

FOURTEENTH DAY

FIRST COUNCILMANIC YEAR - SESSION OF 2011-2015

JOURNAL
CITY COUNCIL OF BALTIMORE

May 14, 2012

Reverend Kevin Slayton, of Douglass Memorial Community 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: Bernard C. "Jack" Young, President, and Councilmembers Kraft, Scott, Curran, Henry, Middleton, Holton, Welch, Reisinger, Cole, Stokes, Branch, Clarke

Absent - Councilmembers Spector, Mosby

SHOWCASE BALTIMORE

Gena O'Keefe, MD, Director of Healthy Community Initiatives of the Family League of Baltimore, delivered a presentation on B'more for Healthy Babies.

JOURNAL APPROVED

The Journal of May 7, 2012 was read and approved.

APPOINTMENTS BY THE MAYOR

WILLIAM BACKSTROM, as a member of the Public Art Commission, for a term expiring December 1, 2015, succeeding Kristen Hileman, as a member who is a civic leader.

JANN ROSEN-QUERALT, as a member of the Public Art Commission, for a term expiring December 1, 2015, succeeding herself, as a member who has experience in a related discipline.

SHANNON FRATTAROLI, as a member of the Board of Fire Commissioners, for a term expiring December 1, 2015, succeeding Victor Clark.

STEVE ZIGER, as a member of the Public Art Commission, for a term expiring December 1, 2015, as a member who has experience in a related discipline.

Sincerely,

Stephanie Rawlings-Blake
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. 12-0083 - By the Council President (The Administration):

An Ordinance authorizing the Mayor and City Council of Baltimore to acquire, by purchase or condemnation, the fee simple or other interests in certain property located along the east side of Key Highway, known as 1465 Key Highway, being situate between Fort Avenue and Key Highway East and needed for the Key Highway Shared-Use Trail and Landscape Project, as shown on plats RW20-36294 and RW20-36297 filed in the Office of the Director of the Department of General Services; and providing for a special effective date.

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

Bill No. 12-0084 - By Councilmembers Cole, Stokes, Mosby:

A Resolution of the Mayor and City Council renewing and continuing the Midtown Community Benefits District and Management Authority; providing for a special effective date; and generally relating to the activities and authority of the Midtown Community Benefits District and Management Authority.

The bill was read the first time and referred to the City Solicitor, Planning Commission, Department of Public Works, Department of Housing and Community Development, Department of Transportation, Urban Affairs and Aging Committee.

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

Bill No. 12-0050R - By Councilmembers Cole, Middleton, Henry, Kraft, Stokes, Branch, Holton, Mosby, Scott, Spector, Welch, Reisinger, Clarke, Curran, President Young:

Introduced: May 14, 2012
(Read and adopted)

A COUNCIL RESOLUTION CONCERNING

Upkeep and Maintenance of Vacant Lots and Public Green Spaces

FOR the purpose of requesting the Director of the Department of Recreation and Parks, the Director of the Department of Transportation, the Director of the Department of Housing and Community Development, the Head of the Bureau of Solid Waste, and the Chief of the Bureau of Budget and Management Research to report on the annual cumulative total of calls for service for the upkeep and maintenance of vacant lots and green spaces; and to recommend to the Administration a single City agency with the responsibility for mowing all City-owned lots, parcels, parks, and green spaces.

Recitals

According to the 2010 annual report of the Office of Sustainability, "At the end of 2010, roughly 7,000 vacant or abandoned properties were titled to the Mayor and City Council, and over half of these, 4000 were vacant lots." Furthermore, the Department of Housing and Community Development possesses ownership of approximately an additional 4,000 lots. With the total number of vacant City-owned lots hovering around 8,000, a single bureau would increase both the efficiency and effectiveness of this City service.

In 2010, 4,000 lots owned by the Mayor and City Council, which are managed by the Department of Housing and Community Development, averaged \$760 per lot for 3 grass cutting seasons and \$1,015 per lot for annual trash and debris removal, totaling a little over \$7,000,000 for total average maintenance cost for all the lots.

Consolidating all mowing operations in a single agency will eliminate confusion in determining which City agency is responsible for mowing which City-owned parcel. It would also create opportunities for the City to provide better service with greater efficiency in both cost and response time.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE, That the City Council requests the Director of the Department of Recreation and Parks, the Director of the Department of Transportation, the Director of the Department of Housing and Community Development, the Head of the Bureau of Solid Waste, and the Chief of the Bureau of Budget and

Management Research to report on the annual cumulative total of calls for service for the upkeep and maintenance of vacant lots and green spaces; and to recommend to the Administration a single City agency with the responsibility for mowing all City-owned lots, lots, parcels, parks, and green spaces.

AND BE IT FURTHER RESOLVED, That a copy of this Resolution be sent to the Director of the Department of Recreation and Parks, the Director of the Department of Transportation, the Director of the Department of Housing and Community Development, the Head of the Bureau of Solid Waste, the Chief of the Bureau of Budget and Management Research, and the Mayor's Legislative Liaison to the City Council.

Councilmember Cole 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, Scott, Curran, Middleton, Holton, Welch, Reisinger, Cole, Stokes, Branch, Clarke - Total 12.

Nays - 0.

Out of Chambers - Councilmember Henry - Total 1.

Absent - Councilmembers Spector, Mosby - Total 2.

The President declared the Rules "Suspended".

Then Councilmember Cole 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, Scott, Curran, Middleton, Holton, Welch, Reisinger, Cole, Stokes, Branch, Clarke - Total 12.

Nays - 0.

Out of Chambers - Councilmember Henry - Total 1.

Absent - Councilmembers Spector, Mosby - Total 2.

The President declared the Resolution "Adopted".

Bill No. 12-0051R - By Councilmembers Clarke, Henry, Middleton, Curran, Branch:

Introduced: May 14, 2012
(Read and adopted)

A COUNCIL RESOLUTION CONCERNING

Request for Federal Action - Constitutional Amendment to Overturn *Citizens United*

FOR the purpose of stating the Baltimore City Council's opposition to the United States Supreme Court's *Citizens United* decision, supporting a Constitutional amendment to overturn *Citizens United* and remove corporate money from the electoral process, and calling on Congress to begin the process of amending the Constitution.

Recitals

The United States Supreme Court's 5-4 *Citizens United v. FEC* decision in 2010 opened the door to unlimited corporate spending on elections. Since that ruling, each subsequent election cycle has seen unprecedented levels of overall spending, greater corporate involvement in politics, and increasing amounts of independent negative advertising targeting candidates at the behest of unknown interests.

However, the broad reading of the Court's decision in *Citizens United* has severely hampered the ability of federal, state, and local governments to respond to these concerns through reasonable campaign finance reforms or regulation of corporate political activity. If government regulation of corporate political activity remains so constrained, there will be no way to protect our democratic system from the distorting effects of political spending motivated solely by profit rather than any animating principle.

There are very grave dangers inherent in unlimited political activity by entities with "no consciences, no beliefs, no feelings, no thoughts, no desires" - as Justice Stevens accurately described corporations in his powerful dissent from the *Citizens United* majority opinion. In recognition of these dangers, several constitutional amendments that would overturn *Citizens United*, and restore the traditional ability of governments to regulate corporate political spending, have been introduced in Congress. So long as *Citizens United* stands as precedent, it is likely that only such an amendment could succeed in halting the dangerous flood of corporate funds into our electoral system.

Any proposed constitutional amendment must be approved at both the state and federal level. Many Maryland General Assembly members recently demonstrated their support for an amendment to overturn *Citizens United*, and their willingness to take the necessary action at the state level should Congress act on an amendment. It is important that local governments act similarly to signal their support for action on this issue at both the state and federal level.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE, That the Baltimore City Council opposes the United States Supreme Court's *Citizens United* decision, supports a Constitutional amendment to overturn *Citizens United* and remove corporate money from the electoral process, and calls on Congress to begin the process of amending the Constitution.

AND BE IT FURTHER RESOLVED, That a copy of this Resolution be sent to the Maryland Delegation to the 112th Congress, the Mayor, and the Mayor'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 Kraft, Scott, Curran, Henry, Middleton, Holton, Welch, Reisinger, Cole, Stokes, Branch, Clarke - Total 13.

Nays - 0.

Absent - Councilmembers Spector, Mosby - Total 2.

The President declared the Rules "Suspended".

Then Councilmember Clarke 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 Scott, Curran, Henry, Middleton, Holton, Welch, Reisinger, Cole, Stokes, Branch, Clarke - Total 12.

Nays - 0.

Pass - Councilmember Kraft - Total 1.

Absent - Councilmembers Spector, Mosby - Total 2.

The President declared the Resolution "Adopted".

CONSENT CALENDAR

CEREMONIAL RESOLUTIONS NO. 0500, 0501, 0502, 0503, 0504, 0505, 0506, 0507, 0508, 0509, 0510, 0511, 0512, 0513, 0514, 0515, 0516, 0517, 0518, 0519, 0520, 0521, 0522, 0523, 0524, 0525, 0526, 0527, 0528, 0529, 0530, 0531, 0532, 0533, 0534, 0535, 0536, 0537, AND 0538 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, Scott, Henry, Middleton, Holton, Welch, Reisinger, Cole, Stokes, Branch, Clarke - Total 12.

Nays - 0.

Out of Chambers - Councilmember Curran - Total 1.

Absent - Councilmembers Spector, Mosby - Total 2.

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

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

THIRD READING

The President laid before the City Council:

BILL NO. 12-0009 - An Ordinance increasing the fee for permit or certificate applications that require the submission of ~~plans or drawings~~ construction documents; providing for a special effective date for the automatic termination of this Ordinance; 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, Scott, Curran, Henry, Middleton, Holton, Welch, Reisinger, Cole, Stokes, Branch, Clarke - Total 13.

Nays - 0.

Absent - Councilmembers Spector, Mosby - Total 2.

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

The President laid before the City Council:

BILL NO. 12-0012 - An Ordinance amending Ordinance 11-571 to add certain provisions that were inadvertently omitted; 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, Scott, Curran, Henry, Middleton, Holton, Welch, Reisinger, Cole, Stokes, Branch, Clarke - Total 13.

Nays - 0.

Absent - Councilmembers Spector, Mosby - Total 2.

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

**MOTION TO SUSPEND CITY COUNCIL RULES 10-2 AND 10-3
WITH REGARD TO BILL NO. 12-0077**

Councilmember Henry made a motion, duly seconded, to suspend Rules 10-2 and 10-3 in order to have an early hearing on Bill No. 12-0077.

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

**MOTION TO SUSPEND CITY COUNCIL RULES 10-2 AND 10-3
WITH REGARD TO BILL NO. 12-0078**

Councilmember Henry made a motion, duly seconded, to suspend Rules 10-2 and 10-3 in order to have an early hearing on Bill No. 12-0078.

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

**MOTION TO SUSPEND CITY COUNCIL RULES 10-2 AND 10-3
WITH REGARD TO BILL NO. 12-0048R**

Councilmember Holton made a motion, duly seconded, to suspend Rules 10-2 and 10-3 in order to have an early hearing on Bill No. 12-0048R.

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

**MOTION TO SUSPEND CITY COUNCIL RULES 10-2 AND 10-3
WITH REGARD TO BILL NO. 12-0076**

Councilmember Stokes made a motion, duly seconded, to suspend Rules 10-2 and 10-3 in order to have an early hearing on Bill No. 12-0076.

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

**MOTION TO SUSPEND CITY COUNCIL RULE 10-2
WITH REGARD TO BILL NO. 12-0065**

Councilmember Stokes made a motion, duly seconded, to suspend Rules 10-2 in order to have an early hearing on Bill No. 12-0065.

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

ADJOURNMENT

On motion of Councilmember Reisinger, duly seconded, the City Council adjourned to meet on Monday, June 4, 2012, at 5:00 p.m.

Consent Calendar

- CR 0500 President Young, All Members**
A City Council RESOLUTION congratulating Officer Shawn Kolego on notifying the proper authorities of a potential animal cruelty case when witnessed.
- CR 0501 Stokes**
A City Council RESOLUTION congratulating Open Door Baltimore on its outstanding contributions to Dr. Bernard Harris Elementary School.
- CR 0502 Holton**
A City Council RESOLUTION on the death of Joseph F. Wells, Jr., July 19, 1926 – May 4, 2012.
- CR 0503 Holton**
A City Council RESOLUTION congratulating Dorothy Cunningham on being named one of Baltimore's Top Neighborhood Mom's 2012, for her service to the Irvington community.
- CR 0504 Holton**
A City Council RESOLUTION congratulating Wally Pinkard on being honored as an Outward Bound Leader.
- CR 0505 Holton**
A City Council RESOLUTION congratulating George L. Bunting, Jr. on being honored as an Outward Bound Leader.
- CR 0506 Holton**
A City Council RESOLUTION congratulating Allendale Tenant Council, Inc. on being awarded a MECU Neighborhood Event Grant for its Community Health and Fitness Fair.
- CR 0507 Holton**
A City Council RESOLUTION congratulating Irvington Community Association on being awarded a MECU Neighborhood Event Grant for its Community Back to School Event.
- CR 0508 Holton**
A City Council RESOLUTION congratulating Friends of Gwynns Falls/Leakin Park on being awarded a MECU Neighborhood Event Grant for its Community Art in the Park and Nature Walk.
- CR 0509 Holton**
A City Council RESOLUTION congratulating Saint Joseph's Community Improvement Association on being awarded a MECU Neighborhood Event Grant for its Back to School Party.

- CR 0510 Holton**
A City Council RESOLUTION congratulating Windsor Hills Neighbors, Inc. on being awarded a MECU Neighborhood Event Grant for its Windsor Hills Day.
- CR 0511 President Young, All Members**
A City Council RESOLUTION congratulating Bishop Dr. Donnell D. Cunningham on 9 years of leading God's People in the Kingdom – we honor him for his commitment and dedication to ministry.
- CR 0512 Stokes**
A City Council RESOLUTION congratulating Reverend Dr. Vernon Nathaniel Dobson on his outstanding, pivotal role in the struggle for civil and human rights from the 1950s until now.
- CR 0513 Stokes**
A City Council RESOLUTION congratulating Inez Commander, Genny Dill, Sharon Guida, Fredia Morton, Timethea Wardlaw and Laura Wexler on being honored as Baltimore's Top Neighborhood Mom's.
- CR 0514 President Young, All Members**
A City Council RESOLUTION congratulating Sheldon S. Shugarman, Executive Director, Wage Commission on his retirement after 43 years of service.
- CR 0515 President Young, All Members**
A City Council RESOLUTION congratulating James C. Williams on his retirement after 17 years of service to the City of Baltimore, Code Enforcement/Housing Inspections.
- CR 0516 Middleton**
A City Council RESOLUTION congratulating Lillian Sydnor on being named one of Baltimore's Top Neighborhood Moms and her tireless work in the Park Heights community.
- CR 0517 Holton**
A City Council RESOLUTION congratulating Mr. and Mrs. John Alan Eaton on being united in Holy Matrimony on June 9, 2012.
- CR 0518 Welch**
A City Council RESOLUTION congratulating Archbishop William Edwards Lori on his Installation as Archbishop of the Cathedral of Mary our Queen, acting as God's Ambassador and Shepard, providing spiritual leadership and shepharding his congregation towards spiritually based choices, resulting in higher and greater outcomes.

- CR 0519 President Young, All Members**
A City Council RESOLUTION congratulating Desney Wheeler, William Brent, Rachel Parks, Mack B. Simpson, Jr., Carol Bell, Jurij Nadr Lewicj, Augusto de Leon, Fannie R. Thompson, Reverend Josephine Diggs, Mary Helen Burgess, Stella Alston, John Olswald, Dorothy Olswald, Daisy McLean, Evangelist Naomi Brown, Juanita Thompson Garrison, Roseanna Powell, Marian Patterson, Margie Terry, Eleanor N. Jones, Delores Helen Presbury, Leona Turner, Alma Fielder, William Gover, Mary Presbury, Mary Berry and Gertrude Foust on being honored at the Age of Distinction Banquet.
- CR 0520 Cole**
A City Council RESOLUTION congratulating Rachel Parks on her continuing contributions to family and community – her efforts greatly enrich the lives of others.
- CR 0521 Clarke**
A City Council RESOLUTION congratulating Cynthia Muhammad on service above and beyond the call of duty.
- CR 0522 Stokes**
A City Council RESOLUTION congratulating Loren McCaskill on her visionary outlook for the staff and students of Dr. Benard Harris Elementary School.
- CR 0523 Spector**
A City Council RESOLUTION congratulating Mordechai and Esther Hackerman on receiving the Rabbi Mendel Feldman Jewish Education Award from Yeshivas Lubavitch Baltimore.
- CR 0524 Spector**
A City Council RESOLUTION congratulating Jonathan A. Melnick on receiving the Yeshiva Humanitarian Award from Yeshivas Lubavitch Baltimore.
- CR 0525 President Young, All Members**
A City Council RESOLUTION congratulating Robert Spence on many years of dedicated service to the youth of Baltimore City.
- CR 0526 President Young, All Members**
A City Council RESOLUTION congratulating Annie Bracey on the celebration of her 100th birthday and 50 years as a member of Mount Pleasant Baptist Church.
- CR 0527 President Young, All Members**
A City Council RESOLUTION congratulating Frederick Gooding on his dedicated service to the Business community and the field of Education.
- CR 0528 President Young, All Members**
A City Council RESOLUTION congratulating Joe Ann Oates on her outstanding community service and dedication to the field of education.

- CR 0529** President Young, All Members
A City Council RESOLUTION congratulating Dr. William “Flip” Clay on his excellence in education.
- CR 0530** President Young, All Members
A City Council RESOLUTION congratulating Dr. Cassandra Burnett on her outstanding contributions to the fields of Health and Education.
- CR 0531** President Young, All Members
A City Council RESOLUTION congratulating the Blackwell Family on the celebration of the 109th Blackwell Family Reunion in Baltimore.
- CR 0532** Clarke
A City Council RESOLUTION congratulating Cora Bellamy-Johnson on 40 years of service.
- CR 0533** Clarke
A City Council RESOLUTION congratulating Dottie Stephenson on 41 years of service.
- CR 0534** Stokes
A City Council RESOLUTION congratulating Veolia Transportation on its Mid-Atlantic Headquarters launch of Baltimore’s 1st Propane Taxi Fleet.
- CR 0535** President Young, All Members
A City Council RESOLUTION on the death of Kathy McCan, February 21, 1954 – May 3, 2012.
- CR 0536** President Young, All Members
A City Council RESOLUTION on the death of Terry W. Taylor, March 17, 1950 – May 9, 2012.
- CR 0537** Welch
A City Council RESOLUTION congratulating Carrie Crank-Cephus on the benefit of her wisdom for 79 years and her status as the Oldest Member of the 2004 at Baltimore City Community College Graduating Class.
- CR 0538** Welch
A City Council RESOLUTION congratulating William Brent on receiving the Benjamin and Gertrude Foust Scholarship Award.