

TWENTY-FOURTH DAY

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

JOURNAL  
CITY COUNCIL OF BALTIMORE

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November 20, 2006

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Dr. J.L. Carter, of Ark 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, Rawlings Blake, Holton, Welch, Reisinger, Mitchell, Young, Branch, Clarke

Absent - Councilmembers Spector, Conaway

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

Oh God, we thank you for the blessing of this day. Oh God we thank you for allowing us to gather again in City Hall to serve the people of Baltimore. **Bless this republic.** Bless the leaders of Baltimore City, the president of the City Council, and the entire Baltimore City Council Team. Oh God, we pray for wisdom and understanding. We pray for the right skill set, the lessons learned from human experiences and the lessons learned from yesterday, for a more effective Baltimore City Council.

Bless this Council in such a time as this; a time we call "transition". We pray, oh God, that you would be the leader of the "Transition Team". Make men & women to know that without you, they labor in vain. Now oh God, bless the work tonight. We pray for productivity, progress and hope for a better Baltimore for everyone.

These things we ask, Amen.

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**Journal of the City Council****SHOWCASE BALTIMORE**

Sa'rai Jeffries, the Edmondson-Westside High School Entrepreneurial Contest Winner in New York, delivered a presentation.

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**JOURNAL APPROVED**

The Journal of November 13, 2006 was read and approved.

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**APPOINTMENTS BY THE MAYOR**

MICHELLE NICOLE LIPKOWITZ, as a member of the Board of Municipal and Zoning Appeals, for a term expiring December 7, 2007, succeeding La Tina Burse Greene.

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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. 06-0548** - By President Dixon (The Administration):

An Ordinance providing a Supplementary MVR Fund Appropriation in the amount of \$503,000 and Special Fund Appropriation in the amount of \$526,000 to provide funding for the Sidewalk Reconstruction Project in the Central Business District; and providing for a special effective date.

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

**Bill No. 06-0549** - By Councilmembers Clarke, Harris, Curran:

An Ordinance prohibiting the suspension of general street-parking privileges in favor of special permittees or other private persons; establishing certain exceptions; and generally relating to providing equal parking for all.

The bill was read the first time and referred to the City Solicitor, Baltimore City Parking Authority Board, Department of Transportation, Department of Public Works, Baltimore Office of Promotion of the Arts, Land Use and Transportation Committee.

**Bill No. 06-0550** - By Councilmembers Kraft, Young, Holton, Branch, Reisinger, Clarke, President Dixon, Councilmembers Welch, Harris, D'Adamo, Curran:

An Ordinance establishing a tax credit for certain senior citizens under certain conditions; setting the terms, conditions, and duration of the credit; providing for the administration of the credit; and generally relating to property tax credits.

The bill was read the first time and referred to the City Solicitor, Department of Finance, Commission on Aging and Retirement Education, Taxation and Finance Committee.

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

**Bill No. 06-0234R** - By Councilmembers Clarke, Young, Mitchell, D'Adamo:

Introduced: November 20, 2006  
(Referred to Committee)

A COUNCIL RESOLUTION concerning

### **Facility Solutions – Our Children Deserve A Better Plan**

FOR the purpose of requesting the Governor-Elect and the Maryland State Board of Education to revise the policy of requiring school closures in return for State funding of capital needs within the Baltimore City Public School System and to support a moratorium on the further closure of schools under Phases 2 and 3 of the locally-adopted Facility Solutions Program.

#### **Recitals**

In Fall 2005, the Baltimore City Public School System (BCPSS) undertook its Facility Solutions Program to down-size its “schoolhouse” inventory over a three year period (school years 2006-07, 2007-08 and 2008-09).

The State of Maryland, which funds school construction, rehabilitation, new additions and systemic repair projects for public schools in all subdivisions, required that Baltimore City reduce its “schoolhouse” inventory or lose capital funding entirely. In response, the School Board proposed to reduce 2.7 million square feet (amounting to 15% of total inventory) over this 3 year period.

With the closing of 3 schools in year 1, the BCPSS was required to prepare 25 receiving schools within 3 months to accept displaced and relocating students, at a cost of \$33 million in local capital funds. In the process, about 4,300 students were displaced and relocated.

We commend the BCPSS for its heroic effort in accommodating year 1 decisions, but this experience has demonstrated the logistical, financial and academic hardships involved.

Our students, families, teachers, and neighborhoods deserve a more planful and less disruptive timeline for continuing this Facility Solutions Program of downsizing space, a timeline which permits our schools to provide a safe, stable and successful learning environment for all its students and which permits our School Board the time to renegotiate the definition of legitimate school functions, for example to include the emerging mandate of community school activities which encourage family involvement in schools by engaging partners in serving the needs of entire school neighborhoods.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE,** That this Body requests the Governor-Elect and the Maryland State Board of Education to revise the State's requirements for the funding of capital needs in the Baltimore City Public School System and to support a moratorium on the further closure of our schools until neighborhood-approved and student appropriate relocation sites can be more planfully provided than is currently the case.

**AND BE IT FURTHER RESOLVED,** That a copy of this Resolution be sent to the Governor-Elect, the Honorable Chair and Members of the Baltimore City Delegation to the Maryland General Assembly, the Director and Members of the Maryland State Board of Education, the Baltimore City Board of School Commissioners, and the Governor-Elect's Legislative Liaison to the City Council.

Councilmember Clarke 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, Holton, Welch, Reisinger, Mitchell, Young, Branch, Clarke - Total 11.

Nays - Councilmembers Kraft, Rawlings Blake - Total 2.

Absent - Councilmembers Spector, Conaway - Total 2.

The President declared that the motion to suspend the Rules failed because of the lack of the required 12 votes.

The bill was read the first time and referred to the Baltimore City Public School System, Baltimore City School Board, Planning Department, Committee of the Whole.

**Bill No. 06-0235R** - By Councilmembers Holton, Young, Kraft, Branch, Clarke, Reisinger, Mitchell, Welch:

A Resolution creating an organizational committee that will create a venue to engage the children and youth of Baltimore City in all-inclusive process to identify issues of the most import to their mental stability, physical health, substantive education, general well being, and future spiritual and economic prosperity; to ratify these issues in an official document comprising a Bill of Rights for the Children and Youth of Baltimore City to be adopted by the City Council; and to ultimately call upon themselves, the community, organizations, governmental entities, and elected officials, as is appropriate, to uphold the provisions of the document through thought, word, deed, and legislative action.

The bill was read the first time and referred to the Youth Commission, Mayor's Office of Children, Youth, and Families, Baltimore City Public School System, Education, Housing, Health, and Human Services Committee.

**Bill No. 06-0236R** - By Councilmembers Holton, Young, Kraft, Branch, Mitchell, Clarke, Reisinger, Welch, Harris, D'Adamo, Curran:

A Resolution establishing a task force to ensure the validity of the 2007 Mayoral and future elections by evaluating the accessibility, geographic placement, and number of polling places throughout the City, assessing the efficacy and timing of the current educational program for election judges, and performing a comprehensive fiscal and operational audit of the Baltimore City electoral process.

The bill was read the first time and referred to the City Solicitor, Supervisors of Elections, Judiciary and Legislative Investigations Committee.

#### CONSENT CALENDAR

CEREMONIAL RESOLUTIONS NO. 3043, 3044, 3045, 3046, 3047, 3048, 3049, 3050, 3051, 3052, 3053, 3054, 3055, 3056, 3057, 3058, 3059, 3060, 3061, 3062, 3063, 3064, 3065, 3066, 3067, 3068, 3069, AND 3070 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, Rawlings Blake, Holton, Welch, Reisinger, Mitchell, Young, Branch, Clarke - Total 13.

Nays - 0.

Absent - Councilmembers Spector, Conaway - Total 2.

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

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

**COUNCIL BILL 05-0073 RE-REFERRED  
EXCLUSIVELY TO THE JUDICIARY AND LEGISLATIVE INVESTIGATIONS COMMITTEE**

President Dixon announced that she had received the following letter from the Education, Housing, Health, and Human Services Committee.

November 20, 2006

The Honorable City Council President Sheila Dixon  
100 North Holliday Street, Room 400  
Baltimore, MD 21202

Dear Council President Dixon,

I respectfully request, on behalf of the Education, Housing, Health and Human Services Committee of the Baltimore City Council, that City Council Bill #05-0073 Health — Indoor Smoking, be re-referred exclusively to the Judiciary and Legislative Investigations Committee of the Baltimore City Council, as per City Council Rule 9-7.

Sincerely,

Kenneth N. Harris, Sr.

Kenneth N. Harris, Sr., Chair \_\_\_\_\_

Mary Pat Clarke, Vice Chair \_\_\_\_\_

Keiffer Jackson Mitchell, Jr., Committee Member \_\_\_\_\_

Agnes Welch, Committee Member \_\_\_\_\_

The President then ordered that the bill was now exclusively in the Judiciary and Legislative Investigations Committee.

COMMITTEE REPORTS

**BILL NO. 05-0115R REPORTED FAVORABLY, WITH AMENDMENT,  
AND ADOPTED**

Councilmember Holton, for the Economic Development and Public Financing Subcommittee, reported Bill No. 05-0115R favorably, with amendment.

A Resolution requesting the City Purchasing Agent to report to the City Council on the City's use of small businesses to fulfill local government contracts for the delivery of goods and services to enable the Council to assess if current policy is satisfactory to ensure that small businesses have ample opportunity to participate in the bid process and to determine if contracts are being awarded to bona fide small businesses actually located within the City limits.

Amendment to City Council Bill No. 05-0115R

**Amendment No. 1**

On page 1, after line 9, insert

“A small business for the purpose of City of Baltimore procurement is a concern organized for profit, which is independently owned and operated with 100 or fewer employees with annual revenues under \$10,000,000, and its principal place of business is in the City of Baltimore.”

The amendment was read and adopted.

**A COUNCIL RESOLUTION CONCERNING**

**Informational Hearing – City Purchasing Policy - Utilization of Small Business Vendors**

FOR the purpose of requesting the City Purchasing Agent to report to the City Council on the City's use of small businesses to fulfill local government contracts for the delivery of goods and services to enable the Council to assess if current policy is satisfactory to ensure that small businesses have ample opportunity to participate in the bid process and to determine if contracts are being awarded to bona fide small businesses actually located within the City limits.

**Recitals**

A small business for the purpose of City of Baltimore procurement is a concern organized for profit, which is independently owned and operated with 100 or fewer employees with annual revenues under \$10,000,000, and its principal place of business is in the City of Baltimore.

The Office of Advocacy of the federal Small Business Administration (SBA) reports that in 2003, the gross domestic product continued to rise nationwide, while growth in employment remained slow to recover. Small businesses, however, were then and continue to be a source of economic strength nationally and in Maryland – ½ of the country's private non-farm output and employment stems from small firms with 500 or fewer employees.

In Maryland, businesses with fewer than 500 workers employ 52.2 % of the state's non-farm sector employees. Between 1999 and 2000, small businesses added a net total of 57,939 employees and represented 84% of net non-farm employment in the state. Non-farm proprietors' income – a partial measure of small business income – increased by 4.3% in 2002 and amounted to \$11.1 billion.

The SBA, in cooperation with the Baltimore Development Corporation, sponsors the Small Business Resource Center to provide information about many subjects that affect small business, from planning and financing to marketing and insurance. The Center has a large business library, plus PC-based internet access to magazines and newspapers nationwide for patrons to do research on a variety of business topics and hands-on resources to provide information on starting a business, preparing a business plan, getting credit, business taxes and regulatory responsibilities, and networking.

The Mayor's Office of Minority Business Development recently completed the Baltimore City Vendor Development 2005 Seminar Series for Minority and Women Business Enterprises at the Center offering courses, for a nominal fee, that included sessions on *How to Market to City Agencies*, *Using Technology to Access City Opportunities*, *How to Respond to Bid Documents*, *General Business Requirements for City Contracts*, *Bonding and Credit Worthiness for City Contracts*, *Accounting Practices and Invoicing for City Contracts*, and *Project Management for City Contracts*. Small business owners were encouraged to participate in the seminar to better prepare them to do business with the City.

It is the policy of Baltimore City to promote equal business opportunity in the City's contracting process by encouraging full and equitable participation by minority and women's business enterprise in the provision of goods and services to the City on a contractual basis. The cabinet level Office of Minority Business Development is charged with overseeing the City's commitment to increasing the number of minority-owned firms doing business in Baltimore City.

Small businesses are often, but not always, included in the application of the City's inclusion policy. A closer look at the participation rate of small businesses owners in the City government purchasing process will ensure that these enterprising entrepreneurs, the backbone of the nation's and state's economy, are being given their fair share of City business.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE,** That the City Purchasing Agent is requested to report to the City Council on the City's use of small businesses to fulfill local government contracts for the delivery of goods and services to enable the Council

to assess if current policy is satisfactory to ensure that small businesses have ample opportunity to participate in the bid process and to determine if contracts are being awarded to bona fide small businesses actually located within the City limits.

**AND BE IT FURTHER RESOLVED**, That a copy of this Resolution be sent to the Director of Finance, the City Purchasing Agent, the President of the Baltimore Development Corporation, the Director of the Mayor's Office of Minority Development, the Chief of the Minority and Women's Business Development Office, the Chair of the Ad Hoc Committee on Small Businesses, and the Mayor's Legislative Liaison to the City Council.

Favorable report, as amended adopted.

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

Yeas - President and Councilmembers Kraft, D'Adamo, Curran, Harris, Rawlings Blake, Holton, Welch, Reisinger, Mitchell, Young, Branch, Clarke - Total 13.

Nays - 0.

Absent - Councilmembers Spector, Conaway - Total 2.

The President declared the Resolution adopted.

**BILL NO. 06-0460 REPORTED FAVORABLY  
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Holton, for the Economic Development and Public Financing Subcommittee, reported Bill No. 06-0460 favorably.

An Ordinance authorizing the Mayor and City Council of Baltimore to sell, at either public or private sale, all its interest in a certain parcel of land known as the air rights over a 2-foot portion of Wolfe Street contiguous to the east side thereof, extending from Madison Street, Northerly 321.4 feet, more or less, to Ashland Avenue, and at a horizontal plane having an elevation of 109.0 feet and ascending to an elevation of unlimited height and no longer needed for public use; and providing for a special effective date.

Favorable report adopted, with Councilmember Young Passing.

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

**BILL NO. 06-0499 REPORTED FAVORABLY  
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Holton, for the Economic Development and Public Financing Subcommittee, reported Bill No. 06-0499 favorably.

An Ordinance authorizing the Mayor and City Council of Baltimore to sell, at either public or private sale, all its interest in certain parcels of land known as the former beds of 2 4-foot alleys and 1 3-foot alley lying within the Washington Hill Chapel Urban Renewal Project and no longer needed for public use; and providing for a special effective date.

Favorable report adopted, with Councilmember Young voting Nay.

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

**BILL NO. 06-0500 REPORTED FAVORABLY  
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Holton, for the Economic Development and Public Financing Subcommittee, reported Bill No. 06-0500 favorably.

An Ordinance authorizing the Mayor and City Council of Baltimore to sell, at either public or private sale, all its interest in certain parcels of land known as the former bed of Montreal Street and 2 portions of the former bed of Mount Royal Avenue and no longer needed for public use; and providing for a special effective date.

Favorable report adopted, with Councilmember Kraft out of Chambers.

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

**BILL NO. 06-0501 REPORTED FAVORABLY, WITH AMENDMENT,  
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Holton, for the Economic Development and Public Financing Subcommittee, reported Bill No. 06-0501 favorably, with amendment.

An Ordinance authorizing the Mayor and City Council of Baltimore to sell, at either public or private sale, all its interest in certain property known as 407, 409, 415, 417, 419, and 421 East Chase Street, and approximately 75 feet of the Warden Street right of way from a 4-foot alley north to East Chase Street, no longer needed for public use; and providing for a special effective date.

Amendment to City Council Bill No. 06-0501

**Amendment No. 1**

On page 1, in lines 18 and 21, in each instance, strike “1979-B” and substitute “1179-B”.

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

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

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

**BILL NO. 06-0502 REPORTED FAVORABLY  
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Holton, for the Economic Development and Public Financing Subcommittee, reported Bill No. 06-0502 favorably.

An Ordinance authorizing the Mayor and City Council of Baltimore to sell, at either public or private sale, all its interest in a certain property known as South Side West North Avenue Southeast Corner West Mount Royal Avenue (Block 386, Lot 11) and no longer needed for public use; and providing for a special effective date.

Favorable report adopted.

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

**BILL NO. 06-0411 REPORTED FAVORABLY  
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Harris, for the Highways and Franchises Subcommittee, reported Bill No. 06-0411 favorably.

An Ordinance condemning and opening certain alleys lying within the Washington Hill Chapel Urban Renewal Area Project, bounded by Lombard Street, Broadway, Baltimore Street, and Ann Street, as shown on Plat 114-A-12 in the Office of the Department of Public Works; and providing for a special effective date.

Favorable report adopted, with Councilmember Young voting Nay and with Councilmember Holton out of Chambers.

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

**BILL NO. 06-0412 REPORTED FAVORABLY  
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Harris, for the Highways and Franchises Subcommittee, reported Bill No. 06-0412 favorably.

An Ordinance condemning and closing certain alleys lying within the Washington Hill Chapel Urban Renewal Area Project, bounded by Lombard Street, Broadway, Baltimore Street, and Ann Street, as shown on Plat 114-A-12A in the Office of the Department of Public Works; and providing for a special effective date.

Favorable report adopted, with Councilmember Young voting Nay and with Councilmember Holton out of Chambers.

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

**BILL NO. 06-0461 REPORTED FAVORABLY  
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Harris, for the Highways and Franchises Subcommittee, reported Bill No. 06-0461 favorably.

An Ordinance condemning and opening certain streets and alleys lying within the Middle East Urban Renewal Project, bounded by Madison Street, Broadway, Chase Street, and Washington Street, as shown on Plat 348-A-80 in the Office of the Department of Public Works; and providing for a special effective date.

Favorable report adopted, with Councilmember Young Passing and with Councilmember Holton out of Chambers.

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

**BILL NO. 06-0462 REPORTED FAVORABLY  
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Harris, for the Highways and Franchises Subcommittee, reported Bill No. 06-0462 favorably.

An Ordinance condemning and closing certain streets and alleys lying within the Middle East Urban Renewal Project, bounded by Madison Street, Broadway, Chase Street, and Washington Street, as shown on Plat 348-A-80A in the Office of the Department of Public Works; and providing for a special effective date.

Favorable report adopted, with Councilmember Young Passing and with Councilmember Holton out of Chambers.

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

**BILL NO. 06-0503 REPORTED FAVORABLY  
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Harris, for the Highways and Franchises Subcommittee, reported Bill No. 06-0503 favorably.

An Ordinance condemning and closing (1) Montreal Street, extending from North Avenue Southerly to Mount Royal Avenue, (2) a portion of Mount Royal Avenue contiguous to the northeast side thereof, and (3) a portion of Mount Royal Avenue contiguous to the northeast side thereof, extending from McMechen Street, Northwesterly 144.3 feet, more or less, as shown on Plat 348-A-87 in the Office of the Department of Public Works; and providing for a special effective date.

Favorable report adopted.

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

**BILL NO. 06-0516 REPORTED FAVORABLY  
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Harris, for the Highways and Franchises Subcommittee, reported Bill No. 06-0516 favorably.

An Ordinance authorizing the release and surrender by the Mayor and City Council of Baltimore of all of its interests in and to the 15.0 foot wide right-of-way heretofore granted to the City of Baltimore through the property of John W. Garrett (and Alice W. Garrett, his wife), currently owned by Loyola-Notre Dame Library, Inc. The location and course of the 15.0 foot wide right-of-way to be released is shown on a plat numbered H-20-16716 prepared by the Department of Public Improvements – Highways Department – Sewer Division; and providing for a special effective date.

Favorable report adopted, with Councilmember D'Adamo out of Chambers.

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

**Journal of the City Council****BILL NO. 06-0517 REPORTED FAVORABLY  
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Harris, for the Highways and Franchises Subcommittee, reported Bill No. 06-0517 favorably.

An Ordinance authorizing the release and surrender by the Mayor and City Council of Baltimore of all of its interests in and to the 6.75 foot wide right-of-way heretofore granted to the City of Baltimore through the property of Market Tavern, Inc., currently owned by 316 Guilford Avenue, L.L.C.; the location and course of the 6.75 foot wide right-of-way to be released being shown on a plat numbered R.W.20-35944; and providing for a special effective date.

Favorable report adopted, with Councilmember D'Adamo out of Chambers.

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

**BILL NO. 06-0520 REPORTED FAVORABLY  
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Harris, for the Highways and Franchises Subcommittee, reported Bill No. 06-0520 favorably.

An Ordinance condemning and closing an 85-foot wide portion of Fort Avenue, extending from Fort McHenry National Monument, northwesterly 130.3 feet, as shown on Plat 346-A-51A in the Office of the Department of Public Works; and providing for a special effective date.

Favorable report adopted, with Councilmember D'Adamo out of Chambers.

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

**BILL NO. 05-0296 REPORTED FAVORABLY, WITH AMENDMENTS,  
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Curran, for the Judiciary and Legislative Investigations Committee, reported Bill No. 05-0296 favorably, with amendments.

An Ordinance setting a limit on the penalty imposed for nonpayment of a citation issued for certain parking, stopping, standing, and related offenses; and generally relating to fines, penalties, and procedures for certain offenses.

Amendments to City Council Bill No. 05-0296

**Amendment No. 1**

On page 1, in line 3, strike “a limit” and substitute “limits”.

**Amendment No. 2**

On page 1, in line 23, strike “EQUAL TO THE LESSER”; and, in the same line, strike the colon; and, on page 2, in line 1, strike “(1)”; and, on page 2, strike beginning with the semicolon in line 1 through “ISSUED” in line 3.

**Amendment No. 3**

On page 2, after line 3, insert:

“(2) IF THE PERSON WHO RECEIVED THE CITATION AGREES TO A PAYMENT SCHEDULE ACCEPTABLE TO THE DIRECTOR OF FINANCE OR, IF THE MATTER HAS BEEN REFERRED TO A COLLECTION AGENCY, ACCEPTABLE TO THAT AGENCY, THE MONTHLY PENALTY IMPOSED UNDER PARAGRAPH (1) OF THIS SUBSECTION DOES NOT ACCRUE WHILE THE PERSON IS MAKING TIMELY PAYMENTS IN ACCORD WITH THE AGREED-TO SCHEDULE.”;

and, in line 4 and line 7, strike “(2)” and “(3)”, respectively, and substitute “(3)” and “(4)”, respectively.

The amendments were read and adopted.

Favorable report, as amended, adopted.

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

**BILL NO. 06-0358 REPORTED FAVORABLY, WITH AMENDMENT,  
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Curran, for the Judiciary and Legislative Investigations Committee, reported Bill No. 06-0358 favorably, with amendment.

An Ordinance reviving and reconstituting the Baltimore City Commission for Women; providing for the appointment and term of members; providing for staff to the Commission; restating the Commission’s powers and duties; correcting, clarifying, and conforming certain language; and providing for a special effective date.

Amendment to City Council Bill No. 06-0358

**Amendment No. 1**

On page 1, in line 22, strike “THE FOLLOWING”; and strike beginning with the colon in that line through “MEMBERS” on page 2, in line 2.

The amendment was read and adopted.

Favorable report, as amended, adopted.

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

**BILL NO. 06-0440 REPORTED FAVORABLY, WITH AMENDMENTS,  
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Curran, for the Judiciary and Legislative Investigations Committee, reported Bill No. 06-0440 favorably, with amendments.

An Ordinance establishing the Baltimore City Veterans Commission; providing for the appointment, terms, powers, and duties of the Commission; providing for staff to the Commission; defining certain terms; and generally relating to assisting veterans and their families.

Amendments to City Council Bill No. 06-0440

**Amendment No. 1**

On page 1, in line 5, after the second semicolon, insert “providing for a special effective date;”; and, on page 5, strike beginning with “the” in line 20 through “enacted” in line 21, and substitute “January 1, 2007”.

**Amendment No. 2**

On page 2, in line 12, after “COMMISSIONER”, insert “OR THE COMMISSIONER’S DESIGNEE”; and, in line 13, after “CHIEF”, insert “OR THE CHIEF’S DESIGNEE”.

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

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

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

**BILL NO. 05-0287 REPORTED FAVORABLY, WITH AMENDMENTS,  
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Mitchell, for the Taxation and Finance Committee, reported Bill No. 05-0287 favorably, with amendments.

An Ordinance modifying the application, license, and related fees for persons engaged in certain towing services; correcting, clarifying, and conforming certain language; and generally relating to the licensing and regulation of towing services.

Amendments to City Council Bill No. 05-0287

**Amendment No. 1**

On page 1, in line 4, after the second semicolon, insert “providing for a special effective date”.

**Amendment No. 2**

On page 2, in line 11, strike “\$50” and substitute “\$100”.

**Amendment No. 3**

On page 2, strike beginning with “the 30<sup>th</sup> day” in line 20 through “enacted” in line 21 and substitute “January 1, 2007”.

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

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

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

**BILL NO. 06-0523 REPORTED FAVORABLY  
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Mitchell, for the Taxation and Finance Committee, reported Bill No. 06-0523 favorably.

An Ordinance designating a “development district” to be known as the “Mondawmin Mall Development District”; providing for and determining various matters in connection with the establishment of the development district; creating a special, tax increment fund for the

development district; allocating certain property taxes to that fund; making certain findings and determinations; and generally relating to the designation and operation of the development district, the establishment and use of the tax increment fund and the issuance and payment of special obligation bonds issued in connection with the development district.

Favorable report adopted, with Councilmember Rawlings Blake out of Chambers.

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

**BILL NO. 06-0524 REPORTED FAVORABLY  
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Mitchell, for the Taxation and Finance Committee, reported Bill No. 06-0524 favorably.

An Ordinance designating a “special taxing district” to be known as the “Mondawmin Mall Special Taxing District”; providing for and determining various matters in connection with the establishment of the special taxing district; creating a special fund for the special taxing district; providing for the levy of a special tax on all taxable real property located in the special taxing district; and generally relating to the designation and operation of the special taxing district, the establishment and use of the special fund and the issuance and payment of bonds issued in connection with the special taxing district.

Favorable report adopted, with Councilmember Rawlings Blake out of Chambers.

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

**BILL NO. 06-0525 REPORTED FAVORABLY  
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Mitchell, for the Taxation and Finance Committee, reported Bill No. 06-0525 favorably.

An Ordinance providing for the issuance of special obligation bonds in an amount not exceeding \$15,000,000 for the purpose of financing infrastructure improvements; providing for the method and sources of payment for these special obligation bonds; authorizing the Board of Finance to specify, prescribe, determine, provide for and approve the details, forms, documents or procedures in connection with the special obligation bonds and any other matters necessary or desirable in connection with the authorization, issuance, sale and payment of these special obligation bonds; and generally relating to the issuance and payment of special obligation bonds.

Favorable report adopted.

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

**BILL NO. 06-0532 REPORTED FAVORABLY  
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Mitchell, for the Taxation and Finance Committee, reported Bill No. 06-0532 favorably.

An Ordinance providing a Supplementary Mondawmin Mall Tax Increment Financing Capital Appropriation in the amount of \$15,000,000 to the Department of Housing and Community Development (Account #9910-600-359), to provide funds for financing or refinancing the development of infrastructure improvements relating to the redevelopment of the Mondawmin Mall in the City of Baltimore; and providing for a special effective date.

Favorable report adopted.

The bill 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. 06-0512** - An Ordinance approving a certain ~~amendment~~ amendments to the Development Plan of the Brewers Hill Planned Unit Development; and providing for a special effective date.

**THIRD READING**

The President laid before the City Council:

**BILL NO. 06-0472** - An Ordinance permitting, subject to certain conditions, the establishment, maintenance, and operation of a day nursery on the ~~property~~ properties known as 5001 and 5003 Harford Road, as outlined in red on the accompanying amended plat.

It was read the third time.

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

Yeas - President and Councilmembers Kraft, D'Adamo, Curran, Harris, Rawlings Blake, Holton, Welch, Reisinger, Mitchell, Young, Branch, Clarke - Total 13.

Nays - 0.

Absent - Councilmembers Spector, Conaway - Total 2.

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

The President laid before the City Council:

**BILL NO. 06-0494** - An Ordinance providing a Supplementary General Fund Operating Appropriation in the amount of \$900,000 to the MR-Miscellaneous General Expenses – Program 122 (Miscellaneous General Expenses), to provide funding for the Success by Six Program; and providing for a special effective date.

Then Councilmember Rawlings Blake offered the following amendment to the bill:

Amendment to City Council Bill No. 06-0494

**Amendment No. 1**

On page 1, in line 2, line 4, and line 24, in each instance, strike “\$900,000” and substitute “\$800,000”.

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

Yeas - President and Councilmembers Kraft, D'Adamo, Curran, Harris, Rawlings Blake, Holton, Welch, Reisinger, Mitchell, Young, Branch, Clarke - Total 13.

Nays - 0.

Absent - Councilmembers Spector, Conaway - Total 2.

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

**THIRD READING TODAY**

Councilmember Rawlings Blake made a motion, which was duly seconded, to place Bill No. 06-0494 on third reading today.

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

Yeas - President and Councilmembers Kraft, D'Adamo, Curran, Harris, Rawlings Blake, Holton, Welch, Reisinger, Mitchell, Young, Branch, Clarke - Total 13.

Nays - 0.

Absent - Councilmembers Spector, Conaway - Total 2.

The President declared that three fourths of the members-elect, voting in the affirmative, Rule 12-3 of the Rules of the City Council having been complied with, the bill was placed on third reading file.

**ENROLLED READING**

The President laid before the City Council Enrolled Bill No. 06-0494.

An Ordinance providing a Supplementary General Fund Operating Appropriation in the amount of ~~\$900,000~~ \$800,000 to the MR-Miscellaneous General Expenses – Program 122 (Miscellaneous General Expenses), to provide funding for the Success by Six 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, Clarke - Total 13.

Nays - 0.

Absent - Councilmembers Spector, Conaway - Total 2.

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

The President laid before the City Council:

**BILL NO. 06-0526** - An Ordinance making certain findings; postponing, for an interim period, the automatic termination of the Minority and Women's Business Program; providing for a special effective date; and generally relating to minority and women's business enterprises.

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, Rawlings Blake, Holton, Welch, Reisinger, Mitchell, Young, Branch, Clarke - Total 13.

Nays - 0.

Absent - Councilmembers Spector, Conaway - Total 2.

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

#### INTRODUCTION OF PROPOSED AMENDMENT TO CITY COUNCIL RULES

Councilmember Clarke made a motion, which was seconded, to offer the following amendment to the City Council Rules.

**By:** Councilmember Clarke

FOR the purpose of providing that certain neighborhood associations to be given notice and an opportunity to present their recommendations for candidates to fill a vacancy in the City Council; and generally relating to the procedures for filling these vacancies.

By readopting, without *{sic}* amendments

Rules 5-11(c)

Rules of the City Council

(2004 - 2007 Council Session)

**BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE,** That the Rules of the City Council read as follows:

#### Chapter 5. Councilmembers

##### Rule 5-11. Vacancy.

(c) *Public hearing.*

- (1) The Nominating Committee must hold a public hearing to interview applicants for the vacant seat.
- (2) IN CASE OF A VACANCY WITHIN A CITY COUNCIL DISTRICT, THE HEARING MUST PROVIDE AN OPPORTUNITY FOR NEIGHBORHOOD ASSOCIATIONS IN THAT DISTRICT TO PRESENT THEIR RECOMMENDATIONS FOR CANDIDATES TO FILL THE VACANCY. ALL NEIGHBORHOOD ASSOCIATIONS IN THAT DISTRICT (AS RECOGNIZED BY THE PLANNING DEPARTMENT) MUST BE NOTIFIED AT LEAST 7 DAYS BEFORE THE HEARING OF THEIR RIGHT TO BE HEARD AND OF THE DATE, TIME, AND LOCATION OF THE HEARING.
- (3) [(2)] The hearing must be held within 30 days after the vacancy occurs.
- (4) [(3)] Public notice of the hearing must be given at least 7 days before it is held.

**BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF BALTIMORE,** That these amendments take effect on the date that they are adopted.

Under City Council Rule 1-4 (2), the proposed Rule Change was laid over for consideration.

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

Under City Council Rule 10-12, President Dixon announced that the following bills were withdrawn from consideration before the City Council:

*04-0006; 05-0029; 05-0038; 05-0042; 05-0050; 05-0070; 05-0083; 05-0084; 05-0102; 05-0137; 05-0172; 05-0274; 05-0280; 05-0281; 05-0300; 05-0310; 06-0346; 06-0379; 06-0380; 06-0381; 06-0383; 06-0384; 05-0003R; 05-0014R; 05-0034R; 05-0036R; 05-0039R; 05-0042R; 05-0046R; 05-0047R; 05-0048R; 05-0054R; 05-0058R; 05-0059R; 05-0061R; 05-0063R; 05-0065R; 05-0069R; 05-0076R; 05-0078R; 05-0085R; 05-0095R; 05-0097R; 05-0112R; 05-0114R; 06-0125R; 06-0134R; 06-0147R; 06-0148R; 06-0150R; 06-0151R; 06-0153R*

**MOTION TO SUSPEND CITY COUNCIL RULES 10-2 AND 10-3  
WITH REGARD TO BILL NO. 06-0550**

Councilmember Mitchell made a motion, duly seconded, to suspend Rules 10-2 and 10-3 in order to have an early hearing on Bill No. 06-0550.

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

**ADJOURNMENT**

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

Consent Calendar

- CR 3043 Spector**  
A City Council RESOLUTION congratulating the Maryland Association of Jews from the former USSR on Citizenship Day and their many accomplishments on behalf of the citizens of Baltimore City, the State of Maryland, and the United States of America.
- CR 3044 Welch**  
A City Council RESOLUTION congratulating Elinor G. Washington on the celebration of her 60<sup>th</sup> birthday.
- CR 3045 President Dixon, All Members**  
A City Council RESOLUTION congratulating Korean American Women's Society of Maryland on 33 years of dedicated service to the Korean community in Maryland.
- CR 3046 President Dixon, All Members**  
A City Council RESOLUTION congratulating Leonard Hamm on being awarded the 3<sup>rd</sup> Annual Baltimore Peacemaker Award.
- CR 3047 President Dixon, All Members**  
A City Council RESOLUTION on the death of Mother Beatrice B. Smith, October 20, 1910 – November 9, 2006.
- CR 3048 Young**  
A City Council RESOLUTION congratulating Sidney T. White, Jr. on the celebration of his 60<sup>th</sup> birthday on November 29, 2006.
- CR 3049 Young**  
A City Council RESOLUTION congratulating Sandria Somerville on the celebration of her 60<sup>th</sup> birthday on December 1, 2006.
- CR 3050 Young**  
A City Council RESOLUTION congratulating Elizabeth Tyler on the celebration of her 79<sup>th</sup> birthday on November 3, 2006.
- CR 3051 President Dixon, All Members**  
A City Council RESOLUTION congratulating the Bank of America and the Harold A. Dawson Company, Inc. on the celebration of the completion of the Centerpoint Project.
- CR 3052 President Dixon, All Members**  
A City Council RESOLUTION congratulating Charlotte D. Wing on the celebration of her retirement after 34 years of service with the Baltimore City Public School System.
- CR 3053 Young**  
A City Council RESOLUTION congratulating Deacon Roscoe Jones on the celebration of his 80<sup>th</sup> birthday on December 16, 2006.
- CR 3054 President Dixon, All Members**  
A City Council RESOLUTION congratulating the East Monument Street Business District on facilitating the "Jingle Bell Parade".

- CR 3055** President Dixon, All Members  
A City Council RESOLUTION congratulating Walter and Cynthia Myers on the celebration of their 28<sup>th</sup> Wedding Anniversary.
- CR 3056** President Dixon, All Members  
A City Council RESOLUTION congratulating Ardenia M. Davenport Handy on the celebration of her retirement after 38 years of dedicated service with the Baltimore City Public School System.
- CR 3057** Young  
A City Council RESOLUTION congratulating Bishop Jerome and Lady Marsha Stokes on their committed teaching and preaching of the Gospel for 21 years at the Church of the Redeemed of the Lord (CRL)
- CR 3058** President Dixon, All Members  
A City Council RESOLUTION congratulating the Baltimore Association of the Baltimore City Bar Association on National Adoption Day in Baltimore City.
- CR 3059** President Dixon, All Members  
A City Council RESOLUTION congratulating John C. Erickson on receiving the Loyola College 2006 Business Leader of the Year Award.
- CR 3060** President Dixon, All Members  
A City Council RESOLUTION on the death of Shirley M. Bowman, May 20, 1935 – November 12, 2006.
- CR 3061** President Dixon, All Members  
A City Council RESOLUTION congratulating Zelma Crowder on the celebration of her 80<sup>th</sup> birthday.
- CR 3062** Harris, All Members  
A City Council RESOLUTION on the death of Grover C. Overcash.
- CR 3063** Harris, All Members  
A City Council RESOLUTION on the death of Byron McCleary.
- CR 3064** Harris, All Members  
A City Council RESOLUTION on the death of Carl Wayne “Soup” Campbell.
- CR 3065** President Dixon, All Members  
A City Council RESOLUTION congratulating Charlene D. Baldwin on her dedicated and outstanding service to Shiloh Christian Community Church and community.
- CR 3066** Young  
A City Council RESOLUTION on the death of Carol Ferguson.
- CR 3067** President Dixon, All Members  
A City Council RESOLUTION on the death of Robert Henry Bradford, December 22, 1947 – November 11, 2006.
- CR 3068** Branch  
A City Council RESOLUTION on the death of Walter J. Dorsey, Jr.

**CR 3069 Reisinger, All Members**

**A City Council RESOLUTION congratulating Officer Verna Cromer and Officer Urika Jones on their thoughtfulness and consideration of others and wishing them a wonderful holiday, as so many others will enjoy because of them.**

**CR 3070 President Dixon, All Members**

**A City Council RESOLUTION congratulating Brenda McCray on 40 years of outstanding and dedicated service with the Baltimore City Housing Department.**