

EIGHTH DAY

T H I R 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 19, 2007

Father Lou Esposito, Pastor of Our Lady of Pompei Church, led the Council in Prayer.

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

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

Absent - Councilmember Spector - Total 1.

1 vacant seat

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

Father in Heaven
You are the creator of light, the giver of life
and the love that moves the universe.

Illumine our minds with the light of your truth
the light that guides willing minds
inspires the creation of just laws,
and illumines the path that leads to a community
of children of the light.

Giver of life help us all discover
the values that make life worth living
an experience filled with all that is good,
the innocence of children,
the enthusiasm of youth
and the wisdom of age.

Fill our hearts with this most beautiful
of human qualities and guide us into the warm world
of a strong love that cares for all
and is always willing to lend a helping hand,
to give to a needy sister or brother,
to share a word of comfort with a troubled soul.

Father may your light free those of our citizens
who find themselves in the grip of darkness;
May your life defeat the culture of death
and may your love conquer the hearts of those
who still believe in hatred and prejudice.

And may all this become a reality
under the wise guidance of our City leaders.

Amen

SHOWCASE BALTIMORE

Omari Todd, Executive Director: Teach for America, and Lila Clark, Member: America Corps Program at Mt. Royal Elementary/Middle School, delivered a presentation about education and the youth agenda.

JOURNAL APPROVED

The Journal of March 12, 2007 was read and approved.

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

March 14, 2007

Honorable Stephanie Rawlings-Blake, 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 06-0372 - An Ordinance concerning - Rezoning – Certain Properties in the Brewer’s Hill Area - For the purpose of changing the zoning for certain properties in the Brewer’s Hill Area, as outlined in yellow on the accompanying plat, from the M-3 Zoning District to the R-8 Zoning District; as outlined in red on the accompanying plat, from the M-3 Zoning District to the B-2-2 Zoning District; as outlined in blue on the accompanying plat from the M-2-2 Zoning District to the R-8 Zoning District; and as outlined in orange on the accompanying plat, from the M-2-2 Zoning District to the B-2-2 Zoning District.

C.C. Bill 07-0574 - An Ordinance concerning - City Property – Naming the Baltimore City Police Department Headquarters to be the Bishop L. Robinson, Sr. Headquarters Police Administration Building - For the purpose of naming the Baltimore City Police Department Headquarters, located at 601 East Fayette Street, to be the Bishop L. Robinson, Sr. Headquarters Police Administration Building; and providing for a special effective date.

Sincerely,

Sheila Dixon
Mayor

APPOINTMENTS BY THE MAYOR

VALENTINA I. UKWUOMA, Bureau Head, Bureau of Solid Waste, for a term expiring December 4, 2007, succeeding Joseph A. Kolodziejki.

ANTOINETTE CARTER, as a member of the Mayor’s Commission on Disabilities, for a term expiring March 30, 2011, succeeding herself, as a Category III member, representing a business with disabled employees.

JOE FONG SUEY CHIN, as a member of the Mayor’s Commission on Disabilities, for a term expiring March 30, 2011, succeeding Camilo Quintero, as a Category III member, representing a business with disabled employees.

CECIL FOX, as a member of the Mayor’s Commission on Disabilities, for a term expiring March 30, 2011, succeeding himself, as a Category III member, representing a business with disabled employees.

WILLIAM R. FIELDS, as a member of the Mayor’s Commission on Disabilities, for a term expiring March 30, 2011, succeeding himself, as a Category I member, who is a person with a disability.

EUN ANN KIM, as a member of the Baltimore City Commission for Women, for a term expiring December 4, 2007.

Sincerely,

Sheila Dixon
Mayor

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. 07-0614 - By President Rawlings-Blake (The Administration):

An Ordinance condemning and closing a 10-foot alley laid out in the rear of the property known as 4 East 32nd Street, a 10-foot alley laid out in the rear of the property known as 3 East 33rd Street, and a 25-foot alley laid out in the rear of the properties known as 3204 through 3222 St. Paul Street, as shown on Plat 114-A-19 in the Office of the Department of Public Works; and providing for a special effective date.

The bill was read the first time and referred to the Planning Commission, Department of Housing and Community Development, Department of Public Works, Department of Transportation, Baltimore Development Corporation, Highways and Franchises Subcommittee.

Bill No. 07-0615 - By President Rawlings-Blake, Councilmembers Young, Kraft, Welch, Clarke, Reisinger, Middleton, D'Adamo, Conaway, Holton, Mitchell:

An Ordinance requiring that various health care benefits offered to City employees provide coverage that begins no later than a specified date.

The bill was read the first time and referred to the City Solicitor, Department of Human Resources, Labor Commissioner, Department of Finance, Taxation and Finance Committee.

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

Bill No. 07-0271R - By President Rawlings-Blake, Councilmembers Young, Kraft, Curran, Middleton, Welch, Clarke, Reisinger, Conaway, Holton:

Introduced: March 19, 2007
(Read and adopted)

A COUNCIL RESOLUTION CONCERNING

In Support of State Legislation – House Bill 1020 – Lead Poisoning Prevention Act of 2007

FOR the purpose of supporting this legislation that would require an applicant for a contractor license to meet a specified accreditation or training requirement under specified circumstances, require a licensee applying for a license renewal to submit to the Maryland Home Improvement Commission proof of compliance with specified lead training requirements, and prohibiting a licensee from violating specified lead paint abatement accreditation requirements; urging the Honorable Chair and Members of the House Environmental Matters Committee and the Honorable Chair and Members of the Baltimore City Delegation to the 2007 Maryland General Assembly to support passage of the legislation; and petitioning the Governor to sign the measure into law.

Recitals

This legislation requires an applicant for a contractor license to meet a certain accreditation or training requirement if the applicant performs work in a residential property constructed before 1978. This effort would raise the level of knowledge and training that contractors have regarding lead poisoning and lead paint abatement, as well as help fight childhood lead poisoning in the State of Maryland.

Childhood lead poisoning is a major public health threat in Maryland, poisoning over 1,300 children in Maryland since 2005. Lead poisoning severely and irreversibly impacts the cognitive and physical development of young children. The Governor and the State have endorsed plans to meet the federal strategy to eliminate childhood lead poisoning by 2010, by creating programs and legislation that would not only remove lead paint from all residential buildings, but also provide for the mandatory education of those who are responsible for fixing and constructing the dwellings within which our children reside.

Children are exposed to lead through ingesting and inhaling lead dust, eating lead paint chips, or absorbing lead while in utero. Most of the exposures to lead can be eliminated by removing lead hazards and reducing exposure to toxic lead dust in the home, and taking further precautions to be sure that our children are exposed to minimum amounts of lead dust. Although the number of cases of childhood lead poisoning in Maryland has decreased significantly over the past few years, lead paint remains a significant health issue across the State of Maryland.

With the passing of this legislation, we can continue to fight this issue and promote health and well being for all citizens of the State of Maryland, both young and old. By increasing training requirements for contractors and making sure that they are certified as lead paint abatement workers as well as contractors, we can be sure that the number of lead poisoning cases will be further reduced in the near future and hopefully completely eradicated by the year 2010.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE, That this Body supports this legislation that would require an applicant for a contractor license to meet a specified accreditation or training requirement under specified circumstances, require a licensee applying for a license renewal to submit to the Maryland Home Improvement Commission proof of compliance with specified lead training requirements, and prohibiting a licensee from violating specified lead paint abatement accreditation requirements; urges the Honorable Chair and Members of the House Environmental Matters Committee and the Honorable Chair and Members of the Baltimore City Delegation to the 2007 Maryland General Assembly to support passage of the legislation; and petitions the Governor to sign the measure into law.

AND BE IT FURTHER RESOLVED, That the Honorable Chair of the House Environmental Matters Committee is respectfully requested to include this Resolution as part of the Committee record of support for legislative proposals to pass the Lead Poisoning Prevention Act of 2007.

AND BE IT FURTHER RESOLVED, That a copy of this Resolution be sent to the Governor, the Mayor, the Honorable Chair and Members of the House Environmental Matters Committee, the Honorable Chair and Members of the Baltimore City Delegation to the 2007 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 Curran made a motion, which was duly seconded, that the Rules be suspended.

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

Yeas - President and Councilmembers Kraft, D'Adamo, Curran, Harris, Middleton, Conaway, Welch, Reisinger, Mitchell, Young, Clarke - Total 12.

Nays - 0.

Out of Chambers - Councilmember Holton - Total 1.

Absent - Councilmember Spector - Total 1.

1 vacant seat.

The President declared the Rules "Suspended".

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

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

Yeas - President and Councilmembers Kraft, D'Adamo, Curran, Harris, Middleton, Conaway, Welch, Reisinger, Mitchell, Young, Clarke - Total 12.

Nays - 0.

Out of Chambers - Councilmember Holton - Total 1.

Absent - Councilmember Spector - Total 1.

1 vacant seat.

The President declared the Resolution "Adopted".

Bill No. 07-0272R - By President Rawlings-Blake, Councilmembers Young, Kraft, Welch, Clarke, Reisinger, Middleton, Curran, D'Adamo, Conaway, Mitchell:

A Resolution requesting the Commissioner and the Director, Bureau of Vector Control of the Baltimore City Health Department to report to the City Council on the operations of the Bureau, the status of outreach and educational rat abatement programs, and the efficacy of programs to control rat infestations throughout Baltimore City neighborhoods.

The bill was read the first time and referred to the Health Department, Education, Housing, Health, and Human Services Committee.

Bill No. 07-0273R - By Councilmembers Harris, Kraft, Welch, Clarke, Reisinger, Middleton, Holton, Young, Mitchell, D'Adamo, Curran, Conaway:

A Resolution requesting the Commissioner of Health and the Director of the Division of Clinical Services of the Baltimore City Health Department to report to the City Council on the status of the Men's Health Center, the utilization rate by the target population, the number and type of direct and referral services provided, and plans for the continuing delivery of primary care, substance abuse treatment, and other medical services to uninsured male residents of Baltimore City.

The bill was read the first time and referred to the Health Department, Education, Housing, Health, and Human Services Committee.

Bill No. 07-0274R - By Councilmembers Curran, Young, Kraft, President Rawlings-Blake, Councilmembers Welch, Clarke, Reisinger, Middleton, Harris, D'Adamo, Conaway, Holton, Mitchell:

Introduced: March 19, 2007
(Read and adopted)

A COUNCIL RESOLUTION CONCERNING**Restoring Baltimore's Football Heritage**

FOR the purpose of encouraging the Executive Director and the Vice President of Exhibits of the Pro Football Hall of Fame to separate the Colts' storied Baltimore history from the current Indianapolis franchise to more accurately reflect the team's legacy and to pay tribute to those spectacular Hall of Famers who brought to their Baltimore fans many years of team spirit and civic pride and left to them bittersweet memories of balmy days spent with family and friends at the old Memorial Stadium on 33rd Street in the heart of Baltimore City.

Recitals

In the Canton, Ohio Pro Football Hall of Fame Enshrinee Mementoes Room, where tribute is paid to the 32 National Football League teams and the stars representing each franchise, the Indianapolis Colts history includes sports lore of 10 Colts Hall of Famer's that, but for one, played their whole career as Baltimore Colts:

- Raymond Berry, WR 1955 -1967
- Art Donovan, OT 1953 -1961
- Weeb Ewbank, Coach 1954 - 1962
- Ted Hendricks LB 1969 - 1973
- John Mackey, TE 1963 - 1971
- Gino Marchetti, DE 1953 - 64
- Lenny Moore, RB 1956 - 1967
- Jim Parker, OT 1957 - 1967
- Joe Perry, FB 1961 - 1962
- Don Shula, Coach 1963 - 1969
- Johnny Unitas, QB 1956 - 1972.

Fans Baltimore-based Colts Hall of Famers have expressed their support for "Restoring Baltimore's Football Heritage " by signing a petition presented on a website dedicated to bringing about the change, that reads:

"To: Pro Football Hall of Fame:

In many ways the Baltimore Colts are the equivalent of NFL orphans. They have no home, at least not one recognized by the NFL and that is a sad statement considering the Baltimore Colt's historical relevance. The players who left parts of their broken bodies on 33rd Street at Memorial Stadium in Baltimore are aging and unfortunately some have passed, like Hall of Famers John Unitas and Jim Parker. Others are ailing.

The time has come to distinguish these men in the Pro Football Hall of Fame as Baltimore Colts. Restoring the Baltimore Colts' tradition is a simple yet grossly overdue change that will enable future generations of NFL fans to properly recognize the contributions of these men. This is the choice of the players – to be recognized in the Hall of Fame as Baltimore Colts. And let's face it, they've earned it.

Baltimore deserves its own heritage just as much as the City of Indianapolis deserves theirs. It is time to help both cities firmly establish their own place and identities in the NFL's illustrious history and in Pro Football's ultimate shrine – the Hall of Fame.

It's the right thing to do for the players and for all the fans of the National Football League.”

The City Council supports this petition to place our football heroes in their rightful context as an important part of Baltimore's history and civic pride. The dedication to the heroes of war that graces the facade of Memorial Stadium also apply to our steely heroes of the gridiron – *“Time shall not dim the glory of their deeds.”*

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE, That the Executive Director and the Vice President of Exhibits of the Pro Football Hall of Fame are urged to separate the Colts' storied Baltimore history from the current Indianapolis franchise to more accurately reflect the team's legacy and to pay tribute to those spectacular Hall of Famers who brought to their Baltimore fans many years of team spirit and civic pride and left to them bittersweet memories of balmy days spent with family and friends at the old Memorial Stadium on 33rd Street in the heart of Baltimore City.

AND BE IT FURTHER RESOLVED, That a copy of this Resolution be sent to the Mayor, the Executive Director and the Vice President of Exhibits of the Pro Football Hall of Fame, Anthony Lombardi, Jr., and the Mayor's Legislative Liaison to the City Council.

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

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

Yeas - President and Councilmembers Kraft, D'Adamo, Curran, Harris, Middleton, Conaway, Welch, Reisinger, Mitchell, Young, Clarke - Total 12.

Nays - 0.

Out of Chambers - Councilmember Holton - Total 1.

Absent - Councilmember Spector - Total 1.

1 vacant seat.

The President declared the Rules “Suspended”.

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

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

Yeas - President and Councilmembers Kraft, D'Adamo, Curran, Harris, Middleton, Conaway, Welch, Reisinger, Mitchell, Young, Clarke - Total 12.

Nays - 0.

Out of Chambers - Councilmember Holton - Total 1.

Absent - Councilmember Spector - Total 1.

1 vacant seat.

The President declared the Resolution “Adopted”.

Bill No. 07-0275R - By Councilmembers Young, Clarke, Harris, Kraft, Welch, Reisinger, Middleton, President Rawlings Blake, Councilmembers Holton, Mitchell, D'Adamo, Curran, Conaway:

Introduced: March 19, 2007
(Read and adopted)

A COUNCIL RESOLUTION CONCERNING

Bring the Troops Home!

FOR the purpose of joining with city councils and state legislatures across the nation in calling upon the U.S. Congress to fulfill its Constitutional duty by enacting binding legislation to end this war; that we join others in expressing our opposition to the present “surge” strategy; that we call upon the U.S. Congress to limit funding for Iraq to money needed to safely withdraw the troops and to provide comprehensive health care and educational benefits to all soldiers who served in Iraq.

WHEREAS, The Iraq war has raged now for four years at the cost of 3,100 U.S. soldiers dead, 71 of them from Maryland; over 20,000 have been wounded, many with terrible life-altering disabilities; an estimated 655,000 Iraqis have died and there is no end in sight; and

WHEREAS, The war has cost us \$378 billion in tax dollars and President George W. Bush is requesting supplemental appropriations of \$93 billion for this year and another \$145 billion for next year totaling more than half a trillion dollars to pay for an open-ended occupation; and

WHEREAS, The cost to Maryland taxpayers of this war estimated by the National Priorities Project is \$9 billion, enough to provide quality health care for our 800,000 people who lack medical insurance; and the cost to Baltimore is estimated at \$512.4 million, enough to build or renovate 100 public schools at \$5 million each; and

WHEREAS, In flagrant violation of U.S. and international law, the Bush-Cheney Administration launched a unilateral preemptive war against a nation that did not attack us, using a massive campaign of false propaganda that Iraq had weapons of mass destruction and ties to al-Qaeda, claims now totally discredited; and

WHEREAS, Bush and the Republican right accuse opponents of the war of “not supporting the troops” yet they are inflicting needless death and injury on these young Americans by keeping them in harm’s way and not equipping them even with adequate body armor; and Bush-Cheney shamefully under-fund programs to assist wounded and traumatized soldiers who have served in Iraq and Afghanistan; and

WHEREAS, The only way to truly support the troops is to bring them home and provide full health and education benefits when they return; and

WHEREAS, The people of Maryland and the United States voted overwhelmingly last Nov. 7 in favor of ending this war, and the U.S. Congress has just adopted a resolution opposing escalation; and

WHEREAS, Bush has ignored this peace mandate and continues to assert that “victory” is the only option and is escalating the war by sending an additional 48,000 combat and support troops, in flagrant disregard of the will of the people and the U.S. Congress; and

WHEREAS, Bush is now engaged in menacing maneuvers against Iran, threatening to spread this war into a regional conflagration.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE, That the City Council of Baltimore joins with city councils and state legislatures across the nation in calling upon the U.S. Congress to fulfill its Constitutional duty by enacting binding legislation to end this war; that we join others in expressing our opposition to the present “surge” strategy; that we call upon the U.S. Congress to limit funding for Iraq to money needed to safely withdraw the

troops and to provide comprehensive health care and educational benefits to all soldiers who served in Iraq.

AND BE IT FURTHER RESOLVED, That funds be appropriated for the reconstruction of Iraq under Iraqi control and that tax funds earmarked for the Iraq war also be redirected to rebuild the social and physical infrastructure of our cities, towns, and rural communities here at home.

AND BE IT FURTHER RESOLVED, That a copy of this Resolution be sent to all members of Maryland's delegation to Congress and the President of the United States.

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 Kraft, D'Adamo, Curran, Harris, Middleton, Conaway, Welch, Reisinger, Mitchell, Young, Clarke - Total 12.

Nays - 0.

Out of Chambers - Councilmember Holton - Total 1.

Absent - Councilmember Spector - Total 1.

1 vacant seat.

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 Kraft, D'Adamo, Curran, Harris, Middleton, Conaway, Welch, Reisinger, Mitchell, Young, Clarke - Total 12.

Nays - 0.

Out of Chambers - Councilmember Holton - Total 1.

Absent - Councilmember Spector - Total 1.

1 vacant seat.

The President declared the Resolution “Adopted”.

Bill No. 07-0276R - By Councilmembers Mitchell, Kraft, Curran, Welch, Clarke, Reisinger, Middleton, President Rawlings-Blake, Councilmembers Harris, Young, D’Adamo, Conaway, Holton:

Introduced: March 19, 2007
(Read and adopted)

A COUNCIL RESOLUTION CONCERNING

In Support of State Legislation – House Bill 150/Senate Bill 231 – Education – Funding Formula for Adult Education and Literacy Grants

FOR the purpose of supporting this legislation that would require the State Department of Education to provide competitive adult education grants beginning in fiscal year 2008 for specified eligible adult education providers, that funding for State adult education grants be provided in the State budget, and provide for the manner of calculation of the amount of a specified State adult education grant available for each county for distribution to specified adult education providers; urging the Honorable Chair and Members of the House Ways and Means Committee and the Honorable Chair and Members of the Baltimore City Delegation to the 2007 Maryland General Assembly to support passage of the legislation; and petitioning the Governor to sign the measure into law.

Recitals

This legislation seeks to increase Maryland’s investment in adult education by establishing a funding method that will ensure that Maryland has a sustainable and adequate adult education and literacy program, as well as adhere to the Superintendent’s Panel on Excellence in Adult Education report that recommended that the State increase its investment in adult education by \$26 million over the next 5 years.

According to the Job Opportunities Task Force (JOTF), which is an independent network of service providers, employers, and community members concerned about low-wage, low-skill employment, the insufficient number of jobs that pay family-supporting wages, and the impact of these issues on the economic development and revitalization of the Baltimore region, there are nearly 1 million Marylanders in need of adult education services, and nearly 1 in 5 Maryland adults lacks a high school diploma or GED. Adult education includes basic literacy, GED services, and English for Speakers of Other Languages.

Maryland contributes less for adult education than nearly every other state. While Maryland spends just over \$2 million on adult education or \$77 per adult student, the average East Coast state spends nearly 6 times as much. The federal government, has proposed drastic cuts to adult education funding for the Fiscal Year of 2006. Maryland has historically received 80% of its adult education funding from the federal government, and the 2007 federal budget shows that this funding will be cut by 74%. This dependence on federal funding puts all of Maryland's adult education programs at risk.

The fact is that adult education programs pay off. Adults with a high school diploma earn \$7,216 more per year than those who have dropped out of high school, according to the U.S. Department of Commerce. Maryland adult education students increase their earnings as much as 18-25% for minimum wage workers within 18 months. Adults who increase their education levels are better able to compete for higher-skilled jobs that pay family-supporting wages.

Investing in the workforce will not only earn higher wages for those who become more educated, but it will also help to keep Maryland businesses competitive. In a recent survey of businesses conducted by the University of Baltimore, nearly two-thirds of the respondents cited difficulty in finding qualified workers. In addition, businesses benefit from increased productivity, comprehension skills and job satisfaction among workers who complete adult education programs. We simply cannot let Maryland's Adult Education Programs lose funding and fall by the wayside. In these times, it is more important than ever that we support and continue to fund the programs that help educate our adult population, and make the Maryland work force as strong as it has ever been.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE, That this Body supports this legislation that would require the State Department of Education to provide competitive adult education grants beginning in fiscal year 2008 for specified eligible adult education providers, that funding for State adult education grants be provided in the State budget, and provide for the manner of calculation of the amount of a specified State adult education grant available for each county for distribution to specified adult education providers; urges the Honorable Chair and Members of the House Ways and Means Committee and the Honorable Chair and Members of the Baltimore City Delegation to the 2007 Maryland General Assembly to support passage of the legislation; and petitions the Governor to sign the measure into law.

AND BE IT FURTHER RESOLVED, That the Honorable Chair of the House Ways and Means Committee is respectfully requested to include this resolution as part of the Committee record of support for legislation proposals to create funding for adult education programs in Maryland.

AND BE IT FURTHER RESOLVED, That a copy of this Resolution be sent to the Governor, the Mayor, the Honorable Chair and Members of the House Ways and Means Committee, the Honorable Chair and Members of the Baltimore City Delegation to the 2007 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 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 Kraft, D'Adamo, Curran, Harris, Middleton, Conaway, Holton, Welch, Reisinger, Mitchell, Young, Clarke - Total 13.

Nays - 0.

Absent - Councilmember Spector - Total 1.

1 vacant seat.

The President declared the Rules "Suspended".

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

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

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

Nays - 0.

Absent - Councilmember Spector - Total 1.

1 vacant seat.

The President declared the Resolution "Adopted".

**BILL 07-0277R, LISTED ON THE PRINTED AGENDA,
IS WITHDRAWN BEFORE INTRODUCTION**

After the adoption of Council Bill 07-0276R, Councilmember Kraft requested that Bill 07-0277R, be withdrawn before introduction. It was so ordered.

CONSENT CALENDAR

CEREMONIAL RESOLUTIONS NO. 3411, 3412, 3413, 3414, 3415, 3416, 3417, 3418, 3419, 3420, 3421, 3422, 3423, 3424, 3425, 3426, 3427, 3428, 3429, 3430, 3431, 3432, 3433, 3434, AND 3435 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, Middleton, Conaway, Holton, Welch, Reisinger, Mitchell, Young, Clarke - Total 13.

Nays - 0.

Absent - Councilmember Spector - Total 1.

1 vacant seat.

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

The Appointment of

BENJAMIN G. GLENN, SR.

Member

COMMISSION:

Planning Commission

EXPIRATION OF TERM:

February 28, 2009

The motion prevailed.

The President declared the favorable report adopted.

Councilmember Curran made a motion, which was duly seconded, that the appointment of Benjamin G. Glenn, Sr. be confirmed.

The roll was called, resulting as follows:

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

Nays - 0.

Absent - Councilmember Spector - Total 1.

1 vacant seat.

The President declared the appointment of Benjamin G. Glenn, Sr. confirmed.

COMMITTEE REPORTS

**BILL NO. 05-0034 REPORTED FAVORABLY, WITH AMENDMENTS,
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Kraft, for the Judiciary and Legislative Investigations Committee, reported Bill No. 05-0034 favorably, with amendments.

An Ordinance establishing standards and procedures for the gating of alleys; requiring certain petitions, consents, reviews, notices, and hearings; specifying certain minimum requirements for a lease of a gated area; authorizing administrative and judicial reviews of certain decisions; defining certain terms; and generally relating to the gating and leasing of alleys under the authority of City Charter Article II, § 35(e) and (f).

Amendments to City Council Bill No. 05-0034

Amendment No. 1

On page 1, in line 2, after “**Gating**”, insert “**and Greening**”; and, in line 3, after “gating”, insert “and greening”; and, in line 5, after “gated”, insert “or greened”; and, in line 5, strike “administrative and” and, after “judicial”, insert “and appellate”; and, in line 6, after “gating”, insert “, greening,”; and, in line 10, strike “8A-10” and substitute “8A-14”; and, in line 11, after “Gating”, insert “and Greening”; and, in line 18, after “**GATING**”, insert “**AND GREENING**”.

Amendment No. 2

On page 1, after line 21, insert:

“(B) ABANDONED PROPERTY.

“ABANDONED PROPERTY” MEANS:

(1) AN UNOCCUPIED STRUCTURE OR VACANT LOT ON WHICH TAXES ARE IN ARREARS FOR AT LEAST 2 YEARS; OR

(2) A BUILDING THAT:

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(I) IS UNOCCUPIED BY AN OWNER OR TENANT;

(II) IS UNFIT FOR HABITATION;

(III) HAS DETERIORATED TO THE POINT AT WHICH:

A. IT IS STRUCTURALLY UNSOUND; OR

B. THE COST OF REHABILITATING THE BUILDING WOULD SIGNIFICANTLY EXCEED THE BUILDING’S POST-REHABILITATION MARKET VALUE; AND

(IV) HAS BEEN THE SUBJECT OF A VIOLATION NOTICE OR ORDER FROM THE CITY THAT REQUIRES THE OWNER TO:

A. REHABILITATE THE BUILDING TO CONFORM TO MINIMUM CODE HABITABILITY REQUIREMENTS; OR

B. DEMOLISH THE BUILDING FOR HEALTH AND SAFETY REASONS.”.

Amendment No. 3

On page 2, in line 1, strike “(B)” and substitute “(C)”; and, on the same page, after line 3, insert:

“(D) GREENING.

(1) “GREENING” MEANS ANY ALTERATION TO AN ALLEY, BEYOND MERE GATING, THAT NEWLY RESTRICTS VEHICULAR ACCESS TO OR IN THE ALLEY.

(2) “GREENING” INCLUDES, BUT IS NOT LIMITED TO, THE INSTALLATION OF A FIXED OBJECT, PLANT, OR TREE THAT NEWLY RESTRICTS VEHICULAR ACCESS TO OR IN THE ALLEY.

(3) “GREENING” DOES NOT INCLUDE ANY SODDING, SEEDING, OR PAVEMENT REMOVAL THAT DOES NOT RESTRICT VEHICULAR ACCESS TO OR IN THE ALLEY.”.

Amendment No. 4

On page 2, in line 6, after “GATING”, insert “, GREENING.”; and, in line 9 and line 14, in each instance, after “GATING”, insert “AND, IF APPLICABLE, THE GREENING”; and, after line 11, insert:

“(1) THE STRUCTURES ABUTTING THE ALLEY ARE PREDOMINANTLY
RESIDENTIAL;”;

and, in line 12 and line 14, strike “(1)” and “(2)”, respectively, and substitute “(2)” and “(3)”.

Amendment No. 5

On page 2, in lines 19 and 20, and line 30, and on page 3, in line 2, line 26, and lines 31 and 32, in each instance, strike “GATING PETITION” and substitute “PETITION”.

Amendment No. 6

On page 2, in line 24, after “GATING”, insert “OR GREENING”.

Amendment No. 7

On page 3, in line 4, after “**CONSENTS**”, insert “FOR GATING”; and, in line 5, strike “*IN GENERAL*” and substitute “REQUIRED CONSENTS”; and, in line 6, strike beginning with “EXCEPT” through “PETITION” and substitute “A PETITION TO GATE, BUT NOT TO GREEN, AN ALLEY”; and, in line 7, strike “ALL” and substitute “AT LEAST 80%”; and strike beginning with “AS” in line 8 through “SUBTITLE” in line 9 and substitute “NOT INCLUDING ABANDONED PROPERTIES”; and, in line 11, strike “*UNOCCUPIED PROPERTIES*” and substitute “STATEMENT OF DILIGENT ATTEMPTS”; and strike lines 12 through 18, in their entirety; and, in line 19, strike “(3) THE PETITION IS” and substitute “IF 1 OR MORE ABUTTING OWNERS HAS NOT CONSENTED IN WRITING TO THE PROPOSED GATING, THE PETITION MUST BE”; and, in line 20, strike the colon; and, in line 21, strike “(I)”; and, in the same line, after “MADE” insert “BY THE PETITIONERS”; and, in the same line, strike “FIND AND”; and, in line 22, strike “CONSENT” and substitute “CONSENTS”; and, in the same line, strike “ALL” and substitute “100% OF THE”; and, in the same line, strike “UNOCCUPIED” and substitute “ALL ABUTTING”; and strike beginning with the semicolon in line 22 through “PETITION” in line 24.

Amendment No. 8

On page 3, after line 24, insert:

“§ 8A-6. PETITION BY ABUTTING OWNERS – CONSENTS FOR GREENING.

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(A) IN GENERAL.

(1) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, A PETITION TO GATE AND GREEN AN ALLEY, OR A PETITION TO GREEN AN ALLEY FOR WHICH GATING ALREADY HAS BEEN APPROVED, MUST BE ACCOMPANIED BY THE SIGNED CONSENTS OF 100% OF THE OWNERS OF ALL ABUTTING PROPERTIES.

(2) THESE CONSENTS MUST BE IN THE FORM AND TENOR THAT THE DIRECTOR REQUIRES.

(B) EXCEPTED PROPERTIES.

IF 1 OR MORE ABUTTING PROPERTIES ARE UNOCCUPIED OR ABANDONED AND, NOTWITHSTANDING DUE DILIGENCE, THEIR OWNERS HAVE NOT BEEN FOUND, THE PETITION MAY STILL BE FILED AND CONSIDERED IF:

(1) THE PETITION IS ACCOMPANIED BY THE SIGNED CONSENTS OF 100% OF THE OWNERS OF ALL OCCUPIED PROPERTIES ABUTTING THE ALLEY;

(2) THE PROPERTIES FOR WHICH SIGNED CONSENTS HAVE BEEN OBTAINED CONSTITUTE AT LEAST 80% OF ALL OF THE PROPERTIES, NOT INCLUDING ANY ABANDONED PROPERTIES, ABUTTING THE ALLEY; AND

(3) THE PETITION IS ACCOMPANIED BY AN AFFIDAVIT, MADE UNDER THE PENALTIES OF PERJURY, THAT:

(i) DESCRIBES AND SUBSTANTIATES DILIGENT ATTEMPTS MADE BY THE PETITIONERS TO OBTAIN THE CONSENTS OF 100% OF THE OWNERS OF ALL UNOCCUPIED PROPERTIES AND ABANDONED PROPERTIES ABUTTING THE ALLEY; AND

(ii) AFFIRMS THAT NO OWNER OF ANY ABUTTING PROPERTY HAS REFUSED TO SIGN A CONSENT OR OTHERWISE IS KNOWN TO OBJECT TO THE PETITION.

§ 8A-7. PETITION BY ABUTTING OWNERS – SHOWING OF PUBLIC HEALTH, SAFETY, OR WELFARE.

(A) GATING PETITION.

A PETITION TO GATE, BUT NOT GREEN, AN ALLEY MUST BE ACCOMPANIED BY:

(1) A STATEMENT THAT SPECIFIES HOW THE GATING WOULD PROMOTE THE PUBLIC HEALTH, SAFETY, OR WELFARE; AND

(2) IF THE PETITIONERS ANTICIPATE THAT THEY WILL SEEK TO GREEN THE ALLEY IN THE FUTURE, A STATEMENT THAT SPECIFIES HOW THE GREENING WOULD PROMOTE THE PUBLIC HEALTH, SAFETY, OR WELFARE.

(B) GREENING PETITION.

A PETITION TO GATE AND GREEN AN ALLEY, OR A PETITION TO GREEN AN ALLEY FOR WHICH GATING ALREADY HAS BEEN APPROVED, MUST BE ACCOMPANIED BY A STATEMENT THAT SPECIFIES HOW GRANTING THE PETITION WOULD PROMOTE THE PUBLIC HEALTH, SAFETY, OR WELFARE.”.

Amendment No. 9

On page 3, in line 25, strike “§ 8A-6” and substitute “§ 8A-8”; and, in line 26, strike “ALSO”; and strike beginning with “LOCAL” in line 26 through “STATION” in line 27 and substitute “POLICE COMMISSIONER AND THE FIRE MARSHAL”; and, in line 28, strike “GATING” and substitute “PETITION”.

Amendment No. 10

On page 3, in line 29, strike “§ 8A-7” and substitute “§ 8A-9”; and, on page 4, in line 7, strike “14” and substitute “10”; and, in the same line, strike “DIRECTOR OF PUBLIC WORKS” and substitute “THE PETITIONERS”.

Amendment No. 11

On page 4, in line 10, strike “§ 8A-8” and substitute “§ 8A-10”; and, after line 10, insert the subsection heading “(A) IN GENERAL.”; and, at the beginning of line 11, insert the paragraph designation “(1)”; and, after line 12, insert:

“(2) A COPY OF THE WRITTEN DECISION SHALL BE SENT TO A PERSON DESIGNATED BY THE PETITIONERS.

(B) ADDITIONAL FINDING FOR GATING PETITIONS.

(1) IF THE PETITIONERS REQUEST TO GATE, NOT GREEN, THE ALLEY, BUT INDICATE THAT THEY MIGHT SEEK TO GREEN THE ALLEY IN THE FUTURE, THE DIRECTOR SHALL MAKE A WRITTEN FINDING THAT:

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(i) THE POTENTIAL GREENING WOULD PROMOTE THE PUBLIC HEALTH, SAFETY, OR WELFARE;

(ii) THE POTENTIAL GREENING WOULD NOT PROMOTE THE PUBLIC HEALTH, SAFETY, OR WELFARE; OR

(iii) MORE INFORMATION WOULD BE NEEDED IN ORDER TO DETERMINE WHETHER THE POTENTIAL GREENING WOULD PROMOTE THE PUBLIC HEALTH, SAFETY, OR WELFARE.

(2) IF, SUBSEQUENT TO THE ISSUANCE OF THE DIRECTOR'S DECISION ON GATING, THE PETITIONERS SUBMIT A PETITION TO GREEN THE ALLEY, THE DIRECTOR MAY RELY ON HIS OR HER EARLIER FINDING OF WHETHER THE GREENING WOULD PROMOTE THE PUBLIC HEALTH, SAFETY, OR WELFARE."

Amendment No. 12

On page 4, in line 13, strike "§ 8A-9" and substitute "§ 8A-11"; and, in the same line, after "LEASE", insert "- GATING"; and, in line 15, strike "GATING PETITION" and substitute "PETITION TO GATE, BUT NOT GREEN, AN ALLEY"; and strike beginning with "A NEIGHBORHOOD" in line 17 through "PLANNING" in line 18 and substitute "AN ENTITY THAT CONSISTS OF PROPERTY OWNERS WHOSE LOTS ABUT THE ALLEY"; and, in line 22, strike "GREENING" and substitute "REMOVAL OF PAVEMENT"; and, in line 25, after "LANDSCAPING", insert "INCLUDING THE REMOVAL OF PAVEMENT,"; and, after line 27, insert:

"(3) THE LESSEE MAY NOT CAUSE OR PERMIT THE "GREENING" OF THE ALLEY. THAT IS, THE LESSEE MAY NOT MAKE OR PERMIT ANY ALTERATION TO THE ALLEY, BEYOND MERE GATING, THAT WOULD NEWLY RESTRICT VEHICULAR ACCESS TO OR IN THE ALLEY."

and, on page 4, in line 28, line 31, and line 33, and on page 5, in line 1, line 8, line 10, and line 16, strike paragraph designations "(3)" through "(9)", respectively, and substitute "(4)" through "(10)", respectively; and, on page 4, in line 33, strike "CITY"; and, on page 5, in line 12, strike ", AT ANY TIME"; and, strike lines 13 through 15, in their entireties, and substitute:

"(i) AT ANY TIME, THE LESSEE IS IN DEFAULT OF ANY TERM OF THE LEASE AND HAS FAILED TO CURE THAT DEFAULT IN ACCORDANCE WITH THE TERMS OF THE LEASE; OR

(ii) AFTER A PUBLIC HEARING, WITH PRIOR NOTICE AS PROVIDED IN THE LEASE, THE DIRECTOR DETERMINES THAT:

A. THE ALLEY IS NEEDED FOR THROUGH PEDESTRIAN OR VEHICULAR TRAFFIC; OR

B. THE GATING NO LONGER PROMOTES THE PUBLIC HEALTH, SAFETY, OR WELFARE.”;

and, in line 16, after “MUST”, insert “AFTER A PUBLIC HEARING, WITH PRIOR NOTICE AS PROVIDED IN THE LEASE”; and, in line 19, after “PROPERTIES”, insert “, NOT INCLUDING ANY ABANDONED PROPERTIES,”.

Amendment No. 13

On page 5, after line 19, insert:

“§ 8A-12. REQUIRED LEASE – GREENING.

(A) IN GENERAL.

THE APPROVAL OF ANY PETITION TO GATE AND GREEN AN ALLEY, OR TO GREEN AN ALLEY FOR WHICH GATING ALREADY HAS BEEN APPROVED, IS SUBJECT TO THE ENTRY INTO A LEASE, IN THE FORM AND ON THE TERMS APPROVED BY THE BOARD OF ESTIMATES, BETWEEN THE CITY, AS LESSOR, AND AN ENTITY THAT CONSISTS OF PROPERTY OWNERS WHOSE LOTS ABUT THE ALLEY, AS LESSEE.

(B) TERMS.

THE LEASE SHALL INCLUDE, AT A MINIMUM, PROVISIONS TO THE FOLLOWING EFFECT:

(1) ALL PLANS FOR THE DESIGN AND CONSTRUCTION OF GATES, FOR THE GREENING OF THE ALLEY, AND FOR ANY SODDING, REMOVAL OF PAVEMENT, OR OTHER LANDSCAPING OF THE ALLEY MUST BE REVIEWED AND APPROVED BY THE DEPARTMENT OF PUBLIC WORKS.

(2) ALL COSTS RELATED TO THE PREPARATION OF THESE PLANS, TO THE PURCHASE, INSTALLATION, AND MAINTENANCE OF GATES, TO GREENING, TO LANDSCAPING, INCLUDING THE REMOVAL OF PAVEMENT, AND TO GENERAL MAINTENANCE OF THE ALLEY, INCLUDING ALL FEES FOR BUILDING, FIRE, OR RELATED PERMITS, ARE AT THE LESSEE’S EXPENSE.

(3) ACCESS TO THE ALLEY MUST BE AVAILABLE TO FIRE, POLICE, PUBLIC WORKS, AND OTHER APPROPRIATE AGENCIES OF THE CITY AND TO ALL COMPANIES THAT HAVE UTILITIES LAWFULLY LOCATED IN THE ALLEY.

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- (4) A KNOX BOX MUST BE PLACED ON EACH GATE FOR ACCESS BY AUTHORIZED VEHICLES AND PEDESTRIANS.
- (5) NO UTILITIES IN THE ALLEY MAY BE DISTURBED OR BUILT UPON, AND ALL EASEMENTS FOR UTILITIES MUST BE PRESERVED.
- (6) IF THE DEPARTMENT OF PUBLIC WORKS, ITS EMPLOYEES, AGENTS, OR CONTRACTORS ENTER THE ALLEY FOR MAINTENANCE, REPAIR, OR REPLACEMENT OF CITY UTILITIES, THE DEPARTMENT:
- (i) IS RESPONSIBLE, ON COMPLETION OF ITS WORK, FOR RESTORING THE ALLEY TO GRADE; BUT
 - (ii) IS NOT RESPONSIBLE FOR ANY OTHER WORK IN THE ALLEY OR FOR ANY OTHER COSTS INCURRED IN RESTORING THE ALLEY.
- (7) NOTHING IN THE LEASE IS TO BE CONSTRUED TO AFFECT ANY PERSON'S PRIVATE RIGHTS IN THE ALLEY.
- (8) THE DIRECTOR OF PUBLIC WORKS MAY TERMINATE THE LEASE AND MAY ORDER OR CAUSE, AT THE LESSEE'S EXPENSE, THE REMOVAL OF ALL GATES AND OTHER OBSTRUCTIONS AND THE ALLEY'S RESTORATION IF:
- (i) AT ANY TIME, THE LESSEE IS IN DEFAULT OF ANY TERM OF THE LEASE AND HAS FAILED TO CURE THAT DEFAULT IN ACCORDANCE WITH THE TERMS OF THE LEASE; OR
 - (ii) AFTER A PUBLIC HEARING, WITH PRIOR NOTICE AS PROVIDED IN THE LEASE, THE DIRECTOR DETERMINES THAT:
 - A. THE ALLEY IS NEEDED FOR THROUGH PEDESTRIAN OR VEHICULAR TRAFFIC; OR
 - B. THE GATING OR GREENING NO LONGER PROMOTES THE PUBLIC HEALTH, SAFETY, OR WELFARE.
- (9) THE DIRECTOR OF PUBLIC WORKS MUST, AFTER A PUBLIC HEARING, WITH PRIOR NOTICE AS PROVIDED IN THE LEASE, TERMINATE THE LEASE AND ORDER OR CAUSE, AT THE LESSEE'S SOLE EXPENSE, THE REMOVAL OF ALL GATES AND OTHER OBSTRUCTIONS AND THE ALLEY'S RESTORATION IF, AT ANY TIME, THE OWNERS OF A MAJORITY OF THE ABUTTING PROPERTIES, NOT INCLUDING ANY ABANDONED PROPERTIES, SO REQUEST IN WRITING.

§ 8A-13. RESTORATION OF ALLEY BY UTILITY COMPANIES.

IF A COMPANY THAT HAS UTILITIES LAWFULLY LOCATED IN A LEASED ALLEY ENTERS THE ALLEY FOR MAINTENANCE, REPAIR, OR REPLACEMENT OF THE UTILITIES, THE COMPANY:

(1) IS RESPONSIBLE, ON COMPLETION OF ITS WORK, FOR RESTORING THE ALLEY TO GRADE; BUT

(2) IS NOT RESPONSIBLE TO THE LESSEE FOR ANY OTHER WORK IN THE ALLEY OR FOR ANY OTHER COSTS INCURRED IN RESTORING THE ALLEY.”.

Amendment No. 14

On page 5, in line 20, strike “§ 8A-10” and substitute “§ 8A-14”; and, in the same line, strike “ADMINISTRATIVE AND JUDICIAL” and substitute “JUDICIAL AND APPELLATE”; and strike line 21 through 26, in their entirety; and, in line 27, strike “(B)” and substitute “(A)”; and, in the same line, strike “AND APPELLATE”; and, in line 28, strike the paragraph designator “(1)”; and, in the same line, after “BY”, strike “THE” and substitute “A FINAL”; and, in the same line, strike “BOARD” and substitute “DIRECTOR OF PUBLIC WORKS UNDER THIS SUBTITLE”; and, in line 31, strike the paragraph designator “(2)” and substitute the subsection designator and caption “(B) APPELLATE REVIEW.”.

Amendment No. 15

On page 5, after line 33, insert:

“SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance does not affect any right of entry that the City granted before enactment of this Ordinance to provide for the temporary gating of an alley.

SECTION 3. AND BE IT FURTHER ORDAINED, That where, before enactment of this Ordinance, the City granted a right of entry for the temporary gating of an alley in response to a petition of the owners of properties abutting the alley and the signed consent of at least 80% of the owners of property abutting the alley, that petition and those consents shall be deemed to satisfy the requirements of Article 26, § 8A-5 {“Petition by Abutting Owners – Consents for Gating”} and § 8A-8 {“Petition by Abutting Owners – Police and Fire Reviews”}, as enacted by this Ordinance.”;

and, on page 6, in line 1 and line 4, strike “2” and “3”, respectively, and substitute “4” and “5”, 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. 06-0546 REPORTED FAVORABLY, WITH AMENDMENTS,
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Kraft, for the Judiciary and Legislative Investigations Committee, reported Bill No. 06-0546 favorably, with amendments.

An Ordinance naming an unnamed alley, located between the 1000 block of South Highland Avenue and the 1000 block of South Conkling Street, Gunther Way.

Amendments to City Council Bill No. 06-0546

Amendment No. 1

On page 1, in line 4, before the period, insert “; and providing for a special effective date”.

Amendment No. 2

On page 1, in lines 13 and 14, strike “the 30th day after”. 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. 06-0557 REPORTED FAVORABLY, WITH AMENDMENT,
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Reisinger, for the Land Use and Transportation Committee, reported Bill No. 06-0557 favorably, with amendment.

An Ordinance amending Ordinance 03-488 to expand the boundaries of the home for homeless persons at 1930 and 1932 West North Avenue to add 1928 West North Avenue, as outlined in red on the accompanying plat.

Amendment to City Council Bill No. 06-0557

Amendment No. 1

On page 1, in line 20, strike “13” and substitute “27”.

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.

THIRD READING - TO BE HELD ONE MEETING

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

C.C. 06-0376 - An Ordinance changing the zoning for the property known as 1800 South Hanover Street, as outlined in red on the accompanying plat, from the M-2-2 Zoning District to the ~~B-2-4~~ B-2-3 Zoning District.

C.C. 06-0377 - An Ordinance changing the zoning for the property known as 1834 South Charles Street, as outlined in red on the accompanying plat, from the M-2-2 Zoning District to the B-2-3 Zoning District.

C.C. 06-0469 - An Ordinance approving certain amendments to the Development Plan of the Wyndholme Village Planned Unit Development.

C.C. 06-0545 - An Ordinance changing the zoning for the property known as 1043 South Hanover Street, as outlined in red on the accompanying plat, from the R-8 Zoning District to the B-2-3 Zoning District.

THIRD READING

The President laid before the City Council:

BILL NO. 07-0579 - An Ordinance providing a Supplementary State Fund Capital Appropriation in the amount of \$815,000 to the Fire Department (Account #9920-209-031), to provide funding for improvements to the 800 Megahertz Emergency Response System; 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, Middleton, Conaway, Holton, Welch, Reisinger, Mitchell, Young, Clarke - Total 13.

Nays - 0.

Absent - Councilmember Spector - Total 1.

1 vacant seat.

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

The President laid before the City Council:

BILL NO. 07-0580 - An Ordinance providing a Supplementary Loan Fund Capital Appropriation in the amount of \$30,000,000 to the Department of Transportation (Account #9950-514-800), to provide capital appropriations for resurfacing various roadways within the City; 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, Middleton, Conaway, Holton, Welch, Reisinger, Mitchell, Young - Total 12.

Nays - 0.

Out of Chambers - Councilmember Clarke - Total 1.

Absent - Councilmember Spector - Total 1.

1 vacant seat.

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

ADJOURNMENT

On motion of Councilmember Curran, duly seconded, the City Council adjourned to meet on Monday, March 26, 2007, at 5:00 p.m.

Consent Calendar

- CR 3411 Young
A City Council RESOLUTION on the death of Sallie Rice.
- CR 3412 Holton
A City Council RESOLUTION congratulating Sister Daisy A. Fields on preaching her initial sermon.
- CR 3413 Clarke
A City Council RESOLUTION congratulating the Baltimore City College Alumni Association on the designation of Baltimore City College, Castle on the Hill, as a Baltimore City Landmark.
- CR 3414 President Rawlings-Blake, All Members
A City Council RESOLUTION congratulating Brandon William Fortune achieving the rank of Eagle Scout and serving the community through hard work and determination.
- CR 3415 Harris, All Members
A City Council RESOLUTION on the death of Deacon Walton A. Smith.
- CR 3416 Young
A City Council RESOLUTION on the death of Barbara Giles.
- CR 3417 Young, All Members
A City Council RESOLUTION congratulating Officer Craig R. Singleterry on his retirement from the Baltimore City Police Department after 21 years of dedicated service and 11 loyal years with the Goodnow Police Athletic League (PAL).
- CR 3418 President Rawlings-Blake, All Members
A City Council RESOLUTION congratulating Etter Quinn on the celebration of his 99th birthday on March 25, 2007 - warmest wishes on this spectacular occasion.
- CR 3419 President Rawlings-Blake, All Members
A City Council RESOLUTION congratulating Hortense Wright on the celebration of her 90th birthday – warmest wishes on this spectacular occasion.
- CR 3420 President Rawlings-Blake, All Members
A City Council RESOLUTION congratulating the Greek Independence Day Mid-Atlantic Parade on the celebration of the 186th Anniversary of Greek Independence Day.
- CR 3421 Reisinger, All Members
A City Council RESOLUTION congratulating Sarah Jenkins on the celebration of her 65th birthday – may she be blessed with many more.

- CR 3422 Kraft**
A City Council RESOLUTION congratulating Graceland Park O'Donnell Heights Elementary School on being named a Nationally Distinguished Title I School.
- CR 3423 Kraft**
A City Council RESOLUTION on the death of Franklin D'Alesandro.
- CR 3424 Clarke**
A City Council RESOLUTION congratulating Joe Stewart on 50 years of bountiful benefits to community, friends and mother earth.
- CR 3425 Welch**
A City Council RESOLUTION congratulating St. Bernardine's Head Start, The Umoja Class, on being the 1st Head Start class in the nation to receive the President's Challenge Physical fitness PALA Award.
- CR 3426 President Rawlings-Blake, All Members**
A City Council RESOLUTION congratulating Kanneth and Dorothy Detling on the celebration of the 50th Wedding Anniversary.
- CR 3427 Welch**
A City Council RESOLUTION on the death of Rita Bass.
- CR 3428 Welch**
A City Council RESOLUTION congratulating Saint Benedict's Church on the celebration of its 75th Anniversary Dedication.
- CR 3429 Middleton**
A City Council RESOLUTION congratulating Park West Medical Center, Inc. on 35 years of providing outstanding health care services to the resident of the Park Heights Community.
- CR 3430 Young**
A City Council RESOLUTION on the death of Marie Jennings.
- CR 3431 Kraft**
A City Council RESOLUTION on the death of Sylvia Passen.
- CR 3432 President Rawlings-Blake, All Members**
A City Council RESOLUTION on the death of Thomas Allen Stockett, July 29, 1924 – February 21, 2007.
- CR 3433 President Rawlings-Blake, All Members**
A City Council RESOLUTION congratulating Carolyn Coleman on the celebration of her birthday, March 11, 2007.

CR 3434 President Rawlings-Blake, All Members

A City Council RESOLUTION on the death of Christopher Claude Clarke, March 31, 1988 – march 13, 2007.

CR 3435 President Rawlings-Blake, All Members

A City Council RESOLUTION congratulating Rising Zion Baptist Church, Reverend Dr. Theodore D. Addison, Sr., on the celebration of the church's 29th Anniversary.