

SECOND DAY

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S E C O N D C O U N C I L M A N I C Y E A R - S E S S I O N O F 2 0 0 4 - 2 0 0 7

**JOURNAL**  
**CITY COUNCIL OF BALTIMORE**

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January 9, 2006

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Reverend Charles M. Franklin, Jr., of Ray of Hope Baptist Church, led the Council in Prayer.

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

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The City Council of Baltimore met pursuant to adjournment. Present: Sheila Dixon, President, and Councilmembers Kraft, D'Adamo, Curran, Harris, Spector, Rawlings Blake, Conaway, Holton, Welch, Reisinger, Mitchell, Young, Branch, Clarke

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

Almighty God, our Heavenly Father, creator of the universe, the giver of every good and perfect gift; we come into Your presence with praise and thanksgiving.

Thankful for Your blessings past and present, we thank You for life and the joy of living, we thank You for Mayor Martin O'Malley, President Sheila Dixon and all councilpersons who make up this elite core of leadership. We thank You for their past achievements and pray for their continued success.

Oh, God! We invoke Your blessings upon this council as they face the challenges of 2006, legislating laws that will affect the citizenry of Baltimore City.

Bless this council in a special way, guide their minds, and actions as they individually and collectively make clear decisions regarding the welfare of every man, woman, boy and girl of this great city.

We pray that their affections may be guided by whatever things are true and honest, just and pure, lovely and of a good report; that their understandings may be enlightened by Your wisdom, and that their spirits may be empowered by Your Spirit.

**Journal of the City Council**

We pray that their thoughts and intentions, words and actions, and all that they do may rebound to Your honor and the well being of our municipality.

Be the unseen advisor in every aspect of their decision making. Be it crime, education, housing, health, safety, unemployment or any other issues that come before them. We pray for unity, among them even in the midst of dissension. For we know a house divided cannot stand.

Dear God, keep them in perfect peace until they shall stand before You in that city where there is no sunset and no dawning.

Amen.

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**SHOWCASE BALTIMORE**

Ronald Cuffie, of the Bureau of Vector Control, delivered a presentation.

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**JOURNALS APPROVED**

The Journals of December 5, 2005 and December 8, 2005 were read and approved.

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**COMMUNICATIONS FROM THE MAYOR**
**APPROVED BY THE MAYOR**
**OFFICE OF THE MAYOR**

December 12, 2005

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 04-0007** - A Resolution of the Mayor and City Council concerning - Charter Amendment — Compensation Commission for Elected Officials - For the purpose of establishing a Compensation Commission for Elected Officials; providing for the composition, procedures, powers, and duties of the Compensation Commission; requiring

certain procedures for setting the salaries or other compensation paid to elected official; correcting, clarifying, and conforming certain language; and generally relating to the establishment and modification of the salaries or other compensation paid to elected official; and submitting this amendment to the qualified voters of the City for adoption or rejection.

**C.C. Bill 05-0233** - An Ordinance concerning - Rezoning – 719-729 East Fort Avenue - For the purpose of changing the zoning for the property known as 719-729 East Fort Avenue, as outlined in red on the accompanying plat, from the M-2-2 and B-2-2 Zoning Districts to the R-8 Zoning District.

**C.C. Bill 05-0241** - An Ordinance concerning - Non-Owner-Occupied Dwellings – Registration Fees – Repeal of “Sunset” - For the purpose of abrogating the automatic termination of Ordinance 01-191, as amended by Ordinance 03-526; continuing the fees and per-owner maximums set by Ordinance 01-191 for the annual registration of non-owner-occupied dwelling units; clarifying, correcting, and conforming certain language; defining a certain term; providing for a special effective date; and generally relating to the registration and regulation of non-owner-occupied dwellings.

Sincerely,

Martin O’Malley  
Mayor

December 14, 2005

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 05-0227** - An Ordinance concerning - City Property – Naming Engine Company 29 to be Littleton Boyer Wyatt Fire House - For the purpose of naming the Engine Company 29 fire house, located at 4312 Park Heights Avenue, to be the Littleton Boyer Wyatt Fire House.

**C.C. Bill 05-0231** - An Ordinance concerning - Zoning – Conditional Use Home for Homeless Persons – 1023 East Baltimore Street - For the purpose of permitting, subject to certain conditions, the establishment, maintenance, and operation of a home for homeless persons on the property known as 1023 East Baltimore Street, as outlined in red on the accompanying plat.

**C.C. Bill 05-0242** - An Ordinance concerning - Retirement Systems – Benefits - For the purpose of extending the period for filing applications for disability retirement benefits; conforming certain provisions that govern in-service military leaves of absence to federal and state law; establishing effective dates for disability retirement benefits; amending provisions granting certain disability and death benefits to members on military leaves of absence; clarifying the calculation for figuring the minimum years of service credit needed to be eligible to receive certain death benefits; abolishing certain offsets against disability benefits and the authority for reexamining certain disability applicants; conforming the basis for determining retirement allowances for elected officials to that provided in the Employees’ Retirement System law and the Fire and Police Employees’ Retirement System law; providing certain transitional rules; clarifying, correcting, and conforming certain language; providing for a special effective date; providing for certain transitional rules; and generally relating to the Retirement Systems of Baltimore City.

**C.C. Bill 05-0244** - An Ordinance concerning - Ethics – Baltimore Development Corporation - For the purpose of placing the Baltimore Development Corporation, its directors, officers, and employees within the purview of the Baltimore City Public Ethics Law; providing for the application of the Ethics Law, including its provisions on conflicts of interest, financial disclosure, and lobbying, to those directors, officers, and employees; establishing certain transitional rules and requirements; and generally relating to ethics in the public sector.

**C.C. Bill 05-0247** - An Ordinance concerning - Supplementary General Fund Operating Appropriation – Health Department – \$300,000 - For the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$300,000 to the Health Department – Program 308 (Maternal and Child Health), to provide funding for a grant to the Baltimore City Healthy Start Program; and providing for a special effective date.

**C.C. Bill 05-0266** - An Ordinance concerning - Supplementary General Fund Capital Appropriation – Department of Public Works – \$3,000,000 - For the purpose of providing a Supplementary General Fund Capital Appropriation in the amount of \$3,000,000 to the Department of Public Works (Account #9916-194-160), to provide funding for improving school facilities maintenance; and providing for a special effective date.

**C.C. Bill 05-0267** - An Ordinance concerning - Supplementary General Fund Capital Appropriation – Department of Transportation – \$425,000 - For the purpose of providing a Supplementary General Fund Capital Appropriation in the amount of \$425,000 to the Department of Transportation – (Account #9950-528-107), to provide funding for an Inner Harbor Dredging Project; and providing for a special effective date.

Sincerely,

Martin O’Malley  
Mayor

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WITHDRAWAL OF NOMINATION

December 23, 2005

The Honorable Sheila Dixon, President  
and Members of the City Council

Dear President Dixon and Councilmembers:

This letter serves to formally withdraw the nomination of Annette Palmer from the Commission for Historical and Architectural Preservation.

Ms. Palmer will not be considered to serve on this Commission at this time.

Sincerely,

Martin O'Malley  
Mayor

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INTRODUCTION AND READ FIRST TIME

The President laid before the City Council the following bills and Resolutions of the Mayor and City Council for first reading:

**Bill No. 06-0311** - By President Dixon (The Administration):

An Ordinance providing a Supplementary Mayoralty-Related Capital Appropriation in the amount of \$250,000 to the Mayoralty (Account #9904-127-400 and Account #9904-129-400), to provide funding for a Babe Ruth House and Museum Renovations Project; and providing for a special effective date.

The bill was read the first time and referred to the Planning Commission, Department of Finance, Board of Estimates, Budget and Appropriations Committee.

**Bill No. 06-0312** - By President Dixon (The Administration):

An Ordinance authorizing the Mayor and City Council of Baltimore to sell, at either public or private sale, all its interest in certain parcels of land being a part of Loch Raven Watershed, Baltimore County, and no longer needed for public use; and providing for a special effective date.

The bill was read the first time and referred to the Planning Commission, Department of Housing and Community Development, Department of Public Works, Department of Real

Estate, Department of Finance, Board of Estimates, Department of Transportation, Baltimore City Parking Authority, Economic Development and Public Financing Subcommittee.

**Bill No. 06-0313** - By President Dixon (The Administration):

An Ordinance authorizing the Mayor and City Council of Baltimore to sell, at either public or private sale, all its interest in certain parcels of land being a part of Loch Raven Watershed, Baltimore County, as shown on Plat 116-A-5G filed in the Office of the Department of Public Works, and no longer needed for public use; and providing for a special effective date.

The bill was read the first time and referred to the Planning Commission, Department of Housing and Community Development, Department of Public Works, Department of Transportation, Baltimore City Parking Authority, Department of Real Estate, Department of Finance, Board of Estimates, Economic Development and Public Financing Subcommittee.

**Bill No. 06-0314** - By Councilmember Young:

An Ordinance prohibiting the use of City vehicles for travel outside City limits except on official City business; delimiting certain terms; and generally relating to the use of City vehicles.

The bill was read the first time and referred to the City Solicitor, Department of Public Works, Department of Housing and Community Development, Department of Transportation, Department of Finance, Fire Department, Police Department, Land Use and Transportation Committee.

**Bill No. 06-0315** - By Councilmember Harris, President Dixon, Councilmembers Young, D'Adamo, Kraft, Curran, Spector, Rawlings Blake, Conaway, Holton, Welch, Reisinger, Mitchell, Branch, Clarke:

An Ordinance enabling City employees to convert certain unused leave, subject to certain conditions, to assist in a home purchase in the City; requiring the Director of Human Resources to adopt rules and regulations governing these conversions; and generally relating to the conversion of leave.

The bill was read the first time and referred to the City Solicitor, Department of Real Estate, Department of Human Resources, Department of Housing and Community Development, Department of Finance, Education, Housing, Health, and Human Services Committee.

**Bill No. 06-0316** - By Councilmembers Clarke, Conaway, Kraft, Reisinger, Mitchell:

An Ordinance reorganizing and clarifying the Residential Permit Parking Law; requiring continued maintenance and use of available or required off-street parking spaces; specifying eligibility requirements for parking permits, including compliance with certain Zoning Code requirements; modifying the criteria for and scope of administrative amendments to a Parking

Management Plan; prohibiting certain conduct by permit applicants, permit holders, and others; imposing certain penalties; authorizing certain enforcement procedures; establishing a Residential Permit Parking Advisory Board; correcting, clarifying, and conforming certain language; and generally relating to the Residential Permit Parking Program.

The bill was read the first time and referred to the City Solicitor, Baltimore City Parking Authority, Department of Transportation, Environmental Control Board, Police Department, Department of Finance, Land Use and Transportation Committee.

**Bill No. 06-0317** - By Councilmember Curran (by request):

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 3007 Louise Avenue, as outlined in red on the accompanying plat.

The bill was read the first time and referred to the Board of Municipal and Zoning Appeals, Planning Commission, Department of Housing and Community Development, Department of Transportation, Fire Department, Commission on Aging and Retirement Education, Land Use and Transportation Committee.

**Bill No. 06-0318** - By Councilmembers Holton, D'Adamo, Welch, Reisinger, Clarke:

An Ordinance prohibiting the possession, sale or transfer, or discharge of paintball guns and similar devices; defining certain terms; imposing certain penalties; correcting, clarifying, and conforming certain related provisions governing gas- and air-pellet devices; and generally relating to guns and other devices that discharge pellets and other objects.

The bill was read the first time and referred to the City Solicitor, Police Department, Department of Finance, Public Safety Subcommittee.

The President laid before the City Council the following Council Resolutions for first reading:

**Bill No. 06-0120R** - By Councilmembers Holton, Harris, President Dixon, Councilmembers Kraft, Curran, Rawlings Blake, Conaway, Welch, Reisinger, Branch, Clarke:

A Resolution determining if current laws are effective in controlling the use of BB, pellet, and paintball guns by minors; investigating laws in other states to determine what measures have been effective in jurisdictions across the country, and ascertaining at what government level changes are needed to address the problems associated with the use of lookalike guns by minors, by closing loopholes in existing law or by adopting new statutes.

The bill was read the first time and referred to the City Solicitor, Police Department, Health Department, Mayor's Office of Children, Youth, and Families, Baltimore City State's Attorney's Office, Baltimore City Public School System, Public Safety Subcommittee.

**Bill No. 06-0121R** - By Councilmembers Young, Harris, President Dixon, Councilmembers Kraft, Holton, Welch, Reisinger, Mitchell, Branch:

A Resolution requesting that the Chief Executive Officer of the Baltimore City Public School System brief the Council on current and future public school curriculum, detailing the options for change, ways of implementing such options, and the current implementation of the “Studio Course” curriculum in the Baltimore City Public School System.

The bill was read the first time and referred to the Baltimore City Public School System, Board of School Commissioners, Education, Housing, Health, and Human Services Committee.

**Bill No. 06-0122R** - By President Dixon, Councilmembers Young, D’Adamo, Harris, Kraft, Curran, Rawlings Blake, Conaway, Holton, Welch, Mitchell, Branch:

Introduced: January 9, 2006  
(Read and adopted)

#### A COUNCIL RESOLUTION CONCERNING

#### **Request for State Legislation – Civilian Review Board – Additional Powers**

FOR the purpose of requesting the Honorable Chairs and Members of the Baltimore City Senate and House Delegations to the 2006 session of the Maryland General Assembly to introduce legislation to amend the Public Local Laws of Baltimore City to grant the Civilian Review Board the additional power to investigate allegations from the public of false arrest and false imprisonment, allowing citizens up to 1 year following the alleged incident to file complaints with the Internal Investigation Division of the Police Department or the Civilian Review Board.

#### **Recitals**

The 1999 Maryland General Assembly passed legislation that repealed the Complaint Evaluation Board of Baltimore City and established a new 12-member Civilian Review Board to evaluate complaints made by the public regarding abusive language, harassment, or excessive force used by police personnel and to review policies of the Baltimore City Police Department. The Board membership comprises 1 member of the public from each of the 9 police districts, and 3 nonvoting members. The non-voting members are representatives of the Fraternal Order of Police, the Vanguard Justice Society, and the Police Commissioner or the Police Commissioner’s designee.

The Internal Investigation Division is required to investigate each complaint and submit its report to the Civilian Review Board within 90 days of the filing of complaint. The Civilian Review Board is required to review all complaints, may investigate a complaint simultaneously with the review conducted by the Internal Investigation Division, and must report its

recommendations to the Division. The Civilian Review Board also reports its findings and recommendations directly to the Police Commissioner who has final decision-making responsibility for appropriate disciplinary action. Procedures under the law cannot be construed to abrogate any constitutional, statutory, or common law right of a police officer who is subject to a complaint of a citizen, investigator or witness.

The 2000 General Assembly adopted legislation that expanded the authority of the Civilian Review Board to include investigation of the law enforcement units of the Baltimore City School Police, the Housing Authority Police, and the Baltimore City Sheriff's Department. The legislature also repealed a termination clause that would have abrogated the provisions of the law creating the Civilian Review Board on September 30, 2002, 3 years after its creation, and in so doing voiced their faith in the effectiveness of the revised Board in protecting the rights of both citizens and law enforcement officers.

Recognizing that the cautionary posture that overtook the country and law enforcement in particular, after the events of 9-11, created an atmosphere where the rights of the individual were in danger of being ignored in a vigorous attempt to ensure homeland security, the City Council passed a resolution requesting the Baltimore City Senate and House Delegations to the 2005 Maryland General Assembly to introduce legislation to provide for the expansion of powers of investigation of the Civilian Review Board to investigate claims of false arrest and false imprisonment.

War against the ideals of America and continued threats of acts of terrorism have continued an atmosphere of heightened law enforcement vigilance ever since the fateful events of 9-11. The need for legislation that would serve to provide a chilling effect on officers who might otherwise be over-zealous or injudicious in the exercise of their duties remains a high priority.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE,** That Honorable Chairs and Members of the Baltimore City Senate and House Delegations to the 2006 session of the Maryland General Assembly are hereby requested to introduce legislation to amend the Public Local Laws of Baltimore City to grant the Civilian Review Board the additional power to investigate allegations from the public of false arrest and false imprisonment, allowing citizens up to 1 year following the alleged incident to file complaints with the Internal Investigation Division of the Police Department or the Civilian Review Board.

**AND BE IT FURTHER RESOLVED,** That a copy of this Resolution be sent to the Mayor, the Honorable Chairs and Members of the Baltimore City Senate and House Delegations to the Maryland General Assembly, the Baltimore City Police Commissioner, the Commissioner of the Baltimore City School Police, the Executive Director of the Housing Authority of Baltimore City, the Baltimore City Sheriff, and the Mayor's Legislative Liaison to the City Council.

Councilmember Rawlings Blake 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 Kraft, D'Adamo, Curran, Harris, Spector, Rawlings Blake, Conaway, Holton, Welch, Reisinger, Mitchell, Young, Branch, Clarke - Total 15.

Nays - 0.

The President declared the Rules "Suspended".

Then Councilmember Rawlings Blake 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 Kraft, D'Adamo, Curran, Harris, Spector, Rawlings Blake, Conaway, Holton, Welch, Reisinger, Mitchell, Young, Branch, Clarke - Total 15.

Nays - 0.

The President declared the Resolution "Adopted".

**Bill No. 06-0123R** - By Councilmembers Holton, Young, D'Adamo, Harris, President Dixon, Councilmembers Kraft, Curran, Spector, Rawlings Blake, Conaway, Welch, Reisinger, Mitchell, Branch, Clarke:

Introduced: January 9, 2006  
(Read and adopted)

#### **A COUNCIL RESOLUTION CONCERNING**

#### **In Support of Federal Legislation – ( HR 4197) - The Hurricane Katrina Recovery, Reclamation, Reconstruction and Reunion Act of 2005**

FOR the purpose of expressing support for the Congressional Black Caucus' Hurricane Relief Legislation that seeks to provide for the recovery of the Gulf Coast region and for the reunion of families devastated by Hurricane Katrina and urging members of the Maryland State Delegation to the 109<sup>th</sup> Congress to work to secure passage of this comprehensive legislative response to the spiritual, emotional, and economic toll exacted by the wrath of Katrina.

#### **Recitals**

On November 3, 2005, all 42 House members of the Congressional Black Caucus (CBC) introduced this Hurricane Katrina relief legislation to provide for the recovery of the Gulf Coast region and for the reunion of the families torn apart and forever impacted by the fury of the

hurricane and called on the President and on Democratic and Republican members of the House and Senate to support the measure and to make a commitment to eradicate issues of poverty exposed by the hurricane.

In short, the bill provides for the determination of eligibility for compensation for any individual, or relatives of a deceased individual, who sustained economic or non-economic losses as a result of Hurricane Katrina so that the individual or the relatives are restored as nearly as possible to their condition before Hurricane Katrina. Specifically the bill:

- Title I – Victim Restoration Fund: Appoints a Special Master to determine what compensation is necessary to restore each individual claimant to his or her pre-Katrina condition, offsetting recoveries to each claimant from collateral sources and utilizing non-government funds to help reduce the financial burden on the federal government.
- Title II – Environmental Provisions: Directs the Administrator of the Environmental Protection Agency to develop a Comprehensive Environmental Sampling and Toxicity Assessment Plan, including public health assessments and monitoring, training of clean up workers, notification to the public of risks, a step-by-step process for allowing residents to return to their property, a process for compensating those unable to return because of environmental conditions, and an independent review of determinations.
- Title III – Health Provisions: A) Authorizes grants to rebuild and repair medical facilities destroyed or damaged by the hurricane and to help close health access and outcome disparities between minorities and others and provides Medicaid for each survivor under certain income levels; B) Authorizes 100% federal payment for states to provide emergency Temporary Assistance to Needy Families (TANF); C) Provides 100% federal coverage of unemployment benefits for 26 additional weeks; and D) Provides federal payments to private health insurance premiums for at least 12 months for employees and employers who could not continue to pay premiums, as the result of Katrina.
- Title IV – Housing and Community Rebuilding Provisions: Authorizes additional federal funds for Public Housing Capital Funds, HOPE VI Community Revitalization; HOME; Community Development Block Grants (CDBG); YouthBuild; HUD Demonstration Act Funds; Funding for 300,000 additional Section 8 Vouchers; Fair Housing Enforcement; and Housing Counseling for families in temporary shelters. It also prohibits placement of Katrina victims in substandard housing, provides for more vigorous enforcement of Fair Housing laws, gives them preference for HUD properties, and established a mortgage payment fund.
- Title V – Education Provisions: Allows additional emergency funding for Child Care Development Act Grants and Head Start Services; provides additional funding for elementary and secondary schools to help relocated students and the systems to which they are relocated, to help rebuild and restart schools in Katrina areas, to help homeless youth, for community learning centers, for construction, modernization of damaged

schools, and teacher incentive programs; provide loan forgiveness for college students, grants for reconstruction and renovation of colleges, and grants for recruitment and retention of students and faculty at colleges impacted by Katrina.

- Title VI – Voting Rights: Provides Katrina evacuees the same absentee ballot and registration provisions available to military personnel and authorizes up to \$50 million in grants for restoration and replacement of election materials.
- Title VII – Financial Service Provisions: Waives certain regulations, capital requirements, and fees and customer identification requirements to facilitate financial transactions for Katrina victims and provide technical assistance to minority financial institutions.
- Title VIII – Expanded Opportunity and Small Business Provisions: Reinstates Davis-Bacon wage requirements, set small and minority business, local business and local employee participation goals in post-Katrina contracting, requires financial incentives to be provided to meet these goals, requires contractors to provide apprenticeship opportunities and reinstate affirmative action requirements suspended by the President after Katrina. It also authorizes additional funding for new SBA disaster loans and increases loan caps on SBA loans to small businesses impacted by Katrina; allows the SBA to defer payments and refinance existing loans; authorizes additional funding for business counseling, small business development centers and HubZones; and increases surety bonding threshold for hurricane-related procurement contracts.
- Title IX – Tax Provisions: Provides tax credits of up to \$5,000 for persons or families displaced by Katrina who purchase or construct homes in the hurricane area, increases the low-income housing credit dollar amount, and allows the issuance of federally guaranteed, tax exempt bonds for reconstruction of the Katrina disaster area.
- Title X – Bankruptcy: Exempts victims of natural disasters from most provisions of the Bankruptcy reform law that recently became effective.
- Title XI – Miscellaneous Provisions: Requires FEMA to reimburse entities that preformed services that should have been performed by FEMA following Hurricane Katrina if requested and allows retroactive purchase of flood insurance by victims who did not live in a designated flood plain.
- Title XII – Eradicating Poverty: Expresses the sense of Congress that the President should present within 6 months a plan to eradicate poverty in the United States within 10 years.

This legislation is a thorough, scholarly, and compassionate approach to making whole those who have suffered from an immediate disaster in which they have had no part in creating and in addressing long-standing systemic wrongs of which they have for too long been victim.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE,** That this Body supports passage of the Congressional Black Caucus' Hurricane Relief Legislation that seeks to provide for the recovery of the Gulf Coast region and for the reunion of families devastated by Hurricane Katrina and urges members of the Maryland State Delegation to the 109<sup>th</sup> Congress to work to secure passage of this comprehensive legislative response to the spiritual, emotional, and economic toll exacted by the wrath of Katrina.

**AND BE IT FURTHER RESOLVED,** That this Body urges the Honorable Chairs and Members of the Subcommittees to which the various provisions of the legislation have been assigned to adopt the respective provisions of HR 4197.

**AND BE IT FURTHER RESOLVED,** That a copy of this Resolution be sent to the President of the United States, the Honorable Chair and Members of the Legislative Black Caucus, the Honorable Chairs and Members of the following House Committees: Committee on Ways and Means; the Judiciary; Financial Services; Energy and Commerce; Transportation and Infrastructure; Education and the Workforce; Small Business; Government Reform; the Budget; and the Health Subcommittee of Ways and Means; the Members of the Maryland Delegation to the 109<sup>th</sup> Congress; the Mayor; the Honorable Chairs and Members to the Baltimore City Senate and House Delegations to the 2006 Maryland General Assembly, and the Mayor's Legislative Liaison to the City Council.

Councilmember Holton 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 Kraft, D'Adamo, Curran, Harris, Spector, Rawlings Blake, Conaway, Holton, Welch, Reisinger, Mitchell, Young, Branch - Total 14.

Nays - 0.

Out of Chambers - Councilmember Clarke - Total 1.

The President declared the Rules "Suspended".

Then Councilmember Holton 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 Kraft, D'Adamo, Curran, Harris, Spector, Rawlings Blake, Conaway, Holton, Welch, Reisinger, Mitchell, Young, Branch - Total 14.

Nays - 0.

Out of Chambers - Councilmember Clarke - Total 1.

The President declared the Resolution "Adopted".

**Bill No. 06-0124R** - By President Dixon, Councilmembers Harris, Young, Kraft, Curran, Spector, Conaway, Welch, Reisinger, Mitchell, Branch, Clarke:

A Resolution requesting representatives of the Zipcar company to address the City Council on the feasibility of providing this innovative web-based car-sharing service to citizens and workers in Baltimore City, determining the logistics of providing this service within the City's infrastructure, and requesting the Department of Planning and the Department of Transportation to study the issue and submit recommendations to the Council within 6 months of the date of the hearing.

The bill was read the first time and referred to the Department of Planning, Department of Transportation, Baltimore City Parking Authority, Land Use and Transportation Committee.

#### **CONSENT CALENDAR**

CEREMONIAL RESOLUTIONS No. 1681, 1682, 1683, 1684, 1685, 1686, 1687, 1688, 1689, 1690, 1691, 1692, 1693, 1694, 1695, 1696, 1697, 1698, 1699, 1700, 1701, 1702, 1703, 1704, 1705, 1706, 1707, 1708, 1709, 1710, 1711, 1712, 1713, 1714, 1715, 1716, 1717, 1718, 1719, 1720, 1721, 1722, 1723, 1724, 1725, 1726, 1727, 1728, 1729, 1730, 1731, 1732, 1733, 1734, 1735, 1736, 1737, 1738, 1739, 1740, 1741, 1742, 1743, 1744, 1745, 1746, 1747, 1748, 1749, 1750, 1751, 1752, 1753, AND 1754 ADOPTED UNDER RULE 3-9.

The resolutions were read.

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

Yeas - President and Councilmembers Kraft, D'Adamo, Curran, Harris, Spector, Rawlings Blake, Conaway, Holton, Welch, Reisinger, Mitchell, Young, Branch, Clarke - Total 15.

Nays - 0.

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

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

**COMMITTEE REPORTS**

**BILL NO. 05-0235 REPORTED FAVORABLY  
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Rawlings Blake, for the Committee of the Whole, reported Bill No. 05-0235 favorably.

An Ordinance providing a Supplementary General Fund Capital Appropriation in the amount of \$10,000,000 to the Department of Housing and Community Development (Account # 9910-587-904) to provide funding for the Baltimore Affordable Housing Program; and providing for a special effective date.

Favorable report adopted.

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

**BILL NO. 05-0248 REPORTED FAVORABLY, WITH AMENDMENTS,  
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Rawlings Blake, for the Committee of the Whole, reported Bill No. 05-0248 favorably, with amendments.

An Ordinance establishing a program for certain purposes; providing for the administration of that program; defining certain terms; and generally relating to promoting certain types of housing.

Amendments to City Council Bill No. 05-0248

**Amendment No. 1**

On page 3, after line 23, insert:

“(1) ELIGIBLE ACTIVITIES AUTHORIZED UNDER THIS SECTION MUST BE CONDUCTED AT A SCALE THAT, IN THE OPINION OF THE COMMISSIONER, IS SUFFICIENT TO ADDRESS COMPLETELY THE BLIGHTING INFLUENCES EXISTING IN THE PROJECT AREA. FOR THIS PURPOSE, THE “PROJECT AREA” MAY BE NO SMALLER THAN A SINGLE BLOCK FACE COMPRISING BOTH SIDES OF A STREET OR WAY.”;

and, on page 3, in line 24, and on page 4, in line 1, strike “(1)” and “(2)”, respectively, and substitute “(2)” and “(3)”, respectively.

**Amendment No. 2**

On page 4, in line 1, after “SHALL”, insert “USE PROGRAM FUNDS TO”.

**Amendment No. 3**

On page 4, after line 3, insert:

“(I) THE ORDERLY AND SUSTAINABLE PLANNING, PRESERVATION, REHABILITATION, AND DEVELOPMENT OF ECONOMICALLY DIVERSE HOUSING IN CITY NEIGHBORHOODS;”.

**Amendment No. 4**

On page 4, in line 4, strike “(I)” and substitute “(II)”; and, line 4, after “PAYMENT”, insert “OR HOME PURCHASE”; and, in line 5, strike “OCCUPANCY” and substitute “PRIMARY RESIDENCY”; and, in line 5, after the semicolon, insert “AND”; and strike lines 6 and 7, in their entireties.

**Amendment No. 5**

On page 4, in line 8, after “OF”, insert “BUYER EDUCATION AND”; and, in line 9, after “NEIGHBORHOODS”, insert “AND TO MAXIMIZE HOME OWNERSHIP”.

**Amendment No. 6**

On page 4, in line 11, strike “MAY” and substitute “TO”; and, in line 12, strike “MAY” and substitute “SHALL”.

The amendments were read and adopted.

Favorable report, as amended, adopted.

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

**BILL NO. 05-0238 REPORTED FAVORABLY, WITH AMENDMENT,  
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Harris, for the Education, Housing, Health, and Human Services Committee, reported Bill No. 05-0238 favorably, with amendment.

An Ordinance authorizing the Health Commissioner to designate licensing classes and, with the approval of the Board of Estimates, to set license and processing fees for various types of food service facilities; authorizing the issuance of provisional licenses under certain circumstances; increasing certain civil penalties relating to the operation of food service

facilities; correcting, clarifying, and conforming certain language; and generally relating to the licensing and regulation of food service facilities.

Amendment to City Council Bill No. 05-0238

**Amendment No. 1**

On page 1, in line 4, strike “Board of Estimates” and substitute “City Council”; and, on page 4, in line 28, on page 5, in lines 5 and 6, and on page 6, in line 8, in each instance, strike “BOARD OF ESTIMATES” and substitute “CITY COUNCIL”.

The amendment was read and adopted, with Councilmembers Curran and Clarke out of Chambers.

Favorable report, as amended, adopted, with Councilmembers Curran and Clarke out of Chambers.

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

**BILL NO. 05-0260 REPORTED FAVORABLY  
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Harris, for the Education, Housing, Health, and Human Services Committee, reported Bill No. 05-0260 favorably.

An Ordinance requiring a permit to keep any exotic animal, farm animal, pigeon, or bees; defining certain terms; and generally relating to the regulation and control of animals.

Favorable report adopted, with Councilmember Mitchell Passing and with Councilmember Curran out of Chambers.

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

**BILL NO. 05-0262 REPORTED FAVORABLY, WITH AMENDMENTS,  
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Kraft, for the Public Safety Subcommittee, reported Bill No. 05-0262 favorably, with amendments.

An Ordinance authorizing certain minors to be taken to a juvenile holding facility under certain circumstances; defining certain terms; specifying the type of civil citation to be used for violations by parents; authorizing the use of civil citations for violations by establishments; modifying certain penalties; conforming, correcting, and clarifying certain language; deleting

certain obsolete language; and generally relating to minors and to the enforcement of the daytime and nighttime curfews.

Amendments to City Council Bill No. 05-0262

**Amendment No. 1**

On page 1, in line 7, after the first semicolon, insert "correcting certain age references;".

**Amendment No. 2**

On page 4, in lines 26 and 27, strike "between the ages of 6 to 16 years, inclusive," and on page 5, in lines 13 and 14, and on page 6, in line 3, in each instance, strike "between the ages of 6 and 16 years, inclusive," and, in all three instances, substitute "under the age of 16".

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

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

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

**THIRD READING**

The President laid before the City Council:

**BILL NO. 05-0219** - An Ordinance changing the zoning for the property known as 1107 East Fayette Street (Ward 5, Section 7, Block 1338, Lots 5/18), as outlined in red on the accompanying plat, from the M-1-3 Zoning District to the B-3-3 Zoning 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 Kraft, D'Adamo, Harris, Spector, Rawlings Blake, Conaway, Holton, Welch, Reisinger, Mitchell, Young, Branch - Total 13.

Nays - 0.

Out of Chambers - Councilmembers Curran, Clarke - Total 2.

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

The President laid before the City Council:

**BILL NO. 05-0228** - An Ordinance approving the application of Harbor East Parcel D-Hotel, LLC, and Harbor East Parcel D-Residential, LLC, collectively the developer of certain property in the Inner Harbor East Urban Renewal Area identified as Parcel D and certain contiguous City-owned properties and consisting of approximately 2.31 acres, more or less, to have that property designated a Business Planned Unit Development; approving the Development Plan submitted by the applicant.

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 Kraft, D'Adamo, Harris, Spector, Rawlings Blake, Conaway, Holton, Welch, Reisinger, Mitchell, Young, Branch - Total 13.

Nays - 0.

Out of Chambers - Councilmembers Curran, Clarke - Total 2.

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

**MOTION TO SUSPEND CITY COUNCIL RULE 10-2  
WITH REGARD TO BILL NO. 05-0115R**

Councilmember Holton made a motion, duly seconded, to suspend Rule 10-2 in order to have an early hearing on Bill No. 05-0115R.

The motion carried without exception, and the President declared the rule suspended with regard to the bill. Then Councilmember Holton announced a hearing date for the bill.

**MOTION TO SUSPEND CITY COUNCIL RULE 10-2  
WITH REGARD TO BILL NO. 05-0107R**

Councilmember Holton made a motion, duly seconded, to suspend Rule 10-2 in order to have an early hearing on Bill No. 05-0107R.

The motion carried without exception, and the President declared the rule suspended with regard to the bill. Then Councilmember Holton announced a hearing date for the bill.

**ADJOURNMENT**

On motion of Councilmember Rawlings Blake, duly seconded, the City Council adjourned to meet on Monday, January 23, 2006, at 5:00 p.m.

Consent Calendar

- CR 1681** President Dixon, All Members  
A City Council RESOLUTION congratulating David Paesani, Dijon Adams and LaTanya Briggs on their participation in the Baltimore City Council Page Program, Fall – 2005.
- CR 1682** Welch  
A City Council RESOLUTION congratulating Michael Q. Durry, M.D. and welcoming him to the new 9<sup>th</sup> Council District as the new Chairman of the Department of Surgery at Bon Secours Hospital.
- CR 1683** Welch  
A City Council RESOLUTION on the death of Charles Ray Howell.
- CR 1684** President Dixon, All Members  
A City Council RESOLUTION congratulating the Catholic Church Men’s Club’s New Church of All Saints Roman Catholic Church on the 26<sup>th</sup> Annual Mass and Community Breakfast commemorating the birthday of Dr. Martin Luther King, Jr.
- CR 1685** President Dixon, All Members  
A City Council RESOLUTION congratulating Estella B. Gambrill on the celebration of her retirement after 25 years of dedicated service with the Mayor’s Office of Employment Development.
- CR 1686** President Dixon, All Members  
A City Council RESOLUTION congratulating Nancy Williams on the celebration of her retirement after 13 years of service with the Department of Transportation.
- CR 1687** Rawlings Blake  
A City Council RESOLUTION on the death of Florrie Elouise Brown.
- CR 1688** Holton, All Members  
A City Council RESOLUTION congratulating AFSCME Retirees Chapter 1 on their outstanding work in support of the retirees of their chapter and other City and State retirees.
- CR 1689** Rawlings Blake  
A City Council RESOLUTION congratulating Elizabeth Ann Weiblen on her promotion to the position of Director of International Affairs in the Sister Cities Program.
- CR 1690** President Dixon, All Members  
A City Council RESOLUTION on the death of Conrad Lashley, December 23, 1952 – December 5, 2005.

- CR 1691 President Dixon, All Members**  
A City Council RESOLUTION congratulating James Culp on the celebration of his retirement after 36½ years of service with the Mayor’s Office of Information Technology.
- CR 1692 President Dixon, All Members**  
A City Council RESOLUTION on the death of Laurence “String” Harrison.
- CR 1693 Welch**  
A City Council RESOLUTION congratulating Tiffany Lorraine Agnes Welch on her graduation from the University of Michigan and receiving her B.A. degree.
- CR 1694 President Dixon, All Members**  
A City Council RESOLUTION congratulating Neighbor Care Professional Pharmacies and St. Agnes Hospital on the Grand Opening of the Neighborcare Pharmacy at St. Agnes Hospital.
- CR 1695 Branch**  
A City Council RESOLUTION congratulating Bernice F. Bradshaw on the celebration of her 70<sup>th</sup> birthday on December 27<sup>th</sup>.
- CR 1696 Harris, All Members**  
A City Council RESOLUTION on the death of Talib Damon.
- CR 1697 President Dixon, All Members**  
A City Council RESOLUTION congratulating Kostas Zisopoulos – 1<sup>st</sup> District, Courtney Coleman – 2<sup>nd</sup> District, Lorial A. Seeney – 3<sup>rd</sup> District, Shanae Peoples – 4<sup>th</sup> District, Sache-Monet Ashley - 5<sup>th</sup> District. Chantel Clea – 6<sup>th</sup> District, Tierra Redd – 7<sup>th</sup> District, Miranda Braxton – 8<sup>th</sup> District, D’Antonie Webb – 9<sup>th</sup> District, Demetrice Brown – 10<sup>th</sup> District, Davon L. Wilson – 11<sup>th</sup> District, Donnise Nole – 12<sup>th</sup> District, Malachi Hammonds – 13<sup>th</sup> District, Jameeka Gillis – 14<sup>th</sup> District, Brian Bieretz – At Large, Keith Holt – At Large, and Charmaine Witherspoon – At Large, on being sworn in as Baltimore City Youth Commissioners.
- CR 1698 D’Adamo**  
A City Council RESOLUTION congratulating Mr. and Mrs. Chris Carr on the joyous occasion of the birth of their daughter Cori Madison Carr (6 lbs. – 15 oz.).
- CR 1699 D’Adamo**  
A City Council RESOLUTION congratulating Lieutenant Raymond Grissett on his retirement from the Maryland State Police after 30 years of dedicated service to the State of Maryland and it’s citizens, October 6, 1975 to December 1, 2005.
- CR 1700 D’Adamo**  
A City Council RESOLUTION on the death of Francis G. McFarland.
- CR 1701 D’Adamo, Kraft**  
A City Council RESOLUTION on the death of Albert “Al” C. Stein.

- CR 1702 Young**  
A City Council RESOLUTION congratulating Qieron Bowie on the celebration of her 16<sup>th</sup> birthday, Monday, December 19, 2005.
- CR 1703 Kraft, D'Adamo**  
A City Council RESOLUTION on the death of George P. Stakias.
- CR 1704 Spector**  
A City Council RESOLUTION congratulating Viona Mae Williams on the celebration of her 80<sup>th</sup> birthday and her many years of service to the citizens of Baltimore City.
- CR 1705 Curran, D'Adamo**  
A City Council RESOLUTION on the death of Deborah Ann Paterakis.
- CR 1706 President Dixon, All Members**  
A City Council RESOLUTION on the death of Ellen M. Williams, July 15, 1922 – December 18, 2005.
- CR 1707 Harris, All Members**  
A City Council RESOLUTION congratulating Tamika Monique Boone on earning a BS degree in Business Administration and graduating from Towson State University.
- CR 1708 President Dixon, All Members**  
A City Council RESOLUTION on the death of Marie K. Fortune, Co-Founder of the Greater Northwest Community Coalition, January 21, 1929 – December 17, 2005.
- CR 1709 Rawlings Blake**  
A City Council RESOLUTION on the death of Marie Fortune.
- CR 1710 D'Adamo**  
A City Council RESOLUTION on the death of Charles H. Greene.
- CR 1711 Welch**  
A City Council RESOLUTION congratulating Laura Phillips on the celebration of her 86<sup>th</sup> birthday.
- CR 1712 President Dixon, All Members**  
A City Council RESOLUTION congratulating First Mount Carmel Christian Community Church on the celebration of its 18<sup>th</sup> Annual Prayer Day.
- CR 1713 President Dixon, All Members**  
A City Council RESOLUTION congratulating Eugenia R. Oshrine on the celebration of her retirement after many years of dedicated service with the City of Baltimore.
- CR 1714 President Dixon, All Members**  
A City Council RESOLUTION congratulating Theodora George on the celebration of her retirement after 38 years of dedicated service with the Social Security Administration.

- CR 1715** President Dixon, All Members  
A City Council RESOLUTION congratulating Marie Livingston on the celebration of her 80<sup>th</sup> birthday.
- CR 1716** President Dixon, All Members  
A City Council RESOLUTION on the death of William D. Wood, September 7, 1929 – December 20, 2005.
- CR 1717** President Dixon, All Members  
A City Council RESOLUTION on the death of Police Officer Adam Vazquez.
- CR 1718** President Dixon, All Members  
A City Council RESOLUTION on the death of Elrod Hendricks, December 22, 1940 – December 21, 2005.
- CR 1719** Young  
A City Council RESOLUTION congratulating St. Philip's Evangelical Gospel Choir on the celebration of its 30<sup>th</sup> Anniversary on November 27, 2005, sing the Lord's praises.
- CR 1720** Young  
A City Council RESOLUTION congratulating Keith Keel on his committed and loyal dedication as Choir Director of the Gospel Choir of St. Philip's Evangelical Lutheran Church for 20 years.
- CR 1721** President Dixon, All Members  
A City Council RESOLUTION on the death of Police Officer Leslie Holliday.
- CR 1722** D'Adamo  
A City Council RESOLUTION on the death of Michael N. Schlepner.
- CR 1723** Young  
A City Council RESOLUTION on the death of Jessie Lee Powell.
- CR 1724** Young  
A City Council RESOLUTION congratulating Jessie Lee Powell (posthumously) on her retirement from the Baltimore City Public School System after 23 years of loyal and dedicated service as a teacher's assistant at Lafayette Elementary School.
- CR 1725** Branch  
A City Council RESOLUTION congratulating John W. Woods on the celebration of his 89<sup>th</sup> birthday.
- CR 1726** Branch  
A City Council RESOLUTION congratulating Wade Spears on the celebration of his 88<sup>th</sup> birthday.

- CR 1727** President Dixon, Spector, All Members  
A City Council RESOLUTION congratulating the Cohen Family on the 5<sup>th</sup> Annual community-wide Chanukah celebration.
- CR 1728** D'Adamo  
A City Council RESOLUTION on the death of Fromouzis "Saki" Stamidis.
- CR 1729** D'Adamo  
A City Council RESOLUTION on the death of Helen D. Mugrage.
- CR 1730** Clarke  
A City Council RESOLUTION congratulating Effie Robinson on a house warming that warms the heart of all of Baltimore.
- CR 1731** President Dixon, Clarke, All Members  
A City Council RESOLUTION on the death of Peter Molan.
- CR 1732** President Dixon, All Members  
A City Council RESOLUTION on the death of Thomas Savage, August 21, 1963 – December 25, 2005.
- CR 1733** President Dixon, All Members  
A City Council RESOLUTION congratulating the Maryland Chapter of the 100 Black Men of America on the celebration of the 10<sup>th</sup> Anniversary of its Basketball Academy.
- CR 1734** President Dixon, All Members  
A City Council RESOLUTION congratulating Charles N. Wells on the celebration of his 80<sup>th</sup> birthday.
- CR 1735** D'Adamo  
A City Council RESOLUTION on the death of Elizabeth "Miss Betty" Shinosky.
- CR 1736** President Dixon, All Members  
A City Council RESOLUTION on the death of Dorothy Yates, August 15, 1925 – December 28, 2005.
- CR 1737** Young  
A City Council RESOLUTION on the death of Lennie Washington Brown.
- CR 1738** Kraft  
A City Council RESOLUTION congratulating Sandra P. Gohn on her election as Chairwoman of the Enoch Pratt Free Library Board of Trustees.
- CR 1739** Kraft  
A City Council RESOLUTION on the death of David E. Meadows.
- CR 1740** Young  
A City Council RESOLUTION on the death of Vernon Wilson.

- CR 1741 D'Adamo**  
A City Council RESOLUTION on the death of Albert R. Sevier, Sr.
- CR 1742 Harris, Branch, All Members**  
A City Council RESOLUTION on the death of Josephine S. Williams.
- CR 1743 Clarke**  
A City Council RESOLUTION on the death of Devin D'Juan Eggleston Jones.
- CR 1744 President Dixon, All Members**  
A City Council RESOLUTION on the death of Natalie Joy Best, February 2, 1948 – December 31, 2005.
- CR 1745 President Dixon, All Members**  
A City Council RESOLUTION on the death of Edward S. Ailor, Jr., November 4, 1907 – December 11, 2005.
- CR 1746 Young**  
A City Council RESOLUTION on the death of Alva N. Branch.
- CR 1747 Branch**  
A City Council RESOLUTION on the death of Stella M. Clayton, Treasurer of Madison East End Improvement Association, Inc.
- CR 1748 Branch**  
A City Council RESOLUTION on the death of "Curly" Andrews.
- CR 1749 Welch**  
A City Council RESOLUTION congratulating Mary Carroll on the celebration of her 70<sup>th</sup> birthday.
- CR 1750 President Dixon, All Members**  
A City Council RESOLUTION on the death of Theresa Carson, September 8, 1914 – January 2, 2006.
- CR 1751 President Dixon, All Members**  
A City Council RESOLUTION congratulating Reverend Herman A. Ford on the celebration of his retirement as Pastor from Fountain Baptist Church after 26 years of dedicated service.
- CR 1752 Welch**  
A City Council RESOLUTION on the death of Anthony L. Pitts, Sr.

**CR 1753 Kraft**

**A City Council RESOLUTION congratulating Martha Armenti, Vasantha Ayilavarapu, Elissabeta Bachvarova, Laurie Balmford, Sarah Heinrich, Linda Valle, Karen Hodges, Emily Maunz, Jessica Saven, and Charlene White on successfully completing the national Board Professional Teaching Standards (NBPTS) Program Requirements.**

**CR 1754 Welch, President Dixon, All Members**

**A City Council RESOLUTION on the death of Victorine Q. Adams.**