

THIRD DAY

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SECOND COUNCILMANIC YEAR - SESSION OF 2004-2007

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

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January 23, 2006

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Pastor Carolyn Seawell, of East Baltimore Deliverance 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 Kraft, duly seconded, made a motion to journalize the invocation. It was so ordered.

Our Father which art in Heaven, hallowed by Thy name. I thank you for this opportunity to call upon Your majestic name once more. We come to You asking for guidance as these prominent leaders make important decisions that affect our great city. Be with them and give them the strength, wisdom, discernment and grace they need to complete their tasks. This we ask in Your name. Amen

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**SHOWCASE BALTIMORE**

Susan H. Glasgow, Executive Director of the Hearing and Speech Agency, delivered a presentation.

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**JOURNAL APPROVED**

The Journal of January 9, 2006 was read and approved.

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**Journal of the City Council****COMMUNICATIONS FROM THE MAYOR****APPROVED BY THE MAYOR****OFFICE OF THE MAYOR**

January 20, 2006

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 05-0219** - An Ordinance concerning - Rezoning – 1107 East Fayette Street - For the purpose of 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.

**C.C. Bill 05-0228** - An Ordinance concerning - Planned Unit Development – Designation – Harbor East - For the purpose of 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.

Sincerely,

Martin O'Malley  
Mayor

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**APPOINTMENTS BY THE MAYOR**

EVA P. HIGGINS, as a member of the Commission for Historical and Architectural Preservation, for a term expiring December 7, 2007, as a member who is a licensed real estate broker doing business in Baltimore City.

MICHAEL V. MURPHY, AIA, as a member of the Commission for Historical and Architectural Preservation, for a term expiring December 7, 2007, as a member who is licensed in Maryland as an architect knowledgeable in architectural preservation.

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. 06-0319** - By President Dixon (The Administration):

An Ordinance providing a Supplementary General Fund Operating Appropriation in the amount of \$105,000 to the MR-Civic Promotion – Program 590 (Civic Promotion), to provide funding for Partnership for Baltimore's Waterfront; and providing for a special effective date.

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

**Bill No. 06-0320** - By President Dixon (The Administration):

An Ordinance condemning and opening a portion of Clarkson Street, contiguous to the east side thereof, extending from Dickman Street Southerly 320 feet, more or less, to Moale Street, as shown on Plat 346-A-56 in the Office of the Department of Public Works; 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, Highways and Franchises Subcommittee.

**Bill No. 06-0321** - By President Dixon (The Administration):

An Ordinance condemning and closing certain streets and alleys lying within the area bounded by Dickman Street, Hanover Street, the Middle Branch of the Patapsco River, and the former bed of Leadenhall Street, as shown on Plat 346-A-56A in the Office of the Department of Public Works; 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, Highways and Franchises Subcommittee.

**Bill No. 06-0322** - By President Dixon (The Administration):

An Ordinance consolidating and revising the provisions governing digging in streets, pavement cuts, and other excavations in public ways; defining certain terms; requiring certain permits; imposing certain conditions; providing certain criminal and civil penalties; conforming penalties applicable to builders' use of streets; and generally relating to excavation work and related activities performed in or below the surface of a public way and to builders' use of streets.

The bill was read the first time and referred to the City Solicitor, Department of Public Works, Department of Finance, Department of Transportation, Highways and Franchises Subcommittee.

**Bill No. 06-0323** - By President Dixon (The Administration):

An Ordinance granting a franchise to Patterson Park Community Development Corporation to construct, use, and maintain a one-story building addition and crawl space into and below a portion of the East Fairmount Avenue right-of-way, attached to and extending from the southern exterior wall of 101 North Kenwood Avenue, subject to certain terms, conditions, and reservations; 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, Fire Department, Board of Estimates, Highways and Franchises Subcommittee.

**Bill No. 06-0324** - By President Dixon (The Administration):

An Ordinance authorizing the release and surrender by the Mayor and City Council of Baltimore of all of its interests in and to a variable width right-of-way for a Perpetual Easement for Municipal Utilities and Services granted to the City of Baltimore through the property of AUSA Holding Company C/O R.E. McElroy, Inc., the location and course of the variable width right-of-way to be released as shown on Plat 338-A-16C in the Office of the Department of Public Works; and providing for a special effective date.

The bill was read the first time and referred to the City Solicitor, Department of Public Works, Department of Real Estate, Department of Finance, Highways and Franchises Subcommittee.

**Bill No. 06-0325** - By Councilmember Young, President Dixon:

An Ordinance amending the Urban Renewal Plan for Charles/North Revitalization Area to provide new Plan objectives and goals; establish permitted land uses; provide for review of all plans for new construction, exterior rehabilitation, or change in use of properties in Charles/North Revitalization Area; establish procedures for the issuance and denial of

demolition permits; establish certain property rehabilitation and development standards; approve certain regulations, controls, and restrictions applicable to all land and property within Charles/North Revitalization Area; establish procedures for amending the Plan; amend a certain exhibit and create new exhibits to the Plan; create new appendices to the Plan; and provide certain definitions; 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.

The bill was read the first time and referred to the City Solicitor, Planning Commission, Department of Housing and Community Development, Department of Public Works, Board of Municipal and Zoning Appeals, Baltimore City Parking Authority Board, Department of Transportation, Urban Affairs Committee.

**Bill No. 06-0326** - By President Dixon (The Administration):

A Resolution of the Mayor and City Council sustaining an initiative to create a “Center for Urban Aging Services and Policy Development” in the City of Baltimore.

The bill was read the first time and referred to the Commission on Aging and Retirement Education, Aging Subcommittee.

**Bill No. 06-0327** - By Councilmember Mitchell, President Dixon (by request):

An Ordinance repealing certain conversion and lot-area restrictions applicable to dwellings in B-4 and B-5 Districts; preserving the supremacy of all more-restrictive conditions or requirements imposed by Urban Renewal Plans; and generally relating to lot area requirements for housing in B-4 and B-5 Districts.

The bill was read the first time and referred to the City Solicitor, Board of Municipal and Zoning Appeals, Planning Commission, Department of Housing and Community Development, Land Use and Transportation Committee.

**Bill No. 06-0328** - By Councilmembers Conaway, Kraft, Young, Reisinger, Clarke, Rawlings Blake, Curran, Holton, Harris, Welch, Mitchell, President Dixon:

An Ordinance requiring police vehicles to be equipped with digital video and audio recording devices.

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

**Bill No. 06-0329** - By Councilmembers Spector, Rawlings Blake, President Dixon, Councilmember Holton:

An Ordinance changing the zoning for the properties known as 3402 and 3404 Hillsdale Road and 4603, 4605, 4607, and 4609 Maine Avenue, as outlined in red on the accompanying plat, from the R-4 Zoning District to the B-2-2 Zoning District.

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, Urban Affairs Committee.

**Bill No. 06-0330** - By Councilmembers Spector, Rawlings Blake, President Dixon, Councilmember Holton:

An Ordinance amending the Urban Renewal Plan for 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, close a certain right-of-way, create an expanded disposition lot, and revise 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.

The bill was read the first time and referred to the City Solicitor, Board of Municipal and Zoning Appeals, Planning Commission, Department of Housing and Community Development, Department of Public Works, Baltimore City Parking Authority Board, Department of Transportation, Urban Affairs Committee.

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

**Bill No. 06-0125R** - By Councilmember Holton, President Dixon, Councilmembers Branch, Kraft, Reisinger, Welch, Conaway:

A Resolution requesting the Director of Governmental and Legislative Affairs of Comcast Baltimore to report to the City Council on the cable company's compliance with the minority business participation guidelines that were agreed to as part of the franchise agreement of December 2004.

The bill was read the first time and referred to the City Solicitor, Economic Development and Public Financing Subcommittee.

**Bill No. 06-0126R** - By President Dixon, Councilmembers D’Adamo, Kraft, Young, Holton, Mitchell, Rawlings Blake, Reisinger, Clarke, Welch, Harris, Curran:

A Resolution inviting the Chief Executive Officer of the Baltimore City Public School System, the Director of Parent and Community Development of the Baltimore City Public School System, and the Legislative Liaison of the Baltimore City Board of School Commissioners to present the Board’s “*Family and Community Engagement Policy*” and the progress made to date in implementing the provisions of the policy that seeks to engage parents, families, and community members in the education of our children by creating a positive bond between the home and the school.

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

**Bill No. 06-0127R** - By Councilmembers Harris, D’Adamo, Kraft, Young, Holton, Mitchell, Reisinger, Clarke, Welch, Curran:

A Resolution requesting the CEO of the Baltimore City Public School System and the Security Chief for the Baltimore City Public Schools to investigate and consider the creation and implementation of a security camera system for our public schools and report their findings to the City Council.

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

**Bill No. 06-0128R** - By Councilmembers Harris, Welch, President Dixon, Councilmembers D’Adamo, Kraft, Young, Holton, Mitchell, Rawlings Blake, Reisinger, Clarke, Curran, Conaway, Branch:

Introduced: January 23, 2006  
(Read and adopted)

**A COUNCIL RESOLUTION CONCERNING**

**A Tree for Dr. Martin Luther King, Jr. – A Living Memorial to a Fallen Hero**

FOR the purpose of calling upon the Mayor and City Council and the citizens of Baltimore City to plant a tree in the newly renovated City Hall Plaza to honor a man whose life is a tribute to the pervasive power of an individual to forever change the landscape of the human condition.

**Recitals**

Elected representatives of Baltimore City have been in the forefront of the movement to honor the life of Dr. Martin Luther King, Jr. In 1974, Baltimore City representatives to the Maryland General Assembly, after 4 years of heavy caucusing, prevailed upon the legislature to pass a law making Maryland the second state in the nation to declare the birthday of Dr. King an official state holiday. In 1983, the Baltimore City Council enacted Ordinance 901, renaming Harbor City Boulevard, Biddle Street, and Parkbiddle to be Martin Luther King, Jr. Boulevard. And in 1996, Baltimore City state representatives were again successful in spearheading a movement to have a memorial tree planted on the State House lawn in honor of the slain Civil Rights leader.

*“Even if I knew that tomorrow the world would go to pieces, I would still plant my apple tree”* – Martin Luther King, Jr.– a quote that has been taken literally to give impetus to greening and conservation movements across the country and the world. One of the 99 memorial trees on the Capitol Grounds is the Martin Luther King, Jr. Japanese Zelkova, a 1993 replacement for the original American Elm planted January 9, 1984; across the country, in 1987, an East Oakland community activist planted a tree on San Leandro Shoreline Park that, in 1993, was expanded to an entire grove, and the park was renamed Martin Luther King, Jr. Regional Shoreline Park; and across the world in Israel, in biblical Galilee, tens of thousands of young trees planted there flourish in a once-barren land in a forest planted and named in honor of Dr. King, in 1976, by the Georgetown University Gospel Choir, Georgetown Israel Alliance, Georgetown Eco-Alliance, and the Jewish Students Association.

In planting a tree in the Dr. Martin Luther King Jr. Memorial Forest, in 1987, the Pastor of the African Methodist Episcopal Metropolitan Church in Washington remarked “Martin Luther King, Jr. was great for his love of mankind. How fitting that he be remembered by planting trees here. He may be buried, but his leaves are still blooming in the hills”; Martin Luther King III added “This tree represents the continuity of my father’s mission.”

It seems fitting that we plant a tree in Baltimore in honor of a man of color who is honored by people of all colors as we continue to strive for inclusiveness in our spiritual, cultural, educational, and business communities.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE,** That the Mayor and City Council and the citizens of Baltimore City will plant a tree in the newly renovated City Hall Plaza to honor a man whose life is a tribute to the pervasive power of an individual to forever change the landscape of the human condition.

**AND BE IT FURTHER RESOLVED,** That a copy of this Resolution be sent to the Mayor, the Director of Recreation and Parks, the Director of Public Works, the organizations listed in the Department of Planning Community Association Directory, and the Mayor’s Legislative Liaison to the City Council.

Councilmember Harris 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, Rawlings Blake, Conaway, Holton, Welch, Reisinger, Mitchell, Branch, Clarke - Total 13.

Nays - 0.

Out of Chambers - Councilmembers Spector, Young - Total 2.

The President declared the Rules "Suspended".

Then Councilmember Harris 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, Rawlings Blake, Conaway, Holton, Welch, Reisinger, Mitchell, Branch, Clarke - Total 13.

Nays - 0.

Out of Chambers - Councilmembers Spector, Young - Total 2.

The President declared the Resolution "Adopted".

**Bill No. 06-0129R** - By President Dixon (The Administration):

Introduced: January 23, 2006  
(Read and adopted)

**A COUNCIL RESOLUTION CONCERNING**

**Approving Application for  
Statewide Special Transportation Assistance Program**

FOR the purpose of approving the an application to the Maryland Transit Administration for a Section 5307, 5311, or 5307 grant under the Federal Transit Act.

**WHEREAS**, The Maryland Transit Administration of the Maryland Department of Transportation is the designated recipient in Maryland for grants under the Federal Transit Act.

**WHEREAS**, The Maryland Transit Administration is authorized to make grants to counties and to local governments for mass transportation projects.

**WHEREAS**, The contract for financial assistance will impose certain obligations on the applicant, including its providing the local share of project costs.

**WHEREAS**, In accordance with Title VI of the Civil Rights Act of 1964, the United States Department of Transportation requires that, in connection with an application for assistance under the Federal Transit Act, the applicant must provide assurances that it will comply with Title VI and requirements of the United States Department of Transportation adopted under Title VI.

**WHEREAS**, It is the goal of the applicant that minority business enterprises be utilized to the fullest extent possible in connection with this project and that definite procedures be established and administered to ensure that minority businesses will have the maximum construction contracts, supplies, equipment contracts, or consultant and other services.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE**, That the application to the Maryland Transit Administration for a Section 5307, 5311, or 5307 grant under the Federal Transit Act is approved.

**AND BE IT FURTHER RESOLVED**, That a copy of this Resolution be sent to the Maryland Transit Administration of the Maryland Department of Transportation.

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, Rawlings Blake, Conaway, Holton, Welch, Reisinger, Mitchell, Young, Branch, Clarke - Total 14.

Nays - 0.

Out of Chambers - Councilmember Spector - Total 1.

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, Rawlings Blake, Conaway, Holton, Welch, Reisinger, Mitchell, Young, Branch, Clarke - Total 14.

Nays - 0.

Out of Chambers - Councilmember Spector - Total 1.

The President declared the Resolution “Adopted”.

**Bill No. 06-0130R** - By Councilmember Kraft, President Dixon, Councilmembers D’Adamo, Young, Holton, Mitchell, Reisinger, Clarke, Welcjh, Rawlings Blake, Harris, Curran, Conaway, Branch:

Introduced: January 23, 2006  
(Read and adopted)

### A COUNCIL RESOLUTION CONCERNING

#### **Healthy Air for Maryland – In Support of the Healthy Air Act of 2006**

FOR the purpose of encouraging the Maryland General Assembly, during the 2006 Legislative Session, to adopt meaningful Healthy Air Act legislation to reduce power plant pollution, with significant reduction in carbon dioxide, sulfur dioxide, nitrogen oxides, and mercury.

#### **Recitals**

According to recent reports, pollution from under-controlled coal-fired power plants causes approximately 670 premature deaths, 17,325 asthma attacks, and 101,977 lost workdays in Maryland each year. Approximately 1.1 million Maryland children live within 30 miles of a power plant, the area in which the greatest health impacts are felt. Power plants are responsible for 41 percent of total mercury emissions from all known sources. Each year in our nation, over 600,000 infants are born with an overexposure to mercury, which has been found to be especially harmful to the brain development of children in utero.

The Maryland Department of the Environment has imposed mercury related fish advisories on 183 miles of rivers within the State. In many of these cases, the human consumption of fish has been prohibited because of extreme levels of mercury contamination. Soot, sulfur dioxide, and nitrogen oxide emissions have been linked to cancer, heart disease, lung disease, ozone pollution, regional haze, acid rain, and “dead zones” in the Chesapeake Bay. In addition, carbon dioxide from power plants has led to, and will continue to lead, to rising sea levels and increased severe weather, putting not only Maryland’s coastal and bay cities at risk, but also those of our neighboring states.

The United States EPA, despite overwhelming evidence to the contrary, has reversed its earlier determination that mercury is an air toxin requiring the strictest controls. Thirteen states’ attorney generals and several citizens groups, including the American Academy of Pediatrics, have filed lawsuits challenging the EPA’s fatally weak Mercury Rule.

The EPA has also proposed new rules governing fine particulate matter, known as soot. The most dangerous of these are microscopic specks that can cause significant inflammation and arterial damage in the bloodstream and the lungs. According to EPA estimates, particle pollution kills about 20,000 people every year and hospitalizes many more. Despite considerable research over the last few years that has expanded the list of adverse health effects associated with fine particles especially among children and pointed to the need for stronger standards, the EPA's proposed rules represent only a slight adjustment of previous rules.

More can be done. In order to protect the future of not only the citizens of the State of Maryland, but also its environment, we need to pass legislation now. Everyday we wait, pollution poses more of a risk to us and our children than the day before. The sooner we act, the sooner relief will come, and the sooner the future generations of Maryland will be safe from these invisible toxins that threaten our health and well being on a daily basis.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE,** That this Body encourages the Maryland General Assembly, during the 2006 Legislative Session, to adopt meaningful Healthy Air Act legislation to reduce power plant pollution, with significant reduction in carbon dioxide, sulfur dioxide, nitrogen oxides, and mercury.

**AND BE IT FURTHER RESOLVED,** That a copy of this Resolution be sent to the Mayor, Members of the Maryland General Assembly, and the Mayor's Legislative Liaison to the Council.

Councilmember Kraft 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 Kraft 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”.

**CONSENT CALENDAR**

CEREMONIAL RESOLUTIONS No. 1756, 1757, 1758, 1759, 1760, 1761, 1762, 1763, 1764, 1765, 1766, 1767, 1768, 1769, 1770, 1771, 1772, 1773, 1774, 1775, 1776, 1777, 1778, 1779, 1780, 1781, 1782, 1783, 1784, 1785, 1786, 1787, 1788, 1789, 1790, 1791, 1792, 1793, 1794, 1795, 1796, 1797, 1798, 1799, 1800, 1801, 1802, 1803, 1804, 1805, 1806, 1807, AND 1808 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. 05-0252 REPORTED FAVORABLY  
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Curran, for the Judiciary and Legislative Investigations Committee, reported Bill No. 05-0252 favorably.

An Ordinance amending the Building, Fire, and Related Codes article to reflect certain changes made to the Maryland Building Performance Standards; prohibiting certain required guards from being constructed with horizontal rails or other pattern that results in a ladder effect; correcting, clarifying, and conforming certain language; and generally relating to the building, fire, property maintenance, electrical, plumbing, mechanical, and related codes for Baltimore City.

Favorable report adopted.

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

**BILL NO. 05-0269 REPORTED FAVORABLY  
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Curran, for the Judiciary and Legislative Investigations Committee, reported Bill No. 05-0269 favorably.

An Ordinance narrowing the requirements for registering as a lobbyist under certain circumstances; conforming certain provisions to their counterparts in State law; providing for a special effective date; and generally relating to lobbying and lobbying registration.

Favorable report adopted.

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

**BILL NO. 05-0288 REPORTED FAVORABLY, WITH AMENDMENTS,  
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Mitchell, for the Taxation and Finance Committee, reported Bill No. 05-0288 favorably, with amendments.

An Ordinance abrogating the automatic termination of the tax credit for certain improvements to historic properties; providing for a special effective date; and generally relating to tax credits against the Baltimore City real property tax.

Amendments to City Council Bill No. 05-0288

**Amendment No. 1**

On page 1, in line 3, strike “abrogating” and substitute “extending”; and, on the same page, in line 4, after the first semicolon, insert “requiring a study of and report on this tax credit;”.

**Amendment No. 2**

On page 1, in line 6, after “repealing”, insert “and reordaining, with amendments”.

**Amendment No. 3**

On page 1, in line 17 and line 18, in each instance, strike the bracket; and, on the same page, in line 18, strike “January 3, 2006” and substitute “MARCH 1, 2007”.

**Amendment No. 4**

On page 1, after line 21, insert:

“SECTION 3. AND BE IT FURTHER ORDAINED, That the Departments of Finance and Planning:

(a) study how the tax credit for historic restorations and rehabilitations is being used; and

(b) on or before September 1, 2006, report to the City Council on their findings, with recommendations for improving and refining this tax credit.”;

and, on page 2, in line 1, strike “3” and substitute “4”.

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.

#### THIRD READING TODAY

Councilmember Mitchell made a motion, which was duly seconded, to place Bill No. 05-0288 on third reading today.

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 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. 05-0288** - An Ordinance ~~abrogating~~ extending the automatic termination of the tax credit for certain improvements to historic properties; requiring a study of and report on this tax credit; providing for a special effective date; and generally relating to tax credits against the Baltimore City real property tax.

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, Curran, Harris, Spector, Rawlings Blake, Conaway, Holton, Welch, Reisinger, Mitchell, Young, Branch, Clarke - Total 15.

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. 05-0235** - 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.

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, Curran, Harris, Spector, Rawlings Blake, Conaway, Holton, Welch, Reisinger, Mitchell, Young, Branch - Total 14.

Nays - 0.

Out of Chambers - Councilmember Clarke - Total 1.

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

The President laid before the City Council:

**BILL NO. 05-0238** - An Ordinance authorizing the Health Commissioner to designate licensing classes and, with the approval of the ~~Board of Estimates~~ City Council, 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.

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, Curran, Harris, Spector, Conaway, Holton, Welch, Reisinger, Mitchell, Young, Branch, Clarke - Total 14

Nays - 0.

Out of Chambers - Councilmember Rawlings Blake - Total 1.

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

The President laid before the City Council:

**BILL NO. 05-0248** - 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.

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, Curran, Harris, Spector, Rawlings Blake, Conaway, Holton, Welch, Reisinger, Mitchell, Young, Branch, Clarke - Total 15.

Nays - 0.

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

The President laid before the City Council:

**BILL NO. 05-0260** - 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.

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, Curran, Harris, Spector, Rawlings Blake, Conaway, Holton, Welch, Reisinger, Young, Branch, Clarke - Total 14.

Nays - 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. 05-0262** - 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; correcting certain age references; deleting certain obsolete language; and generally relating to minors and to the enforcement of the daytime and nighttime curfews.

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, Curran, Harris, Spector, Rawlings Blake, Conaway, Holton, Welch, Reisinger, Mitchell, Young, Branch, Clarke - Total 15.

Nays - 0.

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

#### **CLEARING OF BILL STATUS REPORT - CITY COUNCIL RULE 10-12**

**Under City Council Rule 10-12, President Dixon announced that the following bills will be removed from consideration before the Council, unless the Council sponsor contacts her Office:**

*City Council Bills No. 04-0002; 04-0003; 04-0006; 04-0008; 05-0016; 05-0022; 05-0024; 05-0026; 05-0027; 05-0028; 05-0029; 05-0034; 05-0035; 05-0037; 05-0038; 05-0040; 05-0041; 05-0042; 05-0050; 05-0051; 05-0070; 05-0073; 05-0082; 05-0083; 05-0084; 05-0106; 05-0137; 05-0162; 05-0171; 05-0173; 05-0174; 05-0183; 05-0185; 05-0186; 05-0193; 05-0194; 05-0214; 05-0216; 05-0225; 05-0229; 05-0230; 05-0232*

#### **MOTION TO SUSPEND CITY COUNCIL RULES 10-2 AND 10-3 WITH REGARD TO BILL NO. 06-0125R**

Councilmember Holton motion, duly seconded, to suspend Rules 10-2 and 10-3 in order to have an early hearing on Bill No. 06-0125R.

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

#### **MOTION TO SUSPEND CITY COUNCIL RULES 10-2 AND 10-3 WITH REGARD TO BILL NO. 06-0126R**

Councilmember Harris motion, duly seconded, to suspend Rules 10-2 and 10-3 in order to have an early hearing on Bill No. 06-0126R.

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

**MOTION TO SUSPEND CITY COUNCIL RULES 10-2 AND 10-3  
WITH REGARD TO BILL NO. 06-0323**

Councilmember Harris made a motion, duly seconded, to suspend Rules 10-2 and 10-3 in order to have an early hearing on Bill No. 06-0323.

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

**ADJOURNMENT**

On motion of Councilmember Rawlings Blake, duly seconded, the City Council adjourned to meet on Monday, February 6, 2006, at 5:00 p.m.

Consent Calendar

- CR 1756 Harris, All Members**  
A City Council RESOLUTION on the death of Martin Omegio Madison.
- CR 1757 Harris, All Members**  
A City Council RESOLUTION on the death of Mattie W. Lay.
- CR 1758 President Dixon, All Members**  
A City Council RESOLUTION congratulating Michael Alexander on being the recipient of the 2005 Richard C. Lidinsky, Sr. Award for Excellence in Public Service.
- CR 1759 Young**  
A City Council RESOLUTION on the death of Estella Young.
- CR 1760 President Dixon, All Members**  
A City Council RESOLUTION on the death of James A. Scroggins.
- CR 1761 President Dixon, Holton, All Members**  
A City Council RESOLUTION on the death of Magnolia Joyner, October 7, 1922 – January 9, 2006.
- CR 1762 President Dixon, All Members**  
A City Council RESOLUTION congratulating Michael Jenkins, Elana Omari, Terry Todescr, Carolyn Chance, Gregory Spriggs, Valires Delaware, Catherine Jones, Amirah Benton, Tia Golden, Phelzie Samuel, Francis Broidy, and Douglass Homes Resident Council on their outstanding service to the residents of the Douglass Homes community.
- CR 1763 President Dixon, All Members**  
A City Council RESOLUTION congratulating Dr. Kevin Jerome on the celebration of his 5<sup>th</sup> Anniversary as Pastor of the Greater Faith Tabernacle Church of Deliverance.
- CR 1764 President Dixon, All Members**  
A City Council RESOLUTION congratulating Leola “Aunty” Haywood on the celebration of her 90<sup>th</sup> birthday.
- CR 1765 Mitchell**  
A City Council RESOLUTION on the death of Marjorie Martin Smith.
- CR 1766 Mitchell**  
A City Council RESOLUTION congratulating Leon F. Pinkett, III, on his dedication and loyalty, for the past 9 years, to Councilman Keiffer J. Mitchell, Jr. and to wish him much success in his future endeavors.

- CR 1767** President Dixon, All Members  
A City Council RESOLUTION congratulating Pastor Richard J. Rather on his tireless commitment and dedication to the Holy rock Christian Community Church and Outreach Ministry.
- CR 1768** President Dixon, All Members  
A City Council RESOLUTION congratulating Baltimore Interfaith Hospital Network on the celebration of its Ribbon Cutting ceremony.
- CR 1769** President Dixon, All Members  
A City Council RESOLUTION congratulating James Earl Jones, Senator Paul Sarbanes, Sarah Hemminger, Carol Gentry, Patricia Engblom, Rajiv Devanagondi, Temekia Butler, Michael Beer, and Willie Ray Horne on their outstanding commitment and service to the community.
- CR 1770** Clarke  
A City Council RESOLUTION congratulating Dr. Angela M. Scruggs on the Helping Hands Outreach and Resource Multi-service Development and Economic Empowerment Center.
- CR 1771** Harris, All Members  
A City Council RESOLUTION on the death of LaTonya Alston.
- CR 1772** Holton, All Members  
A City Council RESOLUTION congratulating Kenneth H. Bancroft on his retirement after 16 years of service at St. Agnes Health Hospital as Chief Financial Officer, President and CEO.
- CR 1773** Holton, All Members  
A City Council RESOLUTION congratulating Minister Bryant Claiborne on 15 years of Deliverance.
- CR 1774** Holton, All Members  
A City Council RESOLUTION congratulating Minister Jamila Parham on the Restoration Ministry 5<sup>th</sup> Anniversary.
- CR 1775** Welch  
A City Council RESOLUTION on the death of Anita Baker.
- CR 1776** Kraft  
A City Council RESOLUTION congratulating Myers Abraham Davis and Owen Forgione Hill on being named Semi-finalists in the Annual Intel Science Talent Search.
- CR 1777** Kraft  
A City Council RESOLUTION congratulating Canton Station on opening the Natty Boh Room – another contribution to the preservation of the history of Brewers Hill.

- CR 1778 Clarke**  
A City Council RESOLUTION congratulating Cam Construction, Inc. and Cotton Construction Company on being honored by the Associated Builder's and Contractors and the Maryland Minority Contractors Association for demonstrating exemplary achievement in the area of bidding and on-site work ethics.
- CR 1779 Kraft**  
A City Council RESOLUTION congratulating Greektown Community Development Corporation for its continuing efforts to preserve the unique character of the Greektown community and improve the quality of life of its residents.
- CR 1780 President Dixon, All Members**  
A City Council RESOLUTION congratulating the Baltimore Alumni Chapter of Kappa Alpha Psi Fraternity, Inc. on its 35<sup>th</sup> Annual "Night in Vegas".
- CR 1781 President Dixon, All Members**  
A City Council RESOLUTION congratulating Stephon Smith on his outstanding service as Minister of Music.
- CR 1782 President Dixon, All Members**  
A City Council RESOLUTION congratulating Roy Whitney on the celebration of his retirement after 25 years of service as a Correctional Officer.
- CR 1783 President Dixon, All Members**  
A City Council RESOLUTION congratulating Keith R. Pallante on the celebration of his retirement after 32 years of service with the Mayor's Office of Information Technology.
- CR 1784 President Dixon, All Members**  
A City Council RESOLUTION on the death of Wanda Holt.
- CR 1785 President Dixon, All Members**  
A City Council RESOLUTION on the death of Ronnell Holt.
- CR 1786 Young**  
A City Council RESOLUTION on the death of Dorothy F. Johnson.
- CR 1787 Young**  
A City Council RESOLUTION congratulating Vernell Mayo on the celebration of her 80<sup>th</sup> birthday on January 17, 2006.
- CR 1788 Young**  
A City Council RESOLUTION congratulating Bernadine and Calvin B. Scruggs, Jr. on the Blessing and Dedication of the new Calvin B. Scruggs Funeral Home.
- CR 1789 Welch**  
A City Council RESOLUTION congratulating Frederick Douglass High School Class of February 1956 on the celebration of its 50<sup>th</sup> Class Reunion.

- CR 1790**    **President Dixon, Rawlings Blake, All Members**  
A City Council RESOLUTION congratulating Alpha Kappa Alpha Sorority, Epsilon Omega Chapter on its 98<sup>th</sup> Founders' Day celebration.
- CR 1791**    **Young**  
A City Council RESOLUTION congratulating Roderick D. Henderson, Jr. on receiving the Mother Mary Lang Award for Youth Services at the Blessed Sacrament Church for 2005-2006.
- CR 1792**    **Kraft**  
A City Council RESOLUTION on the death of Benjamin H. Griswold, III.
- CR 1793**    **Branch**  
A City Council RESOLUTION on the death of Bettie Carter.
- CR 1794**    **Kraft**  
A City Council RESOLUTION on the death of Grace Eugenia Cefalu.
- CR 1795**    **Reisinger, All Members**  
A City Council RESOLUTION on the death of Kristopher Reinhard.
- CR 1796**    **Holton, All Members**  
A City Council RESOLUTION congratulating Raymond Haysbert on the celebration of his 86<sup>th</sup> birthday.
- CR 1797**    **Conaway**  
A City Council RESOLUTION congratulating Hampden United Methodist Church on the Opening of Emanuel's Rock Club and its outreach to youths in our community.
- CR 1798**    **Conaway**  
A City Council RESOLUTION congratulating Mother Sadie Vaughn on the celebration of her 93<sup>rd</sup> birthday and her years of service to her home church, Emmanuel United Baptist Church.
- CR 1799**    **President Dixon, All Members**  
A City Council RESOLUTION congratulating Patricia Harcarik on the celebration of her retirement after 32 years of service with the Baltimore City Public School System.
- CR 1800**    **President Dixon, All Members**  
A City Council RESOLUTION congratulating the Seniors of Bethel AME Church on their contribution to the life of Bethel AME Church and our community.
- CR 1801**    **President Dixon, All Members**  
A City Council RESOLUTION congratulating Willie Bunch on his outstanding service and commitment to the St. John Christian Community Church.

- CR 1802 President Dixon, All Members**  
**A City Council RESOLUTION on the death of the Reverend Dr. Levester Waddy, March 29, 1920 – January 17, 2006.**
- CR 1803 Clarke**  
**A City Council RESOLUTION congratulating the Reverend Robin Johnson on her service to Hampden youth and on the Grand Opening of Emmanuel’s Rock.**
- CR 1804 Harris, All Members**  
**A City Council RESOLUTION on the death of Zolia (Billy) Johnson, Jr.**
- CR 1805 Harris, All Members**  
**A City Council RESOLUTION congratulating Daedalus Books and Music, 5911 York Road, Baltimore, Maryland 21212 on its Grand Opening, investing in Baltimore City and being located in Belvedere Square.**
- CR 1806 Harris, All Members**  
**A City Council RESOLUTION on the death of Joseph Ward.**
- CR 1807 President Dixon, All Members**  
**A City Council RESOLUTION congratulating Williamae Aikens on the celebration of her 90<sup>th</sup> birthday.**
- CR 1808 President Dixon, All Members**  
**A City Council RESOLUTION congratulating Officer Kevin Brown and Telecom Pioneers Maryland Chapter #44 on their exceptional commitment and service to the citizens of Baltimore.**