

THIRD DAY

THIRD COUNCILMANIC YEAR - SESSION OF 2020-2024

JOURNAL
CITY COUNCIL OF BALTIMORE

January 29, 2023

Reverend Ayanna L. Franklin, Pastor of Ray of Hope Baptist Church, led the Council in Prayer.

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

SHOWCASE BALTIMORE

Valarie Matthews and Shannon Morgan, co-founders of Catherine's Family and Youth Services, delivered a presentation.

The City Council of Baltimore met pursuant to adjournment. Present: Nicholas J. Mosby, President, and Councilmembers Cohen, McCray, Dorsey, Conway, Schleifer, Middleton, Torrence, Burnett, Bullock, Porter, Costello, Stokes, Glover, Ramos

JOURNAL APPROVED

The Journal of January 22, 2024 was read and approved.

COMMUNICATIONS FROM THE MAYOR

APPROVED BY THE MAYOR

OFFICE OF THE MAYOR

January 23, 2024 and January 25, 2024

The Honorable Nick J. Mosby, Council President
Baltimore City Hall
100 N. Holliday Street
Baltimore, MD 21202

Dear Honorable President Mosby and Members of the City Council:

I am pleased to inform your Honorable Body that I have signed into law this day the following bills:

22-0195 – Inclusionary Housing for Baltimore City

For the purpose of defining certain terms; repealing certain findings and policy statements; repealing rules of statutory interpretation that have been superseded by the enactment of Code-wide revisions; requiring the Commissioner of the Department of Housing and Community Development to adopt an inclusionary housing manual; requiring annual reporting by the Commissioner of the Department of Housing and Community Development; amending the duties of the Inclusionary Housing Board; amending certain affordability requirements; clarifying a certain City policy regarding mixed income communities; repealing off-site substitutions; repealing the Inclusionary Housing Offset Fund; repealing density bonuses; requiring residential projects to submit inclusionary housing plans; amending requirements for continued affordability; clarifying the applicability of certain fair housing laws and regulations; establishing certain penalties; and generally relating to inclusionary housing.

23-0369 – High-Performance Inclusionary Housing Tax Credit

For the purpose of establishing a High-Performance Inclusionary Housing Tax Credit; providing for the eligibility criteria of the tax credit; establishing the amount of the tax credit; requiring a certain annual report; defining certain terms; and generally relating to the High-Performance Inclusionary Housing Tax Credit.

23-0445 – Charter Amendment - Baltimore City Police Department

For the purpose of establishing the objectives, powers, and duties of the Baltimore City Police Department; defining certain terms; creating the role of the Police Commissioner and establishing the Commissioner as the head of the Department; providing for the appointment and confirmation of the Commissioner; establishing the powers and duties of the Commissioner; establishing the powers and duties of police officers; providing for police officers' enjoyment of certain immunities and defenses; and submitting this amendment to the qualified voters of the City for adoption or rejection.

23-0449 – Public Safety - Baltimore City Police Department

For the purpose of repealing Subtitle 16 of the Public Laws of Baltimore City; creating a new article in the Baltimore City Code designated "Police Department"; defining certain terms; requiring the promulgation of certain rules and regulations; requiring the Police Commissioner to maintain the records of the Department; requiring that the Department be composed of a certain percentage of civilian employees; establishing a procedure for redistricting police districts; providing for collective bargaining and negotiations relating to direct compensation of police officers; establishing certain provisions relating to the qualifications, appointment, promotion, and probation of police officers; permitting police officers to earn witness fees; providing for a special effective date; and generally relating to the Baltimore City Police Department.

In service,

Brandon M. Scott
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. 24-0486 – By Councilmember Porter

An Ordinance permitting, subject to certain conditions, the establishment, maintenance, and operation of a banquet hall on the property known as 601 Cherry Hill Road (Block 7625, Lot 046), as outlined in red on the accompanying plat; granting a variance from off-street parking requirements; and providing for a special effective date.

The bill was read the first time and referred to the Economic and Community Development Committee.

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

Bill No. 24-0211R - By Councilmember Ramos

Introduced
(Read and adopted)

**Request for State Action – Passage of HB002/SB138 –
Baltimore City Property Taxes – Authority to Set a Special Rate
for Vacant and Abandoned Property**

FOR the purpose of calling on the General Assembly to pass and Governor Wes Moore to sign HB002/SB138 – Baltimore City Property Taxes – Authority to Set a Special Rate for Vacant and Abandoned Property.

Recitals

Just under 14,000 vacant and abandoned properties are designated as vacant and abandoned in Baltimore City. In addition, there are several thousand vacant lots. These properties are mostly privately owned. The City only owns fewer than 1,000 vacant properties and roughly one-half of the vacant lots in the City.

Setting a special tax rate on the vacant and abandoned properties and lots will do two things. First, it will reduce speculators investing in vacant properties and holding them without renovating. They would be disincentivized from neglect if developing the property would reduce their tax burden.

Second, it is likely the increased liens from the vacancy tax will never be paid, thereby stacking the liens to make more properties eligible for in rem foreclosure. While this City Council has worked to increase fines and fees for leaving properties and lots vacant and uninhabitable, the City's capacity to continue to cite a vacant property is inconsistent for lack of inspectors.

In rem foreclosure currently allows for the City to foreclose on the vacant property or lot when the liens exceed the assessed value of the property. Currently, about one-third of the City's privately owned vacant properties are eligible for in rem foreclosure. While we are working on expanding in rem foreclosure laws to make more properties eligible for in rem foreclosure, the vacancy tax will help move vacant and abandoned properties into this process for quick acquisition and disposition to someone who will return the property to productive use.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE, That the Baltimore City Council calls on the General Assembly to pass and Governor Wes Moore to sign HB002/SB138 – Baltimore City Property Taxes – Authority to Set a Special Rate for Vacant and Abandoned Property.

AND BE IT FURTHER RESOLVED, That a copy of this Resolution be sent to the Mayor of Baltimore City, the Governor of Maryland, the Secretary of the Department of Budget and Management, the President of the Maryland Senate, the Speaker of the Maryland House of Delegates, the Baltimore City Senate and House Delegations to the General Assembly, the Baltimore City Council President and the President’s legislative staff, and the Mayor’s Legislative Liaison to the City Council.

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

There being no objection, the President declared that the Rules were suspended.

Then Councilmember Ramos 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 Cohen, McCray, Dorsey, Conway, Schleifer, Middleton, Torrence, Burnett, Bullock, Porter, Costello, Stokes, Glover, Ramos - Total 15.

Nays - 0.

The President declared the Resolution “Adopted”.

CONSENT CALENDAR

CEREMONIAL RESOLUTIONS NO. 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, AND 2005 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 Cohen, McCray, Dorsey, Conway, Schleifer, Middleton, Torrence, Burnett, Bullock, Porter, Costello, Stokes, Glover, Ramos - Total 15.

Nays - 0.

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

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

COMMITTEE REPORTS

**BILL NO. 23-0418 REPORTED FAVORABLY
AND ORDERED PRINTED FOR THIRD READING**

Councilmember McCray, for the Health, Environment, and Technology Committee, reported Bill No. 23-0418 favorably.

An Ordinance prohibiting the use of tobacco products in stadiums; defining certain terms; establishing certain penalties; 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. 24-0477 REPORTED FAVORABLY
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Bullock, for the Finance and Performance Committee, reported Bill No. 24-0477 favorably.

An Ordinance providing a Supplementary General Fund Operating Appropriation in the amount of \$8,700,000 to the Department of General Services - Service 734 (Capital Projects Division - Design and Construction), to provide funding for emergency repairs to the Baltimore Police Department headquarters' parking garage; 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 TODAY

Councilmember Bullock made a motion, which was duly seconded, to place Bill No. 24-0477 on third reading today.

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

Yeas - President and Councilmembers Cohen, McCray, Dorsey, Conway, Schleifer, Middleton, Torrence, Burnett, Bullock, Porter, Costello, Stokes, Glover, Ramos - Total 15.

Nays - 0.

The President declared that three fourths of all the members-elect, voting in the affirmative, Article 3, Section 14 of the Charter having been complied with, the bill was placed on third reading file.

The President laid before the City Council:

BILL NO. 24-0477 - An Ordinance providing a Supplementary General Fund Operating Appropriation in the amount of \$8,700,000 to the Department of General Services - Service 734 (Capital Projects Division - Design and Construction), to provide funding for emergency repairs to the Baltimore Police Department headquarters' parking garage; 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 Cohen, McCray, Dorsey, Conway, Schleifer, Middleton, Torrence, Burnett, Bullock, Porter, Costello, Stokes, Glover, Ramos - Total 15.

Nays - 0.

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

THIRD READING

The President laid before the City Council:

BILL NO. 23-0407 - An Ordinance establishing a process for a person to report to the Zoning Administrator that a nonconforming use, or any part of that use, has been discontinued for 12 consecutive months or actually abandoned.

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 Cohen, McCray, Dorsey, Conway, Schleifer, Middleton, Torrence, Burnett, Bullock, Porter, Costello, Stokes, Glover, Ramos - Total 15.

Nays - 0.

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

ADJOURNMENT

On motion of Councilmember Middleton, duly seconded, the City Council adjourned to meet on Monday, February 12, 2024, at 5:00 p.m.

Consent Calendar

CR 1993 Middleton

A Baltimore City Resolution on the death of Miriam Gould, March 2, 1945 – January 9, 2024.

CR 1994 President Mosby, All Members

A Baltimore City Resolution congratulating Pastor Benjamin F. Long, Jr. and the Rehoboth Light of the World Church on 18 years of serving and ministering to the communities of Baltimore.

CR 1995 President Mosby, All Members

A Baltimore City Resolution to the Family of Joh Edward Lemon, June 28, 1945 – January 13, 2024.

CR 1996 President Mosby, All Members

A Baltimore City Resolution congratulating Harvey Hill on 55 years of dedicated service to the Baltimore City Public School System.

CR 1997 Cohen

A Baltimore City Resolution congratulating Dance on the Square on your Grand Opening and for helping to create vibrant arts opportunities for the City's youth.

CR 1998 Cohen

A Baltimore City Resolution congratulating Baltimore Bark House on your Grand Opening and helping to fuel the vibrant First District Small Business Community.

CR 1999 President Mosby, All Members

A Baltimore City Resolution on the death of Maxine Rose Gaskins, September 10, 1930 – January 6, 2023.

CR 2000 President Mosby, All Members

A Baltimore City Resolution congratulating Shalik Fulton on your Birthday, may you experience a wealth of bliss, good health, and happiness.

CR 2001 President Mosby, All Members

A Baltimore City Resolution congratulating Denelle Pinder on your Birthday, may you experience a wealth of bliss, good health, and happiness.

CR 2002 Burnett

A Baltimore City Resolution on the death of Kevin V. Tanner, June 29, 1963 – January 10, 2024.

CR 2003 President Mosby, All Members

A Baltimore City Resolution on the death of Leslie Denise West, May 14, 1961 – January 30, 2024.

CR 2004 Conway

A Baltimore City Resolution congratulating Lloyd Jones on the work done uplifting entertainment outlets for the LGBTQ community in Baltimore.

CR 2005 President Mosby, All Members

A Baltimore City Resolution on the death of Robenia Bartee, May 23, 1961 – January 18, 2024.