**BILL NO. 03-1146 REPORTED FAVORABLY, WITH AMENDMENTS,
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Branch, for the Urban Affairs Committee, reported Bill No. 03-1146 favorably, with amendments.

An Ordinance amending the Urban Renewal Plan for Fells Point to expand the area boundary, propose certain land use and zoning district changes, establish special districts, amend Appendix C, and revise certain exhibits to reflect the changes in the Plan; waiving certain content and procedural requirements; making the provisions of this Ordinance severable; providing for the application of this Ordinance in conjunction with certain other ordinances; and providing for a special effective date.

Amendments to City Council Bill No. 03-1146

Amendment No. 1

On page 1, in line 5, strike “and zoning district”; in lines 5 and 6, strike “establish special districts, amend Appendix C,”; in line 19, strike “to accommodate a transitional zone” and strike “and zoning”; and, in line 20, strike “establish special districts, amend Appendix C,”.

Amendment No. 2

On page 2, in line 1, after “paragraph”, insert “and the last line of the paragraph”; in line 2, after “Aliceanna Street”, insert “, Fleet Street, Eastern Avenue and Bank Street”; and, in line 2, strike beginning with “TO” down through and including “STREET”, in line 7, and substitute “A DISTANCE OF 495 FEET, MORE OR LESS, TO INTERSECT THE SOUTH OUTLINE OF THE PROPERTY KNOWN AS 704-08 CAROLINE STREET; THENCE BINDING ON THE SOUTH OUTLINE OF SAID PROPERTY, WESTERLY A DISTANCE OF 170 FEET TO INTERSECT THE EAST SIDE OF SPRING STREET; THENCE BINDING ON THE EAST SIDE OF SPRING STREET, NORTHERLY A DISTANCE OF 150 FEET, TO THE SOUTH SIDE OF ALICEANNA STREET; THENCE EASTERLY TO INTERSECT THE WEST SIDE OF CAROLINE STREET”.

Amendment No. 3

On page 2, strike lines 23 through 37 in their entirety; on page 3, strike lines 1 through 32 in their entirety; and, on page 3, in lines 33 and 38, and, on page 4, in lines 1, 6, 10, and 19, strike “3”, “4”, “5”, “6”, “7”, and “8”, respectively, and substitute “2”, “3”, “4”, “5”, “6”, and “7”, respectively.

Amendment No. 4

On page 3, in line 39, after “Land Use Plan;”, insert “Exhibit 2, Property Acquisition; Exhibit 3, Land Disposition;”; and, in line 40, after “Controls,”, insert “all” and strike “June 9, 2003” and substitute “December 2, 2004”.

Amendment No. 5

On page 1, in line 3, in the blank, insert “**20**”; and, on page 3, in line 35, in the blank, insert “20”.

The amendments were read and adopted, with Councilmember Rawlings Blake out of Chambers.

Favorable report, as amended, adopted.

The bill, as amended, was read the second time and ordered printed for third reading.

**Bill No. 04-1532 REPORTED FAVORABLY
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Branch, for the Urban Affairs Committee, reported Bill No. 04-1532 favorably.

An Ordinance designating the area located within certain boundaries as the Oldtown Mall Local Historic District.

Favorable report adopted.

The bill was read the second time and ordered printed for third reading.

THIRD READING TODAY

Councilmember Branch made a motion, which was duly seconded, to place Bill No. 03-1146 on third reading today.

The roll was called on the motion, resulting as follows:

Yeas - President and Councilmembers Cain, D'Adamo, Garey, Branch, Carter, Young, Curran, Harris, Stancil, Mitchell, Pugh, Welch, Holton, Rawlings Blake, Spector, Abayomi, Reisinger, Stukes - Total 19.

Nays - 0.

The President declared that three fourths of all the members-elect, voting in the affirmative, Article 3, Section 14 of the Charter having been complied with, the bill was placed on third reading file.

The President laid before the City Council:

BILL NO. 03-1146 - An Ordinance amending the Urban Renewal Plan for Fells Point to expand the area boundary, propose certain land use ~~and zoning district~~ changes, ~~establish special districts, amend Appendix C,~~ and revise certain exhibits to reflect the changes in the Plan; waiving certain content and procedural requirements; making the provisions of this Ordinance severable; providing for the application of this Ordinance in conjunction with certain other ordinances; and providing for a special effective date.

It was read the third time.

The bill being on its final passage, the yeas and nays were called, resulting as follows:

Yeas - President and Councilmembers Cain, D'Adamo, Garey, Branch, Carter, Young, Curran, Harris, Stancil, Mitchell, Pugh, Welch, Holton, Rawlings Blake, Spector, Abayomi, Reisinger, Stukes - Total 19.

Nays - 0.

The bill was read and approved, and the bill was declared "Passed".

THIRD READING TODAY

Councilmember Branch made a motion, which was duly seconded, to place Bill No. 04-1532 on third reading today.

The roll was called on the motion, resulting as follows:

Yeas - President and Councilmembers Cain, D'Adamo, Garey, Branch, Carter, Young, Curran, Harris, Stancil, Mitchell, Pugh, Welch, Holton, Rawlings Blake, Spector, Abayomi, Reisinger, Stukes - Total 19.

Nays - 0.

The President declared that three fourths of all the members-elect, voting in the affirmative, Article 3, Section 14 of the Charter having been complied with, the bill was placed on third reading file.

The President laid before the City Council:

BILL NO. 04-1532 - An Ordinance designating the area located within certain boundaries as the Oldtown Mall Local Historic District.

It was read the third time.

The bill being on its final passage, the yeas and nays were called, resulting as follows:

Yeas - President and Councilmembers Cain, D'Adamo, Garey, Branch, Carter, Young, Curran, Harris, Stancil, Mitchell, Pugh, Welch, Holton, Rawlings Blake, Spector, Abayomi, Reisinger, Stukes - Total 19.

Nays - 0.

The bill was read and approved, and the bill was declared "Passed".

THIRD READING TODAY

Councilmember Curran made a motion, which was duly seconded, to place Bill No. 04-1566 on third reading today.

The roll was called on the motion, resulting as follows:

Yeas - President and Councilmembers Cain, D'Adamo, Garey, Branch, Carter, Young, Curran, Harris, Stancil, Mitchell, Pugh, Welch, Holton, Rawlings Blake, Spector, Abayomi, Reisinger, Stukes - Total 19.

Nays - 0.

The President declared that three fourths of all the members-elect, voting in the affirmative, Article 3, Section 14 of the Charter having been complied with, the bill was placed on third reading file.

The President laid before the City Council:

BILL NO. 04-1566 - An Ordinance changing the name of Digital Harbor High School #416, located at 1100 Covington Street, to Harlow Fullwood, Jr. Digital Harbor High School.

It was read the third time.

The bill being on its final passage, the yeas and nays were called, resulting as follows:

Yeas - President and Councilmembers Cain, D'Adamo, Garey, Branch, Carter, Young, Curran, Harris, Stancil, Mitchell, Pugh, Welch, Holton, Rawlings Blake, Spector, Abayomi, Reisinger, Stukes - Total 19.

Nays - 0.

The bill was read and approved, and the bill was declared "Passed".

THIRD READING

The President laid before the City Council:

BILL NO. 04-1371 - An Ordinance ~~authorizing certain deductions to be made pursuant to a divorce-settlement agreement under certain circumstances; correcting, clarifying, and conforming certain language; and generally relating to the assignment of pensions, annuities, and retirement allowances~~ amending and clarifying certain anti-alienation provisions that exempt and protect pension benefits from attachment and assignment for the benefit of creditors; adding certain exceptions to the prohibitions against assignments; adding a new anti-alienation provision for the Elected Officials' Retirement System; clarifying, correcting, and conforming certain language; and generally relating to the Retirement Systems of Baltimore City.

It was read the third time.

The bill being on its final passage, the yeas and nays were called, resulting as follows:

Yeas - President and Councilmembers Cain, D'Adamo, Garey, Branch, Carter, Young, Curran, Harris, Stancil, Mitchell, Pugh, Welch, Holton, Rawlings Blake, Spector, Abayomi, Reisinger, Stukes - Total 19.

Nays - 0.

The bill was read and approved, and the bill was declared "Passed".

The President laid before the City Council:

BILL NO. 04-1490 - An Ordinance permitting, subject to certain conditions, the establishment, maintenance, and operation of a convalescent, nursing, and rest home (assisted living) on the property known as 148 South Monastery Avenue, as outlined in red on the accompanying plat.

It was read the third time.

The bill being on its final passage, the yeas and nays were called, resulting as follows:

Yeas - President and Councilmembers Cain, D'Adamo, Garey, Branch, Carter, Young, Curran, Harris, Stancil, Mitchell, Pugh, Welch, Holton, Rawlings Blake, Spector, Abayomi, Reisinger, Stukes - Total 19.

Nays - 0.

The bill was read and approved, and the bill was declared "Passed".

The President laid before the City Council:

BILL NO. 04-1493 - An Ordinance approving certain amendments to the Development Plan of the Port Covington Planned Unit Development.

It was read the third time.

The bill being on its final passage, the yeas and nays were called, resulting as follows:

Yeas - President and Councilmembers Cain, D'Adamo, Garey, Branch, Carter, Young, Curran, Harris, Stancil, Mitchell, Pugh, Welch, Holton, Rawlings Blake, Spector, Abayomi, Reisinger, Stukes - Total 19.

Nays - 0.

The bill was read and approved, and the bill was declared "Passed".

The President laid before the City Council:

BILL NO. 04-1504 - An Ordinance granting a franchise to Comcast of Baltimore City, L.P., to construct, operate, and maintain a cable communications system in and across certain streets and public ways, subject to certain terms, conditions, and reservations; and providing for a special effective date.

It was read the third time.

The bill being on its final passage, the yeas and nays were called, resulting as follows:

Yeas - President and Councilmembers Cain, Garey, Branch, Carter, Young, Curran, Stancil, Mitchell, Pugh, Welch, Holton, Rawlings Blake, Spector, Reisinger, Stukes - Total 16.

Nays - Councilmember Abayomi - Total 1.

Pass - Councilmembers D'Adamo, Harris - Total 2.

The bill was read and approved, and the bill was declared "Passed".

The President laid before the City Council:

BILL NO. 04-1507 - An Ordinance authorizing the Mayor and City Council of Baltimore to acquire, by purchase or condemnation, the fee simple or other interests in certain properties located along Key Highway East between Lawrence Street and Armour Street, and needed for the Key Highway East Project (Locust Point Industrial Road), as shown on plats numbered R.W. 20-36112 through R.W. 20-36115 and 348-A-33 in the Office of the Department of Public Works; and providing for a special effective date.

It was read the third time.

The bill being on its final passage, the yeas and nays were called, resulting as follows:

Yeas - President and Councilmembers Cain, D'Adamo, Garey, Branch, Carter, Young, Curran, Harris, Stancil, Pugh, Welch, Holton, Rawlings Blake, Spector, Abayomi, Reisinger, Stukes - Total 18.

Nays - 0.

Pass - Councilmember Mitchell - Total 1.

The bill was read and approved, and the bill was declared "Passed".

The President laid before the City Council:

BILL NO. 04-1523 - An Ordinance establishing the Uplands Renewal Area; approving a Renewal Plan for the Uplands Renewal Area; authorizing the acquisition by purchase or by condemnation of certain properties for renewal purposes; creating disposition lots; establishing permitted land uses; establishing certain requirements for land acquired; establishing general regulations, controls, and restrictions; establishing standards for review development or rehabilitation plans; establishing procedures for amending the Plan; providing for the term of the Plan; approving certain attachments and exhibits to the Plan; waiving certain content and procedural requirements; making the provisions of this Ordinance severable; providing for the application of this Ordinance in conjunction with certain other ordinances; and providing for a special effective date.

It was read the third time.

The bill being on its final passage, the yeas and nays were called, resulting as follows:

Yeas - President and Councilmembers Cain, D'Adamo, Garey, Branch, Carter, Young, Curran, Harris, Stancil, Mitchell, Pugh, Welch, Holton, Rawlings Blake, Spector, Abayomi, Reisinger, Stukes - Total 19.

Nays - 0.

The bill was read and approved, and the bill was declared "Passed".

The President laid before the City Council:

BILL NO. 04-1545 - An Ordinance allowing certain ~~members and former members~~ members, former members, and retired members of the Fire and Police Employees' Retirement System to apply for line-of-duty disability benefits, under certain circumstances, without regard to the 5-year limitations period otherwise set by law; providing for a special effective date; and generally relating to the Fire and Police Employees' Retirement System.

It was read the third time.

The bill being on its final passage, the yeas and nays were called, resulting as follows:

Yeas - President and Councilmembers Cain, D'Adamo, Garey, Branch, Carter, Young, Curran, Harris, Stancil, Mitchell, Pugh, Welch, Holton, Rawlings Blake, Spector, Abayomi, Reisinger, Stukes - Total 19.

Nays - 0.

The bill was read and approved, and the bill was declared "Passed".

The President laid before the City Council:

BILL NO. 04-1550 - An Ordinance establishing a Baltimore Benefits Commission; providing for its membership, organization, and officers; specifying its duties; and generally relating to benefits provided to active and retired employees of Baltimore City.

It was read the third time.

The bill being on its final passage, the yeas and nays were called, resulting as follows:

Yeas - President and Councilmembers Cain, D'Adamo, Garey, Branch, Carter, Young, Curran, Harris, Stancil, Mitchell, Pugh, Welch, Holton, Rawlings Blake, Spector, Abayomi, Reisinger, Stukes - Total 19.

Nays - 0.

The bill was read and approved, and the bill was declared "Passed".

The President laid before the City Council:

BILL NO. 04-1563 - An Ordinance specifying how the partial exemption from recordation tax for certain residential property is to be applied as between the buyer and seller; ~~and providing for a special effective date.~~

It was read the third time.

The bill being on its final passage, the yeas and nays were called, resulting as follows:

Yeas - President and Councilmembers Cain, D'Adamo, Garey, Branch, Carter, Young, Curran, Harris, Stancil, Mitchell, Pugh, Welch, Holton, Rawlings Blake, Spector, Abayomi, Reisinger, Stukes - Total 19.

Nays - 0.

The bill was read and approved, and the bill was declared "Passed".

ENROLLED READING

The President laid before the City Council Enrolled Bill No. 01-0597.

An Ordinance designating Veterans' Day as a legal holiday for the City of Baltimore; providing for a special effective date; and generally relating to the observance of certain holidays by the City.

It was read the third time.

The bill being on its final passage, the yeas and nays were called, resulting as follows:

Yeas - President and Councilmembers Cain, D'Adamo, Garey, Branch, Carter, Young, Curran, Harris, Stancil, Mitchell, Pugh, Welch, Holton, Rawlings Blake, Spector, Abayomi, Reisinger, Stukes - Total 19.

Nays - 0.

The bill was read and approved, and the bill was declared "Passed".

ADJOURNMENT

On motion of Councilmember Rawlings Blake, duly seconded, the City Council adjourned sine die.

By order,

Jerome Fisher
Chief Clerk

Consent Calendar

- CR 9963** President Dixon, All Members
A City Council RESOLUTION on the death of Juanita Jones Smith, February 12, 1933 – November 25, 2004.
- CR 9964** Young
A City Council RESOLUTION on the death of Donald E. Jones.
- CR 9965** Stukes, All Members
A City Council RESOLUTION on the death of Robert L. Romby, December 15, 1918 – November 25, 2004.
- CR 9966** President Dixon, All Members
A City Council RESOLUTION congratulating Reverend John Albert Parker on his 30th Anniversary as Assistant Pastor of Mt. Lebanon Baptist Church under the leadership of Dr. Olin P. Moyd, Pastor.
- CR 9967** President Dixon, All Members
A City Council RESOLUTION on the death of Ruth Smith, June 22, 1925 – November 25, 2004.
- CR 9968** President Dixon, All Members
A City Council RESOLUTION congratulating Momoh Conteh on the celebration of his 48th birthday.
- CR 9969** President Dixon, All Members
A City Council RESOLUTION congratulating Angela Lewis on the celebration of her 50th birthday and retirement from the Baltimore City Department of Social Services.
- CR 9970** Stukes, All Members
A City Council RESOLUTION congratulating Kathy Hughes and Larry Young on their birthdays at Radio One.
- CR 9971** President Dixon, All Members
A City Council RESOLUTION congratulating Shirley Hayes Hargrove on the celebration of her 75th birthday.
- CR 9972** President Dixon, All Members
A City Council RESOLUTION congratulating Reverend Trina Palmore on her Initial Sermon and Licensing.
- CR 9973** Young
A City Council RESOLUTION congratulating Ronald Bell on his continued contributions and dedication to the Fort Worthington Elementary School #85.

- CR 9974 Carter**
A City Council RESOLUTION congratulating Kerant, Reverend Andre Humphrey, Bernice Gaines, Joanna Johnson, Diane White, Gwendolyn Douglass, Melvin Bracey, and Charlene Williams on her dedication and commitment in servicing those who are in need.
- CR 9975 President Dixon, All Members**
A City Council RESOLUTION congratulating Police Sergeant Raymond E. Hodgins on his retirement after 25 years of service with the Baltimore City Police Department.
- CR 9976 President Dixon, All Members**
A City Council RESOLUTION congratulating Brenda L. Wright on her retirement from the Social Security Administration after 37 years of dedicated service.
- CR 9977 President Dixon, All Members**
A City Council RESOLUTION congratulating Roslyn D. Wright on her retirement from the Social Security Administration after 31 years of dedicated service.
- CR 9978 Branch**
A City Council RESOLUTION on the death of Howard Anderson, Jr.
- CR 9979 President Dixon, All Members**
A City Council RESOLUTION congratulating Frederick Villa Nursing and Rehabilitation Center – Richard Hanner, Administrator, Greater Baltimore Medical Center – Jody Porter, Vice President of Nursing, HCR-Manor Care Springhouse – Colin Marshall, Executive Director, Lorien Nursing and Rehabilitation Center at Frankford – Tracy Craig, Director of Human Resources, and Franklin Square Health and Rehabilitation Center – Cedric Webb, Director of Quality Assurance on their continued commitment and partnership with Empower Baltimore Management Corporation to provide customized training and employment opportunities to residents of the Empowerment Zone.
- CR 9980 President Dixon, All Members**
A City Council RESOLUTION congratulating Gladys O. Berry on her retirement from the Social Security Administration after 37 years of dedicated service.
- CR 9981 President Dixon, All Members**
A City Council RESOLUTION congratulating Mother Emily Johnson on the celebration of her 92nd birthday.
- CR 9982 President Dixon, All Members**
A City Council RESOLUTION congratulating Dianne Bell, President/CEO, Empower Baltimore Management Corporation on 10 years of outstanding service to the residents of Baltimore's Empowerment Zone; her commitment and ongoing effort to provide customized training and employment opportunities in partnership with community organizations.

- CR 9983 Welch**
A City Council RESOLUTION on the death of Anthena Pebbles Stanley.
- CR 9984 Welch**
A City Council RESOLUTION congratulating Towanda Alicia Bushrod on her hard work and dedicated efforts after 17 years of service to the City of Baltimore.
- CR 9985 President Dixon, All Members**
A City Council RESOLUTION congratulating Charles Bennett on the celebration of his 63rd birthday.
- CR 9986 President Dixon, All Members**
A City Council RESOLUTION congratulating Carroll Lester Smith on his retirement from the University of Maryland mailroom after 30 years of service.
- CR 9987 Stukes, All Members**
A City Council RESOLUTION congratulating Dr. Virginia B. Ferguson and Dr. Sylvia L. Butler on the celebration of their Holy Consecration and Ordination for the work of the ministry at Perkins Square Baptist Church and Ministries.
- CR 9988 President Dixon, All Members**
A City Council RESOLUTION congratulating Community Associations and Businesses in North Baltimore's Hampden and Medfield Neighborhood on the Mayor's 32nd Annual Christmas Parade.
- CR 9989 President Dixon, All Members**
A City Council RESOLUTION congratulating Barbara E. Jackson on 38 years of dedicated service with the Baltimore City Board of Elections.
- CR 9990 Young**
A City Council RESOLUTION congratulating Mt. Tabor Baptist Church on the celebration of its 25th Anniversary of spreading the Gospel in the community.
- CR 9991 Young**
A City Council RESOLUTION on the death of Marie Reese.
- CR 9992 Branch**
A City Council RESOLUTION on the death of William Alfred Burgess.
- CR 9993 President Dixon, All Members**
A City Council RESOLUTION congratulating Bishop and Mrs. Adam Jefferson Richardson, Jr., Presiding Prelate and Episcopal Supervisor – Second Episcopal District, on the annual Christmas celebration at Bethel A.M.E. Church, Baltimore, Maryland.

- CR 9994** President Dixon, All Members
A City Council RESOLUTION congratulating New Fellowship Christian Community Church and Reverend Dr. Kevin A. Rogers on the celebration of the 25th Anniversary of the church.
- CR 9995** Welch
A City Council RESOLUTION on the death of Jean Rawlings.
- CR 9996** Carter
A City Council RESOLUTION on the death of Norman Sheldon.
- CR 9997** Welch, President Dixon, All Members
A City Council RESOLUTION on the death of Lt. Colonel James Watkins.
- CR 9998** Welch
A City Council RESOLUTION congratulating Edna Montaque on the celebration of her 70th birthday.
- CR 9999** Welch
A City Council RESOLUTION congratulating Alpha Alpha Sigma, Chapter Beta Tau on the celebration of its 50th Anniversary.
- CR 10000** Stukes, All Members
A City Council RESOLUTION congratulating Helen Staniewicz on her retirement from the State of Maryland after 29½ years of faithful and dedicated service.
- CR 10001** Stancil, Curran, Harris
A City Council RESOLUTION congratulating Ernest L. Rice on the celebration of his retirement from the field of education after 42 years of outstanding service.
- CR 10002** Carter
A City Council RESOLUTION congratulating Lucy Lee Glenn, Katie Marshall, Geraldine Haskins, Jeffrey D. Green, Floria Bullock, Henrietta Scarborough, D'Miri Deloatch, Willie Rawlings, Sister Hilda Marie Sutherland, Ann Seeley, Deputy Major John W. Dotson, Major Michael Andrew, Mr. Cox, Water Towers Senior Citizens, and the Sister of Notre Dame on their outstanding community services.
- CR 10003** Stukes, All Members
A City Council RESOLUTION congratulating Reverend M. Arthur Camper on the dedication, leadership and spiritual guidance he has provided in his church family throughout his years in Ministry.
- CR 10004** Pugh, All Members
A City Council RESOLUTION congratulating Ruth H. Fautleroy on the celebration of her 80th birthday.
- CR 10005** Young
A City Council RESOLUTION on the death of Margaret Gambrell.

CR 10006 Young

A City Council RESOLUTION on the death of Shaquille Smith-Bey.

CR 10007 Carter, Young

A City Council RESOLUTION congratulating Marshall Toby Goodwin on his retirement after 27 years of military service.

CR 10008 Carter

A City Council RESOLUTION on the death of Cedrick Franklin.

CR 10009 Young

A City Council RESOLUTION on the death of Henrietta Colving.

CR 10010 Stukes, All Members

A City Council RESOLUTION congratulating GED Graduates - Cearney A. Smith, Darryl F. Walker, Christopher A. Bruce, Hope A. Caballero, Miguel D. Dy, Jr., Stacey M. Bruce, and Erin A. Windsor; and External Diploma Program Graduates - Helena McNeill, Pamela Eyvette Corbett, Kelly Jean Crow, Serenna Tameka Conic, Adina Carin Robinson, Ralph E. Thomas, Jr., Michelle LaForest Greene, and Velinda Burrus on successfully completing their basic fundamental studies and graduating from the South Baltimore Learning Center.