

SEVENTH DAY

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**

March 20, 2006

Sister Mary Fitzgerald, S.S.N.D., Institute of Notre Dame High School, led the Council in Prayer.

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

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

Absent - Councilmember Kraft

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

The beautiful prayer of St. Patrick, popularly known as “St. Patrick’s Breast-Plate”, is supposed to have been composed by him. The following is a literal translation from the old Irish text:

I bind to myself today
The power of Heaven,
The light of the sun,
The brightness of the moon,
The splendour of fire,
The flashing of lightning,
The swiftness of wind,
The depth of sea,
The stability of earth,
The compactness of rocks.

I bind to myself today
God’s Power to guide me,

God's Might to uphold me,
God's Wisdom to teach me,
God's Eye to watch over me,
God's Ear to hear me,
God's Word to give me speech,
God's Hand to guide me,
God's Way to lie before me,
God's Shield to shelter me,
God's Host to secure me.

God with me, God before me,
God behind me, God within me,
God beneath me, God above me,
God at my right, God at my left,
God in the heart of everyone who thinks of me,
God in the mouth of everyone who speaks to me,
God in every eye that sees me,
God in every ear that hears me.

I bind to myself today
The strong virtue of an invocation of the Almighty,
I believe the Almighty brings Unity.

Let the people say, Amen!

SHOWCASE BALTIMORE

Nancy Hinds, Vice President of Public Affairs, Baltimore Area Convention and Visitors Association, delivered a presentation about the "In Celebration of Women" exhibit.

JOURNAL APPROVED

The Journal of March 6, 2006 was read and approved.

COMMUNICATIONS FROM THE MAYOR

APPROVED BY THE MAYOR

OFFICE OF THE MAYOR

March 15, 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 05-0173 - An Ordinance concerning - Rezoning – 820 Oldham Street, ~~4526 O’Donnell Street, 4600 O’Donnell Street,~~ 4500 Fait Avenue, 4601 Foster Avenue, and 4700 Fait Avenue - For the purpose of changing the zoning for the ~~properties~~ property known as 820 Oldham Street, ~~4526 O’Donnell Street, 4600 O’Donnell Street,~~ and a portion of 4500 Fait Avenue, as outlined in red on the accompanying amended plat, from the M-3 Zoning District to the R-8 Zoning District, and changing the zoning for the properties known as 4601 Foster Avenue, a portion of 4500 Fait Avenue, and 4700 Fait Avenue, as outlined in blue on the accompanying amended plat, from the M-1-2 Zoning District to the R-8 Zoning District.

C.C. Bill 05-0245 - An Ordinance Concerning - Rezoning – 1901 South Charles Street and 1900, 1904, 1910, 1916, 1924, 1926, 1928, 1930, 1932, 1934, 1936, 1938, 1940, 1942, 1944, and 1946 Light Street - For the purpose of changing the zoning for the property properties known as 1901 South Charles Street and 1900, 1904, 1910, 1916, 1924, 1926, 1928, 1930, 1932, 1934, 1936, 1938, 1940, 1942, 1944, and 1946 Light Street, as outlined in red on the accompanying amended plat, from the M-3 Zoning District to the R-8 Zoning District.

C.C. Bill 05-0256 - An Ordinance concerning - Street Entertainers – Licensing - For the purpose of modifying the number and composition of members on the Board of License for Street Entertainers; adding additional examples to the list of entertainers subject to the law; abolishing the requirement for an annual license fee; correcting certain typographical errors; and generally relating to the licensing and regulation of street entertainers.

C.C. Bill 05-0305 - An Ordinance concerning - Planned Unit Development – Designation – Greektown Redevelopment - For the purpose of approving the application of Hale/KSI, LLC, which is the fee simple owner or contract purchaser of certain properties known as 820 Oldham Street, 4601 Foster Avenue, 4700 Fait Avenue, 4526 O’Donnell Street, 4600 O’Donnell Street, 4618 O’Donnell Street, 4620 O’Donnell Street, 4622 O’Donnell Street, 4624 O’Donnell Street; and Fait Avenue, LLC, the fee simple owner of the property known as 4500 Fait Avenue; (hereinafter collectively the “Applicant”), together with the adjoining roads, highways, alleys, rights-of-way, and other similar property (collectively, the “Properties”), to have the Properties designated a Residential Planned Unit Development; and approving the Development Plan submitted by the applicant.

Sincerely,

Martin O’Malley
Mayor

APPOINTMENTS BY THE MAYOR

ALLAN D. JENSEN, MD, as Chair of the Commission on Aging and Retirement Education, for a term expiring December 7, 2007, succeeding Dr. Otis Bentley Michael.

MERLENE E. ADAIR, as a member of the Commission on Aging and Retirement Education, for a term expiring December 7, 2007, as a member of the Commission who is over age 65 and who is retired.

MICHAEL BEER, Ph.D., as a member of the Commission on Aging and Retirement Education, for a term expiring December 7, 2007, as a member who is a MedChi representative.

SAMUEL A. CULOTTA, as a member of the Commission on Aging and Retirement Education, for a term expiring December 7, 2007, succeeding himself, as a member who represents General Interests and who is also a member of a minority political party.

CAROLYN TROY DONOHUE, as a member of the Commission on Aging and Retirement Education, for a term expiring December 7, 2007, as a member who has an interest in the elderly.

JAMES L. FRENCH, as a member of the Commission on Aging and Retirement Education, for a term expiring December 7, 2007, succeeding Donna DeLeno, as a member who is an industry representative.

GWENDOLYN JOHNSON, as a member of the Commission on Aging and Retirement Education, for
a term expiring December 7, 2007, succeeding herself, as a member who is over age 65 and who is retired.

DAVID H. KIM, as a member of the Commission on Aging and Retirement Education, for a term expiring December 7, 2007, succeeding succeeding Doris Brightful, as a member of organized labor.

IVERIS L. MARTINEZ, as a member of the Commission on Aging and Retirement Education, for a term expiring December 7, 2007, as a member who represents a voluntary organization.

JUNE P. MURRAY, Ph.D., MS-PSY, MSW, LCSW, as a member of the Commission on Aging and Retirement Education, for a term expiring December 7, 2007, as a general interest member.

NANNETTE PATTERSON, as a member of the Commission on Aging and Retirement Education, for a term expiring December 7, 2007, as a member who represents a voluntary organization.

JULIA S. PIERSON, as a member of the Commission on Aging and Retirement Education, for a term expiring December 7, 2007, as a member who has an interest in the elderly.

ANN L. RASENBERGER, as a member of the Commission on Aging and Retirement Education, for a term expiring December 7, 2007, succeeding Lawrence Magner, as a general interest member.

DEBRA JEAN RUPPERT, as a member of the Commission on Aging and Retirement Education, for a term expiring December 7, 2007, succeeding S. Rebecca Galloway, as a pre-retirement member.

VIOLET M. SLOAT, as a member of the Commission on Aging and Retirement Education, for a term expiring December 7, 2007, as a member who is over age 65 and who is retired.

ELIZABETH K. TANNER, Ph.D., as a member of the Commission on Aging and Retirement Education, for a term expiring December 7, 2007, succeeding Ruth Daniels, as a member who is from a voluntary organization that serves the elderly.

CONSTANCE L. URQUHART, as a member of the Commission on Aging and Retirement Education, for a term expiring December 7, 2007, as a general interest member.

ROBERT C. EMBRY, JR., as a member of the Commission for Historical and Architectural Preservation, for a term expiring December 7, 2007, as a member who nominated by the Greater Baltimore Committee.

JOHN P. "BUDDY" CEFALU, as a member of the Wage Commission, for a term expiring December 7, 2007.

JAMES R. JARVIS, as a member of the Wage Commission, for a term expiring December 7, 2007.

MUSTAFA VALI, MD, as a member of the Commission for Historical and Architectural Preservation, for a term expiring December 7, 2007, as a member who is an owner and operator of a contributing commercial property in a historic and architectural preservation district.

Sincerely,

Martin O'Malley
Mayor

COMMUNICATIONS FROM MUNICIPAL AGENCIES

March 16, 2006

Honorable Sheila Dixon, President
Baltimore City Council
Room 400 - City Hall

Dear Madame President:

In order to expedite the return of tax sale properties to private ownership, Ordinance 477 was approved December 6, 1973. This ordinance allows the City Comptroller to sell properties acquired by tax sale at either private or public sale once certain criteria are met.

It is requested that the following properties be published in the City Council Journal as promptly as possible in order that we may pursue their disposition:

Councilmanic District No. 9

441 & 443 S. Stricker Street
Block 0790, Lots 10 and 11

In accordance with the provisions of Ordinance 477, certification of the publication shall be submitted to the Comptroller 30 days after such publication. It would be most helpful and sincerely appreciated if the certification is directed to the attention of the Department of Real Estate.

Should you have any questions or need any further information, please contact Sharon Kempa of my staff at 410-396-4767.

Michael McAvinn
Real Estate Officer
Department of Real Estate

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. 06-0362 - By Councilmembers Young, Curran:

An Ordinance limiting the placement of certain accessory microwave antennas (satellite dishes) in Residence and Office-Residence Districts; providing for the discontinuance of

nonconforming satellite dishes; and generally relating to accessory microwave antennas (satellite dishes).

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, Baltimore Development Corporation, Department of Public Works, Land Use and Transportation Committee.

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

Bill No. 06-0156R - By Councilmember Holton, President Dixon, Councilmembers Clarke, Young, Curran, Harris, Mitchell, Welch, D’Adamo, Rawlings Blake, Conaway, Reisinger, Branch:

Introduced: March 20, 2006
(Read and adopted)

A COUNCIL RESOLUTION CONCERNING

**In Support of State Legislation – (Senate Bill 897/House Bill 1486) –
Procurement - Commercial Nondiscrimination**

FOR the purpose of expressing support for this legislation that seeks to establish a “Commercial Nondiscrimination Policy” under State procurement law to ensure that all entities that seek to do business with the State adopt a corporate policy that eliminates the effects of discrimination from business decisions; requesting the Honorable Chairs and Members of the Senate Education, Health, and Environmental Affairs and House Economic Matters Committees to give the legislation a favorable report; urging the Honorable Members of the Baltimore City Delegation to the 2006 session of the Maryland General Assembly to secure passage of a State Commercial Nondiscrimination Policy; and calling upon the Governor to sign the legislation into law.

Recitals

This legislation would establish a “Commercial Nondiscrimination Policy” at the State level to ensure that all competition to fulfill State contracts for goods and services are awarded free from the influence of any preferential treatment, through the achievement of 3 broad objectives:

- Establish a clear policy that the government does not enter into contracts with businesses that discriminate in their solicitation, selection, or treatment of vendors, suppliers, subcontractors, or commercial customers in the public or private sector.
- Establish a formal complaint process and investigation process for alleged violations of the commercial nondiscrimination policy.

- Provide a fair process for hearing evidence, rendering findings, and imposing sanctions for violations of the commercial nondiscrimination policy.

As a result of extensive evidence of race- and gender-based discrimination against minority and women-owned business enterprises, the City Council determined that it was necessary to establish and firmly enforce a clear policy against discrimination in local government business on the basis of race, gender, religion, national origin, ethnicity, sexual orientation, age, or disability, to ensure that the tax dollars collected from its citizens are not used to finance and reward private prejudice on the basis of any form of unlawful discrimination.

Further recognizing that it is in the best interests of the City to enhance competition on City projects, by promoting equal opportunity and full participation of all segments of the community in a marketplace environment that is free from the effects of discrimination, the Mayor and City Council adopted a Commercial Nondiscrimination Policy on February 14, 2006.

Through the enactment of its Commercial Nondiscrimination Policy, Baltimore City government provides a formal mechanism for receiving, investigating, and resolving complaints of discrimination filed against businesses that have submitted a bid or proposal for, have been selected to engage in, or are engaged in doing business with the City.

Similar legislation is necessary on the State level because existing federal Civil Rights law does not address discrimination on the basis of gender and lacks an effective investigation and enforcement mechanism for the types of discrimination to which it applies. Moreover, there is no existing State statute that addresses discrimination by a contractor or subcontractor on a State procurement contract.

The proposed legislation addresses these issues by clearly extending prohibitions against commercial discrimination to other types of suspect classifications, such as gender, age, disability, and national origin, and designates the Office of the Attorney General as the competent investigative entity.

By adopting the provisions of Senate Bill 897/House Bill 1486, the State of Maryland will join the citizens of Baltimore in stating to the world that here we have a zero-tolerance policy when it comes to commercial discrimination.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE, That this Body supports this legislation that seeks to establish a “Commercial Nondiscrimination Policy” under State procurement law to ensure that all entities that seek to do business with the State adopt a corporate policy that eliminates the effects of discrimination from business decisions; requests the Honorable Chairs and Members of the Senate Education, Health, and Environmental Affairs and House Economic Matters Committees to give the legislation a favorable report; urges the Honorable Members of the Baltimore City Delegation to the 2006 session of the Maryland

General Assembly to secure passage of a State Commercial Nondiscrimination Policy; and calls upon the Governor to sign the legislation into law.

AND BE IT FURTHER RESOLVED, That the Honorable Chairs of the Senate Education, Health, and Environmental Affairs and the House Economic Matters Committees are requested to include the comments contained in this Resolution as part of the respective committee deliberations and as part as the official record.

AND BE IT FURTHER RESOLVED, That a copy of this Resolution be sent to the Governor, the Mayor, the Honorable Chairs and Members of the Senate Education, Health, and Environmental Affairs and House Economic Matters Committees, the Honorable Members of the Baltimore City Delegation to the 2006 Maryland General Assembly, the Executive Director of the Mayor's Office of State Relations, 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 D'Adamo, Curran, Harris, Spector, Rawlings Blake, Conaway, Holton, Welch, Reisinger, Young, Branch, Clarke - Total 13.

Nays - 0.

Out of Chambers - Councilmember Mitchell - Total 1.

Absent - Councilmember Kraft - 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 D'Adamo, Curran, Harris, Spector, Rawlings Blake, Conaway, Holton, Welch, Reisinger, Young, Branch, Clarke - Total 13.

Nays - 0.

Out of Chambers - Councilmember Mitchell - Total 1.

Absent - Councilmember Kraft - Total 1.

The President declared the Resolution “Adopted”.

Bill No. 06-0157R - By Councilmembers Mitchell, D’Adamo, Clarke, Curran, Harris, Welch, Conaway, Reisinger, Branch:

Introduced: March 20, 2006
(Read and Referred to Committee)

A COUNCIL RESOLUTION concerning

In Support of State Legislation – (House Bill 1517) – Baltimore City - Property Tax Credit for Qualified City Resident Homeowners - New Home Purchase

FOR the purpose of expressing support for this legislation that seeks to authorize Baltimore City government to grant a Homestead Property Tax Credit to the owner of a newly purchased owner-occupied residence located in Baltimore City if the owner has previously received, in the same year, a property tax credit for his or her former owner-occupied City residence; requesting the Honorable Chair and Members of the House Ways and Means Committee to give House Bill 1517 a favorable report; asking the Honorable Chairs and Members of the Baltimore City Senate and House Delegations to the 2006 Maryland General Assembly to work to secure passage of House Bill 1517; and respectfully urging the Governor to sign the legislation into law.

Recitals

In February, City Council Bill 06-0138R was introduced, requesting the Baltimore City Delegation to the Maryland General Assembly to introduce State enabling legislation to allow Baltimore City to grant persons qualified to receive a Homestead Property Tax credit on one property to receive a credit on a new property purchased in the same year on another property in Baltimore City.

As stated in the Resolution, while the real estate market in Baltimore is not expected to repeat last year’s housing sale boom, experts agree that the area’s influx of people is likely to keep demand and prices up. In fact, the National Association of Realtors is predicting that the 2006 housing market will be second best in history after a 5th consecutive annual record last year. Baltimore is a unique market place that attracts buyers from Washington, D.C., and government personnel are locating here.

Officials of the Home Builders Association of Maryland contend that prices in the Baltimore area are expected to stay strong because of job growth and lack of available land. Prices are expected to rise a more modest 4% to 5%, considerably down from the more recent 20% range. And although past growth rates are not sustainable, the imbalance in the local market of limited

supply and strong demand means that homebuilders would continue to sell new homes at record rates.

In Baltimore's much improved real estate market, many homeowners are moving to properties that exceed the value of their last property. In most cases, the property tax is paid as part of the mortgage note, on a monthly basis. Without the benefit of the effect of applying the Homestead Tax Credit, many young families and persons needing to relocate for other reasons would find the cost of moving prohibitive.

While we welcome new home owners and their families to our wonderful city, we must do everything possible to allow our native or adoptive Baltimoreans to remain here and to afford the homes of their dreams.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE, That this Body supports this legislation that seeks to authorize Baltimore City government to grant a Homestead Property Tax Credit to the owner of a newly purchased owner-occupied residence located in Baltimore City if the owner has previously received, in the same year, a property tax credit for his or her former owner-occupied City residence; requests the Honorable Chair and Members of the House Ways and Means Committee to give House Bill 1517 a favorable report; asks the Honorable Chairs and Members of the Baltimore City Senate and House Delegations to the 2006 Maryland General Assembly to work to secure passage of House Bill 1517; and respectfully urges the Governor to sign the legislation into law.

AND BE IT FURTHER RESOLVED, That the Honorable Chair of the Ways and Means Committee is respectfully requested to include this Resolution as an official communication to the Committee, to take into consideration the position of Baltimore City Council in support of House Bill 1517 as the Committee deliberates on the legislation, and to include the Resolution in the Committee bill file.

AND BE IT FURTHER RESOLVED, That a copy of this Resolution be sent to the Governor, the Mayor, the Honorable Members of the Baltimore City Delegation to the 2006 Maryland General Assembly, the Honorable Chair and Members of the House Ways and Means Committee, the Executive Director of the Mayor's Office of State Relations, and the Mayor's Legislative Liaison to the City Council.

Councilmember Mitchell 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 D'Adamo, Curran, Harris, Conaway, Welch, Reisinger, Mitchell, Young, Branch, Clarke - Total 11.

Nays - Councilmember Spector - Total 1.

Pass - Councilmembers Rawlings Blake, Holton - Total 2.

Absent - Councilmember Kraft - Total 1.

The President declared the motion to suspend the Rules failed because of lack of affirmative vote, taken by roll call, of 3/4 of all Councilmembers.

The bill was read the first time and referred to the Department of Finance, Taxation and Finance Committee.

Bill No. 06-0158 - By Councilmembers Harris, D'Adamo, Clarke, Young, Curran, Holton, Mitchell, Welch, Spector, President Dixon, Councilmembers Rawlings Blake, Reisinger:

Introduced: March 20, 2006
(Read and adopted)

A COUNCIL RESOLUTION CONCERNING

Investigative Hearing – The Status of Special Education Services in the Baltimore City Public School System

FOR the purpose of requesting the State Superintendent of Education and the Chief Executive Officer and the Chief of Staff of the Baltimore City Public School System to address the Baltimore City Council on the school system's failure to provide court-sanctioned makeup services to special education students, the current status of Special Education Services in the public school system, and what measures the school system will adopt to address the needs of special education students in the future.

Recitals

In August 2005, the U.S. District Court authorized the State to manage 8 school system departments that affect special education services in the Baltimore public school system, as a result of the system's failure to provide and document required services to special-education students with disabilities in the 2003-2004 school year. In a report filed with the Court, the school system estimated that it owed special-education students 48,000 hours of speech and language therapy, 2,200 hours of psychology, 9,700 hours of occupational therapy, 1,500 hours of physical therapy, 18,000 hours of counseling, and 10,000 hours of social work.

At that time, the State and the school system submitted competing consultants' proposals to the Court on how to give special-education students nearly 90,000 hours of makeup services they should have received over the school year and summer recess. Under the school system's proposal, consultants would be paid up to \$10 million and would bring their own providers, while under the State's proposal, consultants would be paid \$2 million to oversee the delivery of services by school system personnel. Ultimately, the Court authorized the State School

Superintendent to send 9 State managers to oversee all City school system programs and departments affecting the delivery of services to special education students.

Recently state education officials reported that the City has done little to deliver the court-mandated makeup services owed to 9,000 children – of the 90,000 hours owed, the City school system has provided a woefully inadequate 3,974 hours of service. While Baltimore school officials do not dispute the fact that services have not been delivered, they differ with the State as to the cause of the shortfall. Baltimore officials contend that there is a severe national shortage of the specialty clinicians that are needed to provide the services, but State officials insist that the local school officials have failed to contact the clinicians that the State has recommended as qualified to provide the make-up services

While State and local officials continue to assess blame and point the accusatory finger of failure at each other, our special-needs kids continue to suffer. The current controversy is a continuation of a long standing problem where those least able to give voice to their needs are those that are given the least. It looked like someone was finally paying attention to these kids when a suit was brought on their behalf against the State and the City school system in 1984, but 22 years later they are still being given short shrift.

As the educational professionals, the lawyers, the politicians, and the courts continue to bicker about whose fault it is and how best to get the job done, decades of special education students leave the education system little better prepared for the daunting adult life that awaits them than when they entered the system as children. Whose fault it is matters not – to a person who cannot balance a check book, read an instruction manual, follow the directions on a medication, get a job, or live independently!

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE, That the State Superintendent of Education and the Chief Executive Officer and the Chief of Staff of the Baltimore City Public School System are requested to address the Baltimore City Council on the school system's failure to provide court-sanctioned makeup services to special education students, the current status of Special Education Services in the public school system, and what measures the school system will adopt to address the needs of special education students in the future.

AND BE IT FURTHER RESOLVED, That a copy of this Resolution be sent to the Mayor, the Honorable Members of the Baltimore City Delegation to the 2006 Maryland General Assembly, the State Superintendent of Education, the CEO and Chief of Staff of the Baltimore City Public School System, 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 D'Adamo, Curran, Harris, Spector, Rawlings Blake, Holton, Welch, Reisinger, Mitchell, Young, Clarke - Total 12.

Nays - 0.

Pass - Councilmembers Conaway, Branch - Total 2.

Absent - Councilmember Kraft - Total 1.

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 D'Adamo, Curran, Harris, Spector, Rawlings Blake, Holton, Welch, Reisinger, Mitchell, Young, Clarke - Total 12.

Nays - 0.

Pass - Councilmembers Conaway, Branch - Total 2.

Absent - Councilmember Kraft - Total 1.

The President declared the Resolution "Adopted".

Bill No. 06-0159R - By President Dixon, Councilmembers D'Adamo, Clarke, Young, Harris, Holton, Mitchell, Welch, Curran, Spector, Rawlings Blake, Conaway, Reisinger, Branch:

Introduced: March 20, 2006
(Read and adopted)

A COUNCIL RESOLUTION CONCERNING

Comprehensive Master Plan – Senior Housing

FOR the purpose of urging the Planning Commission to consider the suggestions of the Commission on Aging and Retirement Education when developing a Master Plan for the City of Baltimore.

Recitals

According to recent statistics, 1 in 7 City residents is over 65 years of age, and by the year 2030, 1 in 4 City residents will be senior citizens. Considering these facts and that in the City 38% of homeowners are over 60 years of age, the importance of affordable housing for the older adult population is more important than ever.

When developing a Master Plan for the City, we must take into consideration the fact of Baltimore's high numbers of low-income minorities with disabilities. We must address this to ensure that there is a development plan to maintain infrastructure and resources to sustain and support our most at-risk older citizens.

Quality of life issues for the elderly should be an issue in future City Master Plans. These Plans must address major issues facing our aging population, and certain services must be provided in order to attract older people who already live in the City, as well as those who will hopefully wish to move here in the future.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE, That this Body urges the Planning Commission to consider the suggestions of the Commission on Aging and Retirement Education when developing a Master Plan for the City of Baltimore.

AND BE IT FURTHER RESOLVED, That a copy of this Resolution be sent to the Mayor, the Chair and Members of the Planning Commission, the Executive Director of the Commission on Aging and Retirement Education, and the Mayor's Legislative Liaison to the 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 D'Adamo, Curran, Harris, Spector, Rawlings Blake, Conaway, Holton, Welch, Reisinger, Mitchell, Young, Branch, Clarke - Total 14.

Nays - 0.

Absent - Councilmember Kraft - Total 1.

The President declared the Rules "Suspended".

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

Nays - 0.

Absent - Councilmember Kraft - Total 1.

The President declared the Resolution “Adopted”.

Bill No. 06-0160 - By Councilmember Young, President Dixon, Councilmembers D’Adamo, Curran, Harris, Welch, Clarke, Spector, Rawlings Blake, Conaway, Holton, Reisinger, Branch:

Introduced: March 20, 2006
(Read and adopted)

A COUNCIL RESOLUTION CONCERNING

Investigative Hearing – Publicly Owned Municipal Electric Utility

FOR the purpose of requesting the Director of Public Works and the Director of Finance to explore the feasibility of Baltimore City developing a publicly owned municipal electric utility to provide service to the citizens of Baltimore at a reasonable rate, to protect hard-working residents from the exorbitant electric rates that are expected to be inflicted on residential users as a result of deregulation of the utility industry and to report the results of the study to the City Council within 90 days.

Recitals

In 1999, when Maryland State officials approved deregulation of electric utilities, it was expected that the cost of the utility would decrease because the cost of energy would remain stable, and increased market competition for the consumer’s energy dollar would result in companies vying to offer the best deal.

What in theory sounded good, in actuality has turned into a nightmare. The anticipated merger of the parent company of BGE, the local supplier of electricity to over 1,000,000 residents and businesses and gas to more than 600,000 customers in the Baltimore region, along with deregulation, raising energy prices, and pollution control requirements, is expected to result in an average 72% rate increase in Baltimoreans’ utility bills.

Baltimore consumers can expect to be hit with the full impact of increased rates just in time for the sweltering days of summer. In a city where, according to the National Weather Service, the average July high is 91 degrees and where the elderly, one of the populations particularly vulnerable to heat-related illness, number over 110,000, there is cause for grave concern that people will not be able to afford to run their air conditioners or even their fans.

Last year, the temperatures for June and July were above average, with 15 days in which temperatures reached 90 degrees or higher. These “code red” conditions, where the heat index

reached as high as 105, led to 11 heat-related deaths in Maryland, 8 of those in the City. In 2002, the medical examiners office attributed 42 deaths to the heat, 27 of those in Baltimore.

The most serious heat-related condition that can result in death is heat stroke, in which the body temperature exceeds 105 degrees. And while it is important that everyone take precautions, those particularly vulnerable are the elderly, those people who are overweight, have heart disease, diabetes, respiratory illnesses, or other chronic health conditions. Also vulnerable to high temperatures are pregnant women, because severe dehydration can induce pre-term contractions and deliveries, and infants, because their body temperatures rise faster than those of adults.

Health officials caution that anyone recognizing the symptoms of someone suffering from the most serious condition, heat stroke, should immediately call 911 and place the victim in a cool bath or bathe them with cool towels while awaiting the arrival of 911. Those suffering from the more common and less serious condition of heat exhaustion should be placed in a cool, shaded place, and be given plenty of liquids.

With electric rates expected to more than double this summer, a cool place or even a cool drink of water will be hard to come by unless Baltimore City, like subdivisions across this country, can find an alternative way to supply the essential utilities at a rate that the consumer can afford.

The federal Energy Information Administration reports that the electric utility industry in the United States is made up of several classes of ownership that include 3,170 investor-owned, publicly owned, cooperative, and Federal electric utilities. Investor-owned electric utilities are privately owned entities that represent 8% of the total number of electric utilities and approximately 75% of electric utility generating capacity, sales, and revenue in the U.S.

Cooperative electric companies are owned by their members and established to provide electricity to the membership, usually in rural areas with low concentrations of consumers because these areas have historically been viewed as not economical for investor-owned utilities. 10 Federal electric utilities make up another class of ownership and are part of several agencies of the U.S. Government. Federal electric utility generation is primarily sold for resale to municipal and cooperative electric utilities and to other nonprofit preference customers.

Publicly owned electric companies are the ownership class holding the most possibility for local governments. As nonprofit local government agencies, they provide service to their communities and nearby consumers at cost, returning excess funds to consumers in the form of community contributions, increased economies and efficiencies in operations and reduced rates. Publicly owned electric utilities include: municipalities; public power districts; State authorities; and irrigation districts.

Most municipal electric utilities simply distribute power, although some of the large ones produce and transmit electricity as well. There are 2,009 publicly owned electric companies in the United States that represent about 63% of the number of electric utilities, supply

approximately 10% of generation and generating capacity, and account for about 15% of retail sales and 14% of revenue. They obtain their financing from municipal treasuries and from revenue bonds secured by proceeds from the sale of electricity.

Public power districts and projects are concentrated in Nebraska, Washington, Oregon, Arizona, and California, but for more than 75 years, the Hagerstown Light Department, a publicly owned municipal electric utility, has been dedicated to providing safe and reliable electric power at the most economical cost available to its customers in Maryland.

The Hagerstown Light Department serves more than 17,000 customers within the corporate limits of Hagerstown, and over 350,000,000 kilowatt hours are purchased at wholesale and distributed throughout the service territory. The entity is a self-supported City of Hagerstown Enterprise Fund utility with the total costs of operation derived through its electric rate structures.

With electric rates rising astronomically, threatening to break household budgets or, worse, portending untold misery and death during the sweltering days of summer and the bone-chilling days of winter, the situation has reached a crisis level. This “code red ” is beyond half-hearted band-aid interventions and calls for innovative thinking and proactive solutions. “*The Baltimore Electric Company*” has a nice ring to it.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE, That the Department of Public Works and the Department of Finance are requested to explore the feasibility of Baltimore City developing a publicly owned municipal electric utility to provide service to the citizens of Baltimore at a reasonable rate, to protect hard-working residents from the exorbitant electric rates that are expected to be inflicted on residential users as a result of deregulation of the utility industry and to report the results of the study to the City Council within 90 days.

AND BE IT FURTHER RESOLVED, That a copy of this Resolution be sent to the Mayor, the Honorable Mayor and City Council of Hagerstown, Maryland, the Director of Public Works, the Director of Finance and the Mayor’s Legislative Liaison to the City Council.

Councilmember Young 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 D'Adamo, Curran, Harris, Spector, Rawlings Blake, Conaway, Holton, Welch, Reisinger, Young, Branch, Clarke - Total 13.

Nays - Councilmember Mitchell - Total 1.

Absent - Councilmember Kraft - Total 1.

The President declared the Rules “Suspended”.

Then Councilmember Young 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 D'Adamo, Curran, Harris, Spector, Rawlings Blake, Conaway, Holton, Welch, Reisinger, Young, Branch, Clarke - Total 13.

Nays - Councilmember Mitchell - Total 1.

Absent - Councilmember Kraft - Total 1.

The President declared the Resolution “Adopted”.

CONSENT CALENDAR

CEREMONIAL RESOLUTIONS NO. 1983, 1984, 1985, 1986, 1987, 1988, 1989, 1990, 1991, 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, AND 2031 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 D'Adamo, Curran, Harris, Spector, Rawlings Blake, Conaway, Holton, Welch, Reisinger, Mitchell, Young, Branch, Clarke - Total 14.

Nays - 0.

Absent - Councilmember Kraft - Total 1.

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

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

ACTION ON EXECUTIVE APPOINTMENTS

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

The Appointment of

CONNIE A. BROWN

Director

DEPARTMENT:

Department of Recreation and Parks

EXPIRATION OF TERM:

December 7, 2007

The motion prevailed.

The President declared the favorable report adopted.

Councilmember Young made a motion, which was duly seconded, that the appointment of Connie A. Brown be confirmed.

The roll was called, resulting as follows:

Yeas - President and Councilmembers D'Adamo, Curran, Harris, Spector, Rawlings Blake, Conaway, Holton, Welch, Reisinger, Mitchell, Young, Branch, Clarke - Total 14.

Nays - 0.

Absent - Councilmember Kraft - Total 1.

The President declared the appointment of Connie A. Brown confirmed.

COMMITTEE REPORTS

**BILL NO. 05-0107R REPORTED FAVORABLY
AND ADOPTED**

Councilmember Holton, for the Economic Development and Public Financing Subcommittee, reported Bill No. 05-0107R favorably.

A COUNCIL RESOLUTION CONCERNING**Informational Hearing – A Retail Assessment of Downtown Baltimore**

FOR the purpose of requesting the Director of Retail Development of the Downtown Partnership, Inc., to brief the City Council on the findings of a recent retail market assessment of downtown Baltimore; and inviting representatives from the Baltimore Development Corporation, the Baltimore City Department of Planning, and the Charles Street Development Corporation to join the Council for a discussion of the Strategy Team's

progress on the development of a comprehensive retail survey and marketing program for the City of Baltimore.

Recitals

The Baltimore Development Corporation (BDC), Downtown Partnership of Baltimore, Inc., Baltimore City Department of Planning, and the Charles Street Development Corporation have formed a Strategy Team to develop a comprehensive retail strategy and marketing program for the City of Baltimore, focusing primarily on downtown Baltimore and select neighborhood retail districts.

To facilitate the development of that strategy, the Team contracted with a consulting firm to undertake a retail market assessment to garner an overall understanding of the national retail market place and Baltimore's ability to participate in that marketplace, as well as to provide a foundation of data, information, and market realities on which to base an effective plan of action.

In part, the assessment showed that whereas Baltimore was once the commercial and industrial hub of the metropolitan area, in the past 50 years it has lost both jobs and population. What was once the hub now more closely resembles a target, with the waterfront a small bulls-eye of prosperity, surrounded by a wide ring of poverty and crumbling infrastructure, that is in turn surrounded by a ring of wealthy suburbs.

The study, by McDearman Associates, a local economic development consultant, shows that Baltimore's downtown now ranks 8th for wealth among major U.S. cities, that 40% of Baltimore's new housing in the last 5 years was in the downtown waterfront area, and that 3,145 households within a 1-mile radius of downtown earn more than \$75,000 a year but when a 5-mile radius is reached, the median household income falls to \$32,000 a year – the lowest among nearby suburban areas.

McDearman holds that “this demonstrates both the power of the wealthy suburban markets and the demographic decline that Baltimore City has outside the 1-mile radius of the center city. Baltimore's effort to attract national retail chains has been held back by factors that include: demographics that have only recently begun to become attractive to retailers; low rates of downtown employment; no large shopping district or mall; stiff competition from surrounding wealthy suburbs; easy access to high-end shopping attractions in New York, Philadelphia, and D.C.; poorly coordinated public transportation; the perception of crime; and lack of information about the Baltimore market.

Baltimore also has reason to be optimistic about our position to attract and support a strong retail base – the City is one of the nation's top downtowns; it meets many of the criteria that drives location placement by national retail chain locations in top tier cities; it has high population density and a high number of high income earners in the city center; it is meeting a demand for high-end residential units; it has a high hotel occupancy rate, and more hotels are planned for the near future; and it has the desirable authenticity of architecture, cultural, varied neighborhoods, and diverse ethnicity that is driving urban renewal in many major markets.

In order to fully effectuate a turn around in Baltimore's retail development, it is necessary to obtain a working knowledge of the entire picture of the City's surmountable weaknesses and appreciable strengths.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE, That the Director of Retail Development of the Downtown Partnership, Inc., is requested to brief the City Council on the findings of a recent retail market assessment of downtown Baltimore; and representatives from the Baltimore Development Corporation, the Baltimore City Department of Planning, and the Charles Street Development Corporation are requested to join the Council for a discussion of the Strategy Team's progress on the development of a comprehensive retail survey and marketing program for the City of Baltimore.

AND BE IT FURTHER RESOLVED, That a copy of this Resolution be sent to the Mayor, the President and Director of Retail Development of the Downtown Partnership of Baltimore, Inc., the President and Director of Business Development of the Baltimore Development Corporation, the President of the Charles Street Development Corporation, the Director of Planning, the Commissioner of Housing, and the Mayor's Legislative Liaison to the City Council.

Favorable report adopted.

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

Yeas - President and Councilmembers D'Adamo, Curran, Harris, Spector, Rawlings Blake, Conaway, Holton, Welch, Reisinger, Mitchell, Young, Branch, Clarke - Total 14.

Nays - 0.

Absent - Councilmember Kraft - Total 1.

The President declared the Resolution adopted.

**BILL NO. 05-0226 REPORTED FAVORABLY, WITH AMENDMENTS,
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Branch, for the Urban Affairs Committee, reported Bill No. 05-0226 favorably, with amendments.

An Ordinance designating as a "Renewal Area" an area situated in Baltimore City, Maryland known as Mount Vernon, bounded generally by Centre Street on the south, Howard Street on the west, I-83 on the north, and Guilford Avenue on the east; approving a Renewal Plan for Mount Vernon; establishing permitted land uses; providing for review of all plans for new construction,

exterior rehabilitation, or change in use of properties in Mount Vernon; establishing procedures for the issuance and denial of demolition permits; establishing certain property rehabilitation and development standards; authorizing the acquisition of certain property by purchase or condemnation for urban renewal purposes; establishing certain requirements for land acquired; creating disposition lots with appropriate standards and controls; approving certain regulations, controls, and restrictions applicable to all land and property within Mt. Vernon; establishing procedures for amending the Plan; approving certain exhibits and appendices to the Plan; providing certain definitions; providing for the term of the Plan; repealing the Mount Vernon Area and the Mount Vernon Area Urban Renewal Plan and repealing the Mid-Town Belvedere Area and the Mid-Town Belvedere Area Urban Renewal Plan; waiving such requirements, if any, as to content or procedure for the preparation, adoption, and approval of Renewal Plans as set forth in Article 13 of the Baltimore City Code that the Renewal Plan for Mount Vernon may not meet; providing for the severability of the various parts and applications of this Ordinance; and providing that where the provisions of this Ordinance may conflict with any other ordinance, code, or regulation, the provision that establishes the higher standard shall prevail.

Amendments to City Council Bill No. 05-0226

Amendment No. 1

On page 1, beginning in line 10, strike “authorizing” down through and including “purposes;”, in line 11; on page 1, in lines 12 and 13, strike “creating disposition lots with appropriate standards and controls;”; on page 18, strike lines 3 through 34 in their entirety; on page 19, in line 1, strike “6” and substitute “4”; and, on the same page, beginning in line 2, strike “In” down through and including “properties,” in line 3, and substitute “The”.

Amendment No. 2

On page 4, in line 34, strike “a.”; in the same line, after “Plan,”, insert “the uses allowed are those listed in the Zoning Code of Baltimore City for the B-2 district.”; and, beginning on page 4, strike in their entirety line 35 down through and including line 19, on page 6.

Amendment No. 3

On page 6, in line 22, strike “a.”; in the same line, after “Plan,”, insert “the uses allowed are those listed in the Zoning Code of Baltimore City for the B-3 district.”; and, beginning on page 6, strike in their entirety line 23 down through and including line 10, on page 8.

Amendment No. 4

On page 8, in line 14, strike “a.”; in the same line, after “Plan,”, insert “the uses allowed are those listed in the Zoning Code of Baltimore City for the B-4 district.”; and, strike beginning with “permitted”, on page 8, in line 14, down through and including line 28, on page 9, in their entirety.

Amendment No. 5

On page 9, in line 33, strike “a.”; in the same line, after “Plan,”, insert “the uses allowed are those listed in the Zoning Code of Baltimore City for the B-5 district.”; and, strike, in their entirety, beginning with “permitted”, on page 9, in line 33, down through and including line 42, on page 11.

Amendment No. 6

On page 11, in line 46, after “Plan,”, insert “the uses allowed are those listed in the Zoning Code of Baltimore City for the O-R districts.”; strike, in their entirety, beginning with “permitted”, on page 11, in line 46, down through and including line 38, on page 12; and, on page 12, in line 39, strike “e” and substitute “b”.

Amendment No. 7

On page 13, in line 8, strike “a.”; in the same line, after “Plan,”, insert “the uses allowed are those listed in the Zoning Code of Baltimore City for the particular Residential districts.”; and, strike, in their entirety, beginning with “permitted”, on page 13, in line 8, down through and including line 5, on page 14.

Amendment No. 8

On page 14, in line 11, strike “a.”; in the same line, after “Plan,”, insert “the uses allowed are those listed in the Zoning Code of Baltimore City for the particular Industrial districts.”; and, strike, in their entirety, beginning with “permitted”, on page 14, in line 11, down through and including line 12, on page 16.

Amendment No. 9

On page 4, strike lines 4 through 9 in their entirety; on page 17, in line 22, strike “Development Design Review Panel and”; and, before the period, insert “for projects within the boundaries of the CHAP local historic district, and subject to Planning Department Review for projects outside of the CHAP boundaries but within the boundaries of this Plan”.

Amendment No. 10

Strike beginning with line 23, on page 17, down through and including line 2, on page 18, in their entirety.

Amendment No. 11

Strike beginning with line 20, on page 19, down through and including line 37, on page 20, in their entirety, and substitute

“Height limits within the Mount Vernon Urban Renewal Area are to be guided solely by the “Baltimore City’s Mount Vernon Historic District Design Guidelines for New Construction”, a CHAP document. The height limits as determined by the above mentioned CHAP Design Guidelines are final. A copy of the CHAP Design Guidelines is located in Appendix B, a separate attached document.”;

and, on page 25, in line 30, strike “- Design Standards” and substitute “Design Guidelines”.

Amendment No. 12

On page 21, in lines 5 and 6, strike “through a variance procedure through the Planning Commission” and substitute “if the applicant satisfies the following criteria:

- Active participation of the developer of the project in a pre-petition conference planning process*
- Construction permit issued prior to December 31, 2015
- Project rating of 40 points or more as determined by the following criteria:
 - (i) For projects with a residential component, a commitment that 10% or more units are sold or rented to households at a rent or sales price affordable at 0-80% of area median income and a certain percentage of units are sold or rented to households at market rate (35 points);
 - (ii) Projects that incorporate LEED certified design for an energy efficient “green building” (30 points);
 - (iii) Projects that provide all on-site parking underground or off-site through an agreement with a parking district (20 points);
 - (iv) Projects that provide significantly less parking on site than required through contributions to a parking district that provides shared off-site parking or through providing routine shuttle connections to local public transit stops (10 points); and
 - (v) Projects that establish or significantly enhance Park or Open Space in the Plan area (10 points).

*A pre-petition conference planning process is proposed to maximize opportunity for design that is reflective of the character of Mt. Vernon. The proposed process is similar to that currently used for planned unit developments and would be in addition to the required review by the Commission for Historical and Architectural Preservation”.

Amendment No. 13

On page 22, strike lines 8 through 23 in their entirety; and, on the same page, in lines 24 and 29, strike “J” and “K”, respectively, and substitute “I” and “J”, respectively.

Amendment No. 14

On page 25, in line 22, on page 33, in line 4, and on page 35, in line 33, in each instance, strike beginning with “However” down through and including the period.

Amendment No. 15

On page 37, in line 33, strike beginning with “Exhibit 2”, down through and including the first semi-colon in line 34; and on page 37, in line 34, strike beginning with “Exhibit 5,”, down through and including “2005;”, in line 35.

Amendment No. 16

On page 21, after line 11, insert

“5. Creation and preservation of affordable, permanent housing.

This section applies to any residential development of 10 dwelling units or more submitted for site plan or building permit approval, located in a zoning district where residential density increased pursuant to the creation of this urban renewal plan, and located within the Project boundaries defined in Section A.1.

Residential developments subject to this requirement include housing created by new construction, by substantial rehabilitation of any structure for residential use, and by conversion of a new structure from its original or most recent use to residential use.

Residential developments subject to this requirement include contiguous parcels developed by the same developer and phased projects that in the aggregate include the development of 10 or more residential units. If subsequent development plans or building permits bring the total development of contiguous parcels or parcels divided by alleys to a combined total of 10 or more units within 2 years, any affordable units not produced in the first phase of the development shall be added to a subsequent phase.

Any residential development meeting this definition shall be known as a participating project.

a. Affordable housing provisions.

(1) 10 percent of all units constructed (rounded to the nearest tenth) in any participating project shall be priced to be affordable to households with incomes between 80 percent and 120 percent of the area median income in the year in which units are first offered to the public, as defined by the U.S. Department of Housing and Urban Development, adjusted for household size.

(2) The units must include a range in the tenure of units and number of bedrooms within each tenure comparable to the rest of the development.

(3) Such affordability shall be maintained for a period of 99 years through a covenant running with the land that shall survive subsequent re-sale or other change in ownership or occupancy.

b. Design and construction.

(1) The exterior design and finish of affordable units constructed pursuant to this section shall be generally comparable to other units in the participating project. Affordable units shall be constructed prior to or concurrently with the construction of other units in the participating project.

(2) The developer shall submit site plans and schedules of pricing and completion dates that respond to the goals and requirements of this section to the Housing Commissioner and the Director of Planning on or about the time of site plan submission. No site plan approval shall be granted nor any building permits issued unless the Commissioner and the Director of Planning determine that the participating project meets the goals and requirements of this section.

c. Requirements are applicable to each phase separately.

Where deemed appropriate by the Director of the Department of Planning, for developments that require multiple phases, the above requirements may be applied to each phase separately rather than for the entire unit count.

d. Subsequent provisions.

Should the Mayor and City Council of Baltimore enact legislation containing inclusionary housing requirements on a city-wide basis, those regulations shall apply and supersede the requirements of this urban renewal plan.”

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

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

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

**BILL NO. 05-0264 REPORTED FAVORABLY, WITH AMENDMENTS,
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Branch, for the Urban Affairs Committee, reported Bill No. 05-0264 favorably, with amendments.

An Ordinance amending the Urban Renewal Plan for Washington Village to revise the land use classification of certain properties and to revise certain exhibits to reflect the changes in the Plan; waiving certain content and procedural requirements; making the provisions of this Ordinance severable; providing for the application of this Ordinance in conjunction with certain other ordinances; and providing for a special effective date.

Amendments to City Council Bill No. 05-0264

Amendment No. 1

On page 1, in line 3, in the blank, insert “5”; and, on page 2, in line 12, in the blank, insert “5”.

Amendment No. 2

On page 1, in line 5, and in line 18, in each instance, after “properties”, insert a semi-colon and strike “and”; and, in line 6 and in line 19, in each instance, after “Plan”, insert “; and amend a certain provision of Appendix B”.

Amendment No. 3

On page 2, after line 8, insert

“(3) In Appendix B, amend 3. to read as follows:

3. Rear and Side Walls

- a. Rear and side walls must be repaired and painted to present a neat and fresh appearance. Rear walls must be painted to cover evenly all miscellaneous patched and filled areas[. Rear walls may] OR be covered in stucco to present an even[,] AND uniform [surface] APPEARANCE.

- b. Side AND REAR walls, WHERE visible from a public right-of-way, must be finished or painted [with a single color except for trim] so as to harmonize with the front of the building. THIS FINISH MAY INCLUDE FAUX BRICK, STUCCO, OR PAINT. IT MAY NOT BE SIDING OF WOOD, PLASTIC, OR METAL MATERIALS. Murals may be painted on side walls in the B-2-3 zone if approved by the Commercial District Review Panel. Unpainted brick side walls visible from a public right-of-way must be clean, but must remain unpainted.”.

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

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

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

THIRD READING - TO BE HELD ONE MEETING

The following bill, pursuant to § 16-404 of the Baltimore City Zoning Code, was held over until the next City Council meeting.

C.C. 05-0222 - An Ordinance changing the zoning for the property known as 1715 Thames Street, as outlined in red on the accompanying plat, from the M-3 Zoning District to the B-2-4 Zoning District.

THIRD READING

The President laid before the City Council:

BILL NO. 05-0162 - An Ordinance approving the application of Extra Space Storage, LLC, contract purchaser of 5910 Moravia Road, consisting of approximately 6.61 acres, more or less, to have that property designated a Business Planned Unit Development; and 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 D'Adamo, Curran, Harris, Spector, Rawlings Blake, Conaway, Welch, Reisinger, Mitchell, Young, Branch, Clarke - Total 13.

Nays - 0.

Out of Chambers - Councilmember Holton - Total 1.

Absent - Councilmember Kraft - Total 1.

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

The President laid before the City Council:

BILL NO. 05-0223 - An Ordinance permitting, subject to certain conditions, the establishment, maintenance, and operation of a hotel and residential use in the context of a hotel, office space, retail, restaurant and bar with outdoor seating, marina, and maritime service complex with off-street parking on the property known as 1715 Thames Street, as outlined in red on the accompanying plat; granting a variance from certain parking requirements; and providing for a special effective date.

It was read the third time.

Then Councilmember Reisinger made a motion, which was seconded, to hold the bill for Third Reader consideration until the next City Council Meeting. The motion was approved, with Councilmember Clarke Passing.

The President laid before the City Council:

BILL NO. 05-0224 - An Ordinance amending the Urban Renewal Plan for Fells Point to provide for the sale and redevelopment of the Recreation Pier at 1715 Thames Street, create a new disposition lot, amend Exhibit 1 to reflect the change in land use, upon approval by separate ordinance, for 1715 Thames Street, amend Exhibit 3 to reflect the creation of the new disposition lot, and amend Exhibit 4 to reflect the change in zoning, upon approval by separate ordinance, for 1715 Thames Street; waiving certain content and procedural requirements; making the provisions of this Ordinance severable; providing for the application of this Ordinance in conjunction with certain other ordinances; and providing for a special effective date.

It was read the third time.

Then Councilmember Reisinger offered the following amendment to the bill:

Amendment to City Council Bill No. 05-0224

Amendment No. 1

On page 1, in line 2, in the blank, insert “**2I**”; and, on page 3, in line 5, in the blank, insert “**2I**”.

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

Yeas - President and Councilmembers D'Adamo, Curran, Harris, Spector, Rawlings Blake, Conaway, Welch, Reisinger, Mitchell, Young, Branch - Total 12.

Nays - 0.

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

Absent - Councilmember Kraft - Total 1.

The President declared the amendment adopted and ordered the bill printed in enrolled form.

The President laid before the City Council:

BILL NO. 05-0253 - An Ordinance authorizing the use of certain new parking meter technologies; repealing certain obsolete provisions relating to the use of meter revenues; correcting references to the agency and official responsible for administering metered parking; requiring certain notices to be given before installing meters or changing rate schedules; correcting, conforming, and clarifying certain language; increasing certain penalties; and generally relating to the administration and operation of metered parking.

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 Curran, Spector, Rawlings Blake, Conaway, Welch, Reisinger, Mitchell, Young, Branch - Total 10.

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

Pass - Councilmember Clarke - Total 1.

Out of Chambers - Councilmember Holton - Total 1.

Absent - Councilmember Kraft - Total 1.

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

The President laid before the City Council:

BILL NO. 05-0283 - An Ordinance changing the name of School #425, located at 2801 Saint Lo Drive, to Heritage High School.

It was read the third time.

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

Yeas - President and Councilmembers D'Adamo, Curran, Harris, Spector, Rawlings Blake, Welch, Reisinger, Mitchell, Young, Clarke - Total 11.

Nays - 0.

Pass - Councilmembers Conaway, Branch - Total 2.

Out of Chambers - Councilmember Holton - Total 1.

Absent - Councilmember Kraft - Total 1.

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

The President laid before the City Council:

BILL NO. 05-0284 - An Ordinance changing the name of School #426, located at 2801 Saint Lo Drive, to Doris M. Johnson High School.

It was read the third time.

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

Yeas - President and Councilmembers D'Adamo, Curran, Harris, Spector, Rawlings Blake, Welch, Reisinger, Mitchell, Young, Clarke - Total 11.

Nays - 0.

Pass - Councilmembers Conaway, Branch - Total 2.

Out of Chambers - Councilmember Holton - Total 1.

Absent - Councilmember Kraft - Total 1.

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

The President laid before the City Council:

BILL NO. 05-0285 - An Ordinance changing the name of School #429, located at 200 Font Hill Avenue, to Vivien T. Thomas Medical Arts Academy.

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 D'Adamo, Curran, Harris, Spector, Rawlings Blake, Welch, Reisinger, Mitchell, Young, Clarke - Total 11.

Nays - 0.

Pass - Councilmembers Conaway, Branch - Total 2.

Out of Chambers - Councilmember Holton - Total 1.

Absent - Councilmember Kraft - Total 1.

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

The President laid before the City Council:

BILL NO. 05-0286 - An Ordinance changing the name of School #430, located at 200 Font Hill Avenue, to Augusta Fells Savage Institute of Visual Arts.

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 D'Adamo, Curran, Harris, Spector, Rawlings Blake, Welch, Reisinger, Mitchell, Young, Clarke - Total 11.

Nays - 0.

Pass - Councilmembers Conaway, Branch - Total 2.

Out of Chambers - Councilmember Holton - Total 1.

Absent - Councilmember Kraft - Total 1.

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

The President laid before the City Council:

BILL NO. 05-0291 - An Ordinance changing the zoning for the properties known as 120 South Oldham Street, 160 South Oldham Street, and 4600 Gough Street, as outlined in red on the accompanying plat, from the M-2-2 Zoning District to the R-8 Zoning District.

It was read the third time.

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

Yeas - President and Councilmembers D'Adamo, Curran, Harris, Spector, Rawlings Blake, Welch, Reisinger, Mitchell, Young, Branch, Clarke - Total 12.

Nays - 0.

Pass - Councilmember Conaway - Total 1.

Out of Chambers - Councilmember Holton - Total 1.

Absent - Councilmember Kraft - Total 1.

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

ADJOURNMENT

On motion of Councilmember Rawlings Blake, duly seconded, the City Council adjourned to meet on Tuesday, April 4, 2006, at 5:00 p.m.

Consent Calendar

- CR 1983 Conaway**
A City Council RESOLUTION on the death of Margo Gillis-Tanner.
- CR 1984 Young**
A City Council RESOLUTION on the death of Ella Graves.
- CR 1985 Welch**
A City Council RESOLUTION congratulating Women Power Inc., National Council of Negro Women, on the celebration of Women's History Month by visiting the Baltimore City Council and participating in Legislative Day in City Hall.
- CR 1986 Harris, All Members**
A City Council RESOLUTION congratulating Ryan's Daughter on the celebration of its 2nd Anniversary serving the citizens of Baltimore City in and around its establishment within the 4th District.
- CR 1987 Harris, All Members**
A City Council RESOLUTION on the death of Raymond Carter.
- CR 1988 President Dixon, All Members**
A City Council RESOLUTION congratulating Mesilla Techentin on Women's History Month and her devotion to make a difference in Southeast Baltimore.
- CR 1989 President Dixon, All Members**
A City Council RESOLUTION congratulating Tracey Gosson on Women's History Month and her dedication to make homebuyers want to Live Baltimore.
- CR 1990 President Dixon, All Members**
A City Council RESOLUTION congratulating Muna Ali Bashir on International Women's Day and her steadfast work in the Somali Bantu community of Southeast Baltimore.
- CR 1991 President Dixon, All Members**
A City Council RESOLUTION congratulating Myrtle E. "Ma Myrt" Flowerton (posthumously) on Women's History Month and her tireless work as a community leader, youth advocate and committed public servant.
- CR 1992 President Dixon, All Members**
A City Council RESOLUTION congratulating Helen Quill on Women's History Month and her dedication to make a difference in Southwest Baltimore.
- CR 1993 President Dixon, All Members**
A City Council RESOLUTION on the death of Dr. J. Tyson Tildon, 1931 – 2006.
- CR 1994 Young**
A City Council RESOLUTION on the death of Sylvester Gee.

- CR 1995 Young**
A City Council RESOLUTION on the death of Reginald Hadley.
- CR 1996 President Dixon, All Members**
A City Council RESOLUTION congratulating Brenda Fair-Brown, Warren Cohen, Barbara Cruise, Brian Dale, Karen Engerman, Juanita Falls, Thomas Frasier, Ron Gregory, Marcia Griswald, Barbara Watts, Gertrude Hunter, Katherine Jackson, Geraldine Johnson, Jacqueline Johnson, Shirley Plater, Olivia Rice, Ann Sanford, Tyrone Seymore, Carolyn Caulk-Smith, and Anna Fisher-Williams on the celebration of their retirement after many years of dedicated service with the Baltimore City Public School System.
- CR 1997 President Dixon, All Members**
A City Council RESOLUTION congratulating First Apostolic Faith Church of Jesus Christ International, Inc. on its Founder's Day Celebration.
- CR 1998 President Dixon, All Members**
A City Council RESOLUTION congratulating Cheryl (Wendal) Confer, M.S., C.E.A.P., S.A.P., on the celebration of her retirement after many years of dedicated service with the City of Baltimore, Department of Human Resources, Employee Assistance Program.
- CR 1999 Rawlings Blake**
A City Council RESOLUTION congratulating Mary Evelyn Bennett on the celebration of her 90th birthday.
- CR 2000 Holton, All Members**
A City Council RESOLUTION congratulating The Allendale on the celebration of its 20th Anniversary.
- CR 2001 President Dixon, All Members**
A City Council RESOLUTION on the death of George Linwood Jude, April 3, 1910 – March 6, 2006.
- CR 2002 President Dixon, All Members**
A City Council RESOLUTION congratulating The Maryland Zoo in Baltimore on the celebration of its 130th Anniversary.
- CR 2003 Harris, All Members**
A City Council RESOLUTION congratulating Idella R. Jones on the celebration of her 86th birthday.
- CR 2004 Branch**
A City Council RESOLUTION on the death of Edward Spence.
- CR 2005 President Dixon, All Members**
A City Council RESOLUTION congratulating Edith Louise Seivers Johnson on the celebration of her 100th birthday.

- CR 2006** President Dixon, All Members
A City Council RESOLUTION congratulating Dorothy Dixon on the celebration of her 90th birthday.
- CR 2007** President Dixon, All Members
A City Council RESOLUTION congratulating Maryland Cooperative Extension on the Opening of its new facility to house the Baltimore City Extension Office.
- CR 2008** President Dixon, All Members
A City Council RESOLUTION congratulating David A. Hendricks on the celebration of his retirement after 20 years of dedicated service with the State of Maryland, Department of Public Safety and Correction Services.
- CR 2009** President Dixon, All Members
A City Council RESOLUTION congratulating Trustee Linwood and Odessa Coleman on the celebration of the service they have rendered to Jesus Saves Church for All People.
- CR 2010** President Dixon, All Members
A City Council RESOLUTION congratulating Reverend Dr. Willie Chambers on the celebration of his 83rd birthday and 20 years of Pastoral Service at Greater Liberty Baptist Church.
- CR 2011** President Dixon, All Members
A City Council RESOLUTION on the death of Ronald Thomas Neal, June 7, 1958 – March 1, 2006.
- CR 2012** Welch
A City Council RESOLUTION on the death of James E. Ford, Sr.
- CR 2013** Clarke, Curran, Holton, All Members
A City Council RESOLUTION congratulating Betty Deacon on “Downe Ocean, Hon” after exemplary lifeguarding in Bawlmer, Merlin.
- CR 2014** President Dixon, All Members
A City Council RESOLUTION congratulating Evelyn Sherman on the celebration of her 78th birthday.
- CR 2015** President Dixon, All Members
A City Council RESOLUTION on the death of Thomas D. Jones, June 24, 1947 – February 28, 2006.
- CR 2016** President Dixon, All Members
A City Council RESOLUTION on the death of Garnett Dobbin Johnson, December 18, 1946 – February 26, 2006.

- CR 2017** President Dixon, All Members
A City Council RESOLUTION congratulating Richard W. Banks on the celebration of his retirement after 30 years of service with the Patapsco Waste Water Treatment Facility.
- CR 2018** President Dixon, All Members
A City Council RESOLUTION congratulating Laverne D. Williams on the celebration of her retirement after 33 years of service with the Social Security Administration.
- CR 2019** President Dixon, All Members
A City Council RESOLUTION congratulating Bernard W. Kuchta on the celebration of his retirement after 22 years of service with the Mayor’s Office of Information Technology.
- CR 2020** Young
A City Council RESOLUTION on the death of Emma Francis Williams.
- CR 2021** Mitchell
A City Council RESOLUTION on the death of Estelle Turner.
- CR 2022** Holton, All Members
A City Council RESOLUTION congratulating West Baltimore Middle School on its 3rd Annual “Law Day”.
- CR 2023** President Dixon, All Members
A City Council RESOLUTION on the death of Reverend Dr. Stuart C. Turner, July 20, 1925 – March 9, 2006.
- CR 2024** President Dixon, All Members
A City Council RESOLUTION on the death of Robert Lee Ball, August 11, 1939 – March 15, 2006.
- CR 2025** President Dixon, All Members
A City Council RESOLUTION congratulating Juanita Hairston on being selected as “Woman of the Year” for her commitment, dedication, and faithfulness to the church and the community.
- CR 2026** President Dixon, All Members
A City Council RESOLUTION on the death of Stewardess Georgia Jackson, August 19, 1933 – March 15, 2006.
- CR 2027** Holton, All Members
A City Council RESOLUTION congratulating Glenard (Glen) Middleton, Sr. on being the recipient of the A. Philip Randolph Legacy Award.
- CR 2028** Holton, All Members
A City Council RESOLUTION congratulating Alice Torriente on being the recipient of the A. Philip Randolph Community Service Award.

- CR 2029 Harris, All Members**
A City Council RESOLUTION congratulating WOLB 1010 Radio One on being one of the top 100 radio stations in America in 2006.
- CR 2030 Harris, All Members**
A City Council RESOLUTION congratulating Larry Young, Coach, Black and Hurricane of the Larry Young Show WOLB, on being named to the Talkers February 2006 250 list honoring the top 100 Talk Show hosts.
- CR 2031 Holton, All Members**
A City Council RESOLUTION on the death of Rosie Johnson, June 20, 1920 – March 15, 2006.