

SEVENTH DAY

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THIRD COUNCILMANIC YEAR - SESSION OF 2016-2020

JOURNAL  
CITY COUNCIL OF BALTIMORE

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March 11, 2019

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Leon Pinkett, Councilmember for the 7<sup>th</sup> District, 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: Bernard C. “Jack” Young, President, and Councilmembers Cohen, Scott, Dorsey, Henry, Schleifer, Middleton, Pinkett, Burnett, Bullock, Reisinger, Costello, Stokes, Sneed, Clarke

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

Declaration for the City of Baltimore

Most Gracious and Eternal Father this is the confidence that we have in you, that, if we ask any thing according to your will, you heareth us. And if we know that you hear us, we know that we have the petitions that we desired of you.

Recognizing that faith is the substance of things hoped for and the evidence of things not seen, we are not deterred by what Baltimore appears to be but are emboldened by what we know that you have created Baltimore to become.

- Therefore we declare that God is Lord of Baltimore. You are in the midst of her and as a result despite her challenges she shall not be moved.
- Baltimore is a loving city. Because you have commended your love toward us.

And the love that we share

**Journal of the City Council**

- Beareth all things, believeth all things, hopeth all things, endureth all things. Rejoiceth not in iniquity, but rejoiceth in the truth; it is not deceitful, it hates that which is evil; and embraces that which is good.

Baltimore is a peaceful city.

- Because you have left your peace with us. A perfect peace. Therefore our hearts are neither troubled and neither do we fear.

Baltimore is a safe city.

- You have heard our cry during our season of trouble and have saved us from our distress.

Baltimore is a sober city.

- We are not an addicted city. We are temperate and Spirit-led. We are sound in our faith, charity and patience.

Baltimore is a prosperous city.

- Above all things our citizens are prosperous and in health, even as their souls prosper.

Baltimore is an equitable city.

- We are not a segregated city but are of one heart and one soul and have all things in common.

Baltimore is a healthy city.

- We are not just known for our health institutions but are renowned for the physical, mental and emotional health of our citizens.
- The light of Baltimore breaketh forth as the morning, and the health of our citizens springeth forth speedily.

Baltimore is a city that values and celebrates life.

- We know that the thief cometh not, but for to steal, and to kill, and to destroy: but your desire for Baltimore is that we would have life, and that we would have it more abundantly.

And lastly Baltimore is a city that is united.

- Because your psalmist declares that it is both good and pleasant for brethren to dwell together in unity! *It is* like the precious ointment upon the head, that ran down upon the beard, *even* Aaron's beard: that went down to the skirts of his garments; As the dew of Hermon, *and as the dew* that descended upon the mountains of Zion: Just like there, such is the case in Baltimore, that in our unity God, you delight in commanding your blessing, *even* life for evermore.
- In Jesus name I pray, Amen.

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**SHOWCASE BALTIMORE**

Meredith Spear, of Dress for Success Greater Baltimore, delivered a presentation.

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**JOURNAL APPROVED**

The Journal of February 25, 2019 was read and approved.

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**COMMUNICATIONS FROM THE MAYOR**

**APPOINTMENTS BY THE MAYOR**

DR. LETITIA DZIRASA, as Commissioner of the Health Department, for a term expiring December 6, 2020, succeeding Dr. Leana Wen.

Sincerely,

Catherine E. Pugh  
Mayor

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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. 19-0346** - By Councilmembers Costello, Bullock (by request):

An Ordinance repealing Ordinance 96-032, as amended by Ordinance 98-235, which designated certain properties as a Residential Planned Unit Development known as New Lexington Terrace Planned Unit Development; and providing for a special effective date.

The bill was read the first time and referred to the City Solicitor, Board of Municipal and Zoning Appeals, Planning Commission, Department of Housing and Community Development, Department of Public Works, Fire Department, Baltimore Development Corporation, Baltimore City Parking Authority Board, Department of Transportation, Land Use and Transportation Committee.

**Bill No. 19-0347** - By Councilmember Costello, President Young, Councilmembers Reisinger, Stokes, Bullock, Middleton:

An Ordinance naming the baseball diamond, located in the southeast portion of Swann Park, 300 West McComas Street, the Al Kaline Field.

The bill was read the first time and referred to the City Solicitor, Planning Commission, Department of Real Estate, Department of Recreation and Parks, Department of Transportation, Department of Finance, Judiciary and Legislative Investigations Committee.

**Bill No. 19-0348** - By Councilmember Costello (by request):

An Ordinance permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 2 dwelling units in the R-7 Zoning District on the property known as 343 Robert Street (Block 0331, Lot 020), as outlined in red on the accompanying plat; and granting variances from certain bulk and off-street parking regulations.

The bill was read the first time and referred to the City Solicitor, Board of Municipal and Zoning Appeals, Planning Commission, Department of Housing and Community Development, Fire Department, Baltimore Development Corporation, Baltimore City Parking Authority Board, Department of Transportation, Land Use and Transportation Committee.

**Bill No. 19-0349** - By Councilmember Sneed (by request):

An Ordinance permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 2 dwelling units in the R-8 Zoning District on the property known as 2029 East Lombard Street (Block 1747, Lot 053), as outlined in red on the accompanying plat; and granting a variance from certain off-street parking regulations.

The bill was read the first time and referred to the City Solicitor, Board of Municipal and Zoning Appeals, Planning Commission, Department of Housing and Community Development,

Fire Department, Baltimore Development Corporation, Baltimore City Parking Authority Board, Department of Transportation, Land Use and Transportation Committee.

**Bill No. 19-0350** - By Councilmember Sneed, President Young, Councilmember Stokes (by request):

An Ordinance changing the zoning for the property known as 1432 North Chester Street (Block 1498, Lot 011), as outlined in red on the accompanying plat, from the R-8 Zoning District to the C-1 Zoning District.

The bill was read the first time and referred to the City Solicitor, Board of Municipal and Zoning Appeals, Planning Commission, Department of Housing and Community Development, Baltimore Development Corporation, Department of Transportation, Baltimore City Parking Authority Board, Land Use and Transportation Committee.

**Bill No. 19-0351** - By Councilmembers Cohen, Scott (by request):

An Ordinance changing the zoning for the property known as 3515 East Lombard Street (Block 6288, Lot 034), as outlined in red on the accompanying plat, from the R-8 Zoning District to the C-1 Zoning District.

The bill was read the first time and referred to the City Solicitor, Board of Municipal and Zoning Appeals, Planning Commission, Department of Housing and Community Development, Baltimore Development Corporation, Department of Transportation, Baltimore City Parking Authority Board, Land Use and Transportation Committee.

**Bill No. 19-0352** - By Councilmember Clarke (by request):

An Ordinance permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 2 dwelling units in the R-7 Zoning District on the property known as 645 McKewin Avenue (Block 4058, Lot 032), as outlined in red on the accompanying plat; and granting variances from certain bulk regulations (lot area size) and off-street parking requirements.

The bill was read the first time and referred to the City Solicitor, Board of Municipal and Zoning Appeals, Planning Commission, Department of Housing and Community Development, Fire Department, Baltimore Development Corporation, Baltimore City Parking Authority Board, Department of Transportation, Land Use and Transportation Committee.

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

**Bill No. 19-0143R** - By Councilmembers Schleifer, Henry, Bullock, Sneed, Burnett, Pinkett, Dorsey, Middleton, Cohen, Clarke, Stokes, Reisinger, Scott, President Young:

A Resolution inviting the heads of the Department of Finance, Department of Public Works, Department of Transportation, Health Department, the Department of Housing and Community Development, Mayor's Office of Information Technology, and representatives of the Baltimore Police Department and the Baltimore City Fire Department to provide information about their agencies' permitting and licensing processes.

The bill was read the first time and referred to the Department of Public Works, Department of Transportation, Health Department, Department of Housing and Community Development, Mayor's Office of Information Technology, Police Department, Fire Department, Department of Finance, Judiciary and Legislative Investigations Committee.

#### **CONSENT CALENDAR**

CEREMONIAL RESOLUTIONS NO. 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, AND 2240 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, Scott, Dorsey, Henry, Schleifer, Middleton, Pinkett, Burnett, Bullock, Reisinger, Costello, Stokes, Sneed, Clarke - 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.**

#### **ACTION ON EXECUTIVE APPOINTMENTS**

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

The Appointment of

MICHAEL S. HARRISON

Commissioner

DEPARTMENT:

Baltimore City Police Department

EXPIRATION OF TERM:

February 1, 2024

The motion prevailed.

The President declared the favorable report adopted.

Councilmember Stokes made a motion, which was duly seconded, that the appointment of Michael S. Harrison be confirmed.

The roll was called, resulting as follows:

Yeas - President and Councilmembers Cohen, Scott, Dorsey, Henry, Schleifer, Middleton, Pinkett, Burnett, Bullock, Reisinger, Costello, Stokes, Sneed, Clarke - Total 15.

Nays - 0.

The President declared the appointment of Michael S. Harrison confirmed.

#### **COMMITTEE REPORTS**

##### **BILL NO. 18-0303 REPORTED FAVORABLY AND ORDERED PRINTED FOR THIRD READING**

Councilmember Bullock, for the Housing and Urban Affairs Committee, reported Bill No. 18-0303 favorably.

An Ordinance condemning and closing a portion of West Barney Street, extending Easterly 208 feet, more or less, to the east side of Clarkson Street from the intersection of the south side of West Barney Street east side of Race Street, as shown on Plat 128-A-36A in the Office of the Department of Transportation; 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. 18-0308 REPORTED FAVORABLY, AMENDED, AND ORDERED PRINTED FOR THIRD READING**

Councilmember Bullock, for the Housing and Urban Affairs Committee, reported Bill No. 18-0308 favorably.

An Ordinance prohibiting, as unlawful discriminatory housing practices, certain practices based on source of income; defining certain terms; clarifying and conforming related provisions; and generally related to community relations and discriminatory practices.

Then Councilmember Middleton made a motion, which was seconded, to offer floor amendments to the bill, and then Councilmember Henry made a motion, which was seconded, to offer an amendment to be added to those amendments offered by Councilmember Middleton.

Floor Amendments to City Council Bill No. 18-0308

**Amendment No. 1** {offered by Councilmember Middleton}

On page 1, in line 5, after the semi-colon, add “establishing certain exceptions;”; on that same page, strike line 13 in its entirety and substitute “Sections 1-1(x) and 3-5(a-1)”; and, on page 4, after line 10, insert:

“(A-1) SOURCE OF INCOME EXCEPTION.

(1) QUALIFYING HOUSING DEVELOPMENT DEFINED.

IN THIS SUBSECTION, “QUALIFYING HOUSING DEVELOPMENT” MEANS A DEVELOPMENT CONSISTING OF 5 OR MORE CONTIGUOUS RENTAL DWELLING UNITS IN WHICH 20% OR MORE OF THE DWELLING UNITS ARE RENTED TO PERSONS WHOSE SOURCE OF INCOME IS DERIVED IN WHOLE OR IN PART FROM HOUSING ASSISTANCE CERTIFICATES OR VOUCHERS ISSUED UNDER THE UNITED STATES HOUSING ACT OF 1937.

(2) EXCEPTION.

THE PROHIBITIONS IN SUBSECTION (A) OF THIS SECTION, AS THEY RELATE TO SOURCE OF INCOME, DO NOT APPLY TO A QUALIFYING HOUSING DEVELOPMENT IN BALTIMORE CITY.”.

**Amendment No. 1** {offered by Councilmember Henry}

On page 1 of President Young’s amendments, in the last line, prior to the closing quotation mark, insert:

“(3) TERMINATION OF SUBSECTION.

THE EXCEPTION IN THIS SUBSECTION AUTOMATICALLY EXPIRES ON JUNE 30, 2023, UNLESS THE CITY COUNCIL, AFTER CAUSING AN APPROPRIATE STUDY TO BE UNDERTAKEN, CONDUCTING PUBLIC HEARINGS, AND HEARING TESTIMONIAL EVIDENCE, FINDS THAT THE EXCEPTION REMAINS IN THE PUBLIC INTEREST, IN WHICH CASE THIS SUBSECTION MAY BE EXTENDED FOR 4 MORE YEARS.”.



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

Yeas - President Young, Councilmembers Scott, Henry, Schleifer, Middleton, Pinkett, Bullock, Reisinger, Costello, Stokes - Total 10.

Nays - Councilmembers Cohen, Dorsey, Burnett, Sneed, Clarke - Total 5.

The amendments were read and adopted.

The roll was called on the adoption of the favorable report for the bill, as amended.

Yeas - President Young, Councilmembers Cohen, Scott, Dorsey, Henry, Schleifer, Middleton, Pinkett, Burnett, Bullock, Reisinger, Costello, Stokes, Sneed, Clarke - Total 15.

Nays - 0.

Favorable report, as amended, adopted.

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

**BILL NO. 18-0310 REPORTED FAVORABLY, WITH AMENDMENTS,  
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Costello, for the Judiciary and Legislative Investigations Committee, reported Bill No. 18-0310 favorably, with amendments.

An Ordinance changing the name of the Oliver Pool, located at 1641 North Spring Street, to the John D. Murdock Pool.

Committee Amendments to City Council Bill No. 18-0310

**Amendment No. 1**

On page 1, in lines 4 and 19, in each instance, strike “1641 North Spring Street” and substitute “1301 East Lanvale Street”.

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. 19-0323 REPORTED FAVORABLY, WITH AMENDMENTS,  
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Costello, for the Judiciary and Legislative Investigations Committee, reported Bill No. 19-0323 favorably, with amendments.

An Ordinance requiring hotels to provide all hotel employees with anti-human trafficking training on an annual basis; conforming and correcting related provisions; and providing for a special effective date.

Committee Amendments to City Council Bill No. 19-0323

**Amendment No. 1**

On page 1, in line 4, strike “on an annual basis;” and substitute “every two years; clarifying existing requirements for new hotel employees;”; on that same page, in line 18, strike “*ANNUALLY*”; on that same page, in line 19, before “to”, insert an opening bracket; on that same page, in line 20, strike the opening and closing brackets around “new”; on that same page, in line 20, strike the opening bracket after “employees”; on that same page, in line 20, strike “ANNUAL”; on that same page, in line 21, strike the period and substitute with a semi-colon; and, on that same page, after line 21, insert:

“(1) TO ALL NEW HOTEL EMPLOYEES, WITHIN 90 DAYS OF HIRE; AND

(2) TO ALL HOTEL EMPLOYEES, AT LEAST ONCE EVERY TWO YEARS.”.

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. 19-0332 REPORTED FAVORABLY, AMENDED,  
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Costello, for the Judiciary and Legislative Investigations Committee, reported Bill No. 19-0332 favorably.

An Ordinance adopting a new Sustainability Plan for Baltimore City; providing for a special effective date; and generally relating to all elements of sustainability, including air quality, water quality, resource conservation and recycling, energy, public health, environmental justice, reduction of greenhouse gas emissions, and increasing the use of alternative means of transportation.

Then Councilmember Clarke made a motion, which was seconded, to offer a floor amendment to the bill.

Floor Amendment to City Council Bill No. 19-0332

**Amendment No. 1**

On page 1, in line 26, before the period, insert “, with the following amendment:

In the 2019 Baltimore Sustainability Plan, on page 48, in 2. Expand Baltimore’s Waste to Wealth Initiative. Action 1: after “to”, insert “reduce food waste by 50% by 2030 and”.

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. 19-0336 REPORTED FAVORABLY, WITH AMENDMENTS,  
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Costello, for the Judiciary and Legislative Investigations Committee, reported Bill No. 19-0336 favorably, with amendments.

An Ordinance conforming the City Ethics Code with the amendments to the State Ethics Law made by Chapter 31, 2017 Laws of Maryland; altering the definition of “interest” to exclude certain mutual funds and exchange-traded funds; adding a participation prohibition for certain officials who are former lobbyists; prohibiting elected officials from assisting in certain matters under certain circumstances; altering a reporting requirement for certain debts; adding a requirement to report when a public official’s spouse is a lobbyist; limiting access to home addresses listed in a financial disclosure statement; clarifying and conforming related provisions; and generally relating to the City Ethics Code.

Committee Amendments to City Council Bill No. 19-0336

**Amendment No. 1**

On page 3, in line 28, strike “AN OFFICIAL” and substitute “A PUBLIC SERVANT”; and, on that same page, in line 31, after “STATEMENT”, insert “THAT”.

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. 18-0107R REPORTED FAVORABLY  
AND ADOPTED**

Councilmember Costello, for the Judiciary and Legislative Investigations Committee, reported Bill No. 18-0107R favorably.

**A COUNCIL RESOLUTION CONCERNING**

**Investigative Hearing – Arson and Fire Fatality Awareness:  
Community Risk Reduction Program**

FOR the purpose of calling on representatives from the Baltimore City Fire Department, the Baltimore Police Department, the Baltimore City Public School System, the Baltimore City Health Department, the Baltimore City Department of Housing and Community Development, the Mayor's Office of Human Services, and the Mayor's Office of Criminal Justice to appear before the City Council to discuss arsons, fire fatalities and injuries, and school fires; and to discuss what steps the City can take to reduce the risk of these incidents occurring to protect the children and residents of Baltimore City.

**Recitals**

Baltimore City ended 2017 with 30 fire fatalities, the highest number of fire related deaths since 2007. Over the last decade there have been over 2,200 cases of arson, 150 fire fatalities, and 200 school fires. By any measure, Baltimore City has a fire problem.

Each year we have seen fire fatalities spike between October and February. Most recently in 2016-2017 when 18 lives were lost, and in 2017-2018 when 11 lives were lost. This pattern raises a significant concern as we enter into what has historically been our most fatal months.

Moreover, the Fire Department has worked diligently to install more than 14,000 smoke alarms in the homes of residents across the city during the last fiscal year. Despite those efforts, and increased engagement in the Violence Reduction Initiative zones, there still seems to be a need for improvement in reducing the number of arsons, fire fatalities and injuries, and school fires.

Baltimore City needs a comprehensive strategy to address these problems through increased fire prevention awareness and a structured community risk reduction program.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE,** That the Council requests that the Baltimore City Fire Chief, the Director of the Mayor's Office of Criminal Justice, as well as representatives from the Baltimore Police Special Investigation section; the Baltimore City Public School Systems' Suspension Services section; the Baltimore City Health Department's Division of Aging and Care Services; the Department of Housing and Community Development's Code Enforcement Division, Emergency Operations Division, and Community Services Division; and the Mayor's Office of Human Services' Homeless Services section appear before it to discuss arsons, fire fatalities and injuries, and school fires, and what steps the City can take to establish a coordinated strategy to reduce the occurrence of lives being lost or endangered as a result of these incidents.

**AND BE IT FURTHER RESOLVED,** That a copy of this Resolution be sent to the Mayor, the Baltimore City Fire Chief, the Baltimore Police Commissioner, the CEO of Baltimore City Public Schools, the Interim Commissioner of the Baltimore City Health Department, the Commissioner of the Baltimore City Department of Housing and Community Development, the Director of the Mayor's Office of Criminal Justice, the Director of the Mayor's Office of Human Services and the Mayor's Legislative Liaison to the City Council.

Favorable report adopted.

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

Yeas - President and Councilmembers Cohen, Scott, Dorsey, Henry, Schleifer, Middleton, Pinkett, Burnett, Bullock, Reisinger, Costello, Stokes, Sneed, Clarke - Total 15.

Nays - 0.

The President declared the Resolution adopted.

**BILL NO. 19-0127R REPORTED FAVORABLY  
AND ADOPTED**

Councilmember Costello, for the Judiciary and Legislative Investigations Committee, reported Bill No. 19-0127R favorably.

**A COUNCIL RESOLUTION CONCERNING**

**Request for State Action – Reform Residential Retail Electricity and Natural Gas Markets**

FOR the purpose of calling on the Baltimore City delegation to the 2019 Maryland General Assembly to create legislation that requires the Public Service Commission to collect and analyze retail electric and natural gas supplier actual rates, usage, and zip-code information and data for residential customers; eliminate retail supplier individual residential market

contracts; make aggregated supply options that would lower costs available to households; and enact additional consumer pricing and contract safeguards for all Maryland residents who choose third-party energy supply.

### **Recitals**

Nearly two decades ago, the Maryland General Assembly passed the Electric Customer Choice and Competition Act of 1999, or the Electric Choice Act. The Public Service Commission (PSC) authorized retail competition for residential gas customers in 1999, and legislation requiring licensing and consumer protection requirements for gas retail competition was passed in 2000. Before the electricity and natural gas markets were deregulated, all Maryland residents got their electricity and natural gas from the regulated monopolies that were granted franchises to provide electricity and natural gas in specific service areas. The authorization of retail competition allowed residents to purchase electricity from retail electricity suppliers and retail natural gas suppliers. The authorization of retail competition aimed to increase competition in the electricity and natural gas markets; the law anticipated that competition and innovation would result in economic benefits for all consumer classes.

Retail competition authorized by the Maryland General Assembly and the PSC has reached some of its aims. There are hundreds of licensed suppliers and over 60 active electricity and natural gas suppliers to Baltimore City consumers at any given time. The market now has renewable and green energy options, fixed and variable rate plans, customer reward and loyalty programs, and a variety of benefits including airline points, charitable donations, and National Park passes. Large commercial customers are, on average, saving money.

Yet, federal data, and a report commissioned by the Maryland Office of People's Counsel, indicate that retail competition in Maryland has largely failed to lower prices for residential consumers; on the contrary, prices are, on average, considerably higher. Regulated utility providers in each service area charge residential Standard Offer Service (SOS) rates. Third-party supplier residential electricity data published by the U.S. Energy Information Administration reveal that, from 2014 to 2017, Maryland households that chose retail electricity paid an estimated \$255 million more than they would have if they had remained with their regulated utilities' standard offer, excluding suppliers who sell renewable energy. In short, the energy sold is the same, but the price is substantially higher.

The Baltimore City Council is deeply concerned by a recent Abell Foundation report that found that our City's most vulnerable households are being targeted by retail suppliers and are paying significant pricing premiums. Much of the assistance money meant to help vulnerable households pay their utility bill is going to third party suppliers in the form of higher prices. Increased energy burdens for Baltimore City's low-income consumers have severe and real negative health, medical, financing, and housing consequences.

In order to stop retail suppliers from overcharging Maryland residents, the Maryland General Assembly needs to create legislation requiring the PSC to collect rate data from retail electricity and natural gas suppliers marketing in Maryland. Until this data is collected and published, Maryland citizens will continue to be overcharged. Understanding what actual rates are charged and how these retail plans are established and billed will give legislators the necessary knowledge to put reforms in place and meet the end-goal of the Electric Choice Act.

The legislation should require the PSC to run initial and then yearly reports that analyze the number of utility accounts that are variable priced accounts versus fixed rate accounts, determine the actual price levels of all retail accounts, and, if possible, also determine the number of retail accounts that are subject to termination fees. This data should be provided separately for customers that receive assistance from the Office of Home Energy Programs (OHEP) and from non-OHEP accounts. While this data is being collected and analyzed, the legislature should consider a temporary moratorium on retail supply for customers from the individual residential market.

Experience in other states indicates that aggregated supply can and does lower prices. Maryland legislation should enable OHEP and local government to acquire aggregated energy under contract, provided such contracts guarantee savings as compared to SOS rates and have other safeguards. The legislation should also discontinue individual residential contracts permanently and do the same for variable rates (energy rates that change on a month-to-month basis and often shoot up during especially hot or cold months). Many retailers sign up customers for variable rates without explaining how a variable rate works. Instead of explaining how a variable rate works, many direct sales agents solely focus their sales pitch on cash or loyalty incentives. The customer, who the retailer has failed to properly inform about the rate plan, is surprised, or even unaware, when they are hit with a huge utility bill, especially when the weather takes a turn. When given the choice, customers choose fixed rates over variable rates. Since variable rates are highly volatile and frequently misunderstood by consumers, the legislature should seriously consider eliminating residential auto-renewal to variable-rate contracts without explicit customer explanation and opt-in.

The legislation should improve the design of utility bills to make them more readable and informative for consumers, and the legislation should require and fund changes to improve retailer pricing and contract transparency. Residential utility bills (both online and physical versions) should have the full third-party pricing plan information, including the pricing plan's name and the contract start and stop dates. Providers should clearly list utility SOS electricity and natural gas rates on their websites and on utility bills. Retail providers should include information on all utility bills that show how much the customer saved or overpaid on that invoice cycle compared to the regulated utility offer. All bills should use clear language that is easily understandable; all monetary figures should begin with the dollar sign, and the phrase "kilowatt hours" should be spelled out, rather than abbreviated as "KH". If energy retailers are allowed to continue charging variable rates, retail suppliers should be required to list the past 12-month variable electric or natural gas rates on their websites in a place that customers and

potential customers can easily find. Retail suppliers should also be *required* to inform customers about upcoming rate changes and provide customers with a variety of options through which they can receive this information, such as via phone call, text, or physical mail.

The legislation should also require the Public Service Commission to establish a unit within the agency responsible for monitoring the competitive markets and investigations to ensure compliance with the consumer protection rules. Enhanced consumer protection rules are needed, but lack force without adequate enforcement procedures and tools. The Commission also should be able to provide relief to all consumers hurt financially by deceptive practices and non-compliance with consumer protection laws and regulations. Without resources that allow the PSC to investigate and enforce provisions of this legislation, the legislation will lack genuine force.

Finally, the Maryland General Assembly's legislation should delay approving the retail supplier requests before the necessary data has been gathered and analyzed and the necessary consumer protections have been enacted. The legislation should make sure to disallow supplier consolidated billing. Supplier consolidated billing blocks consumers from accessing their utility bill and therefore denies consumers the opportunity to learn about their energy usage or utility rates. This information is necessary for consumers to make decisions in the marketplace, and Maryland residents should not be denied it.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE,** That the Baltimore City Council requests the Baltimore City delegation to the 2019 Maryland General Assembly to create legislation that requires the Public Service Commission to collect and analyze retail electric and natural gas supplier actual rates, usage, and zip-code information and data for residential customers; eliminate retail supplier individual residential market contracts; make aggregated supply options that would lower costs available to households; and enact additional consumer pricing and contract safeguards for all Maryland residents who choose third-party energy supply.

**AND BE IT FURTHER RESOLVED,** That a copy of this Resolution be sent to the Baltimore City Delegation to the 2019 Maryland House of Delegates, the Maryland Public Service Commission, the Maryland Office of People's Counsel, and the Mayor's Legislative Liaison to the City Council.

Favorable report adopted.

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

Yeas - President and Councilmembers Cohen, Scott, Dorsey, Henry, Schleifer, Middleton, Pinkett, Burnett, Bullock, Reisinger, Costello, Stokes, Sneed, Clarke - Total 15.



Nays - 0.

The President declared the Resolution adopted.

**BILL NO. 18-0280 REPORTED FAVORABLY  
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Middleton, for the Taxation, Finance and Economic Development Committee, reported Bill No. 18-0280 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 former bed of Dillon Street, extending from the east side of CSX Transportation Inc. Railroad easterly 201.24 feet to the west side of South Macon Street 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. 18-0284 REPORTED FAVORABLY  
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Middleton, for the Taxation, Finance and Economic Development Committee, reported Bill No. 18-0284 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 former bed of a 10-foot alley bounded by North Howard Street, West 24<sup>th</sup> Street, Mace Street, and West 23<sup>rd</sup> Street, 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. 19-0330 REPORTED FAVORABLY  
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Middleton, for the Taxation, Finance and Economic Development Committee, reported Bill No. 19-0330 favorably.

An Ordinance amending the tax rates used to calculate the Yield Excise Tax imposed on the tax yield from transactions for which recordation taxes and transfer taxes are due under City

Code Article 28, Subtitle 16 and Subtitle 17, respectively; 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**

The President laid before the City Council:

**BILL NO. 18-0314** - An Ordinance repealing Ordinance 87-1171, which designated certain property as a Residential Planned Unit Development known as the Wyman Park Medical Center Joint Use Facility with The Johns Hopkins University; 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 - Councilmembers Cohen, Scott, Dorsey, Henry, Schleifer, Middleton, Pinkett, Burnett, Bullock, Reisinger, Costello, Stokes, Sneed, Clarke - Total 14.

Nays - 0.

Pass - President Young - Total 1.

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

### **MOTION TO SUSPEND CITY COUNCIL RULE 10-2 WITH REGARD TO BILL NO. 19-0141R**

Councilmember Middleton made a motion, duly seconded, to suspend Rule 10-2 in order to have an early hearing on Bill No. 19-0141R.

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

### **ADJOURNMENT**

On motion of Councilmember Middleton, duly seconded, the City Council adjourned to meet on Monday, March 18, 2019, at 5:00 p.m.

Consent Calendar

- CR 2205 Pinkett**  
A City Council RESOLUTION congratulating Refreshing Spring Ministries on your 3<sup>rd</sup> Church Anniversary.
- CR 2206 President Young, All Members**  
A City Council RESOLUTION to the Family of Fannie Mae Roberts, August 5, 1929 – February 21, 2019.
- CR 2207 President Young, All Members**  
A City Council RESOLUTION to the Family of Gloria Mae “Princess” Queen, September 13, 1964 – February 21, 2019.
- CR 2208 President Young, All Members**  
A City Council RESOLUTION to the Family of Grace D. Jenkins, May 15, 1907 – February 21, 2019.
- CR 2209 President Young, All Members**  
A City Council RESOLUTION congratulating Viola Estelle Garner Watts-Milburn on your 95<sup>th</sup> Birthday and the blessing of reaching fourscore and fifteen, may your special day be filled with the love and support of Family and Dear Friends.
- CR 2210 President Young, All Members**  
A City Council RESOLUTION congratulating Muriel Lavere Gray on your 75<sup>th</sup> Birthday and the blessing of reaching another year, may your special day be filled with the love and support of family and dear friends.
- CR 2211 President Young, All Members**  
A City Council RESOLUTION congratulating James Fred Miller on your retirement after 10 years of dedicated service with MTA Facilities engineering, ADA and Sustainability Unit.
- CR 2212 President Young, All Members**  
A City Council RESOLUTION congratulating Eugene Washington, Jr. on your 60<sup>th</sup> Birthday and the blessing of reaching another year, may your special day be filled with laughter, love and the support of family and dear friends.
- CR 2213 President Young, All Members**  
A City Council RESOLUTION to the Family of Charles W. “Starr” Dorsey, November 8, 1925 – February 13, 2019.
- CR 2214 President Young, All Members**  
A City Council RESOLUTION congratulating Sarah Barber on your 100<sup>th</sup> Birthday Celebration and the blessing of reaching fivescore, may your special day be filled with joy, laughter, love and the support of family and dear friends.

- CR 2215 President Young, All Members**  
A City Council RESOLUTION congratulating Baltimore Metropolitan Alumnae Chapter of Delta Sigma Theta Sorority, Inc. on your 2019 Founders Day Program, Celebrating the 32<sup>nd</sup> Chartering of BMAC and the 106<sup>th</sup> Founding of Delta Sigma Theta Sorority, Inc.
- CR 2216 President Young, All Members**  
A City Council RESOLUTION congratulating Gloria Phyllis Knight on your 85<sup>th</sup> Birthday and 42 years of dedicated service with the Baltimore City Government.
- CR 2217 President Young, All Members**  
A City Council RESOLUTION congratulating LaTina Burse Greene on your Investiture Ceremony and being appointed by Governor Larry Hogan to the District Court of Maryland for Baltimore City.
- CR 2218 President Young, All Members**  
A City Council RESOLUTION to the Family of Mary Spaulding Pfefferkorn, September 13, 1924 – January 28, 2019.
- CR 2219 President Young, All Members**  
A City Council RESOLUTION to the Family of Khalil Wyche, August 29, 2009 – February 25, 2019.
- CR 2220 President Young, All Members**  
A City Council RESOLUTION to the Family of Artis Dewayne Holt, July 6, 1991 – February 22, 2019.
- CR 2221 President Young, All Members**  
A City Council RESOLUTION on William Russell Randall, Jr., September 21, 1956 – February 23, 2019.
- CR 2222 President Young, All Members**  
A City Council RESOLUTION congratulating Clarinda Harriss on your 80<sup>th</sup> Birthday Celebration and the honor of reaching fourscore, may your special day be filled with the love and support of family and dear friends.
- CR 2223 President Young, All Members**  
A City Council RESOLUTION congratulating Asez Student University Group of the World Mission Society Church of God on the Asez Environmental Cleanup of Gwynns Falls Park on 2/24/19 where 60 volunteers filled 49 bags with trash and debris, as a part of its Reduce Crime Together Campaign.
- CR 2224 President Young, All Members**  
A City Council RESOLUTION to the Family of Tanja Tanesha Shields, March 6, 1989 – February 25, 2019.

- CR 2225** President Young, All Members  
A City Council RESOLUTION on the death of McCray Zollicoffer, Jr., April 6, 1936 – February 24, 2019.
- CR 2226** President Young, All Members  
A City Council RESOLUTION congratulating Maryland Justice Project on your participation in this year's #Dayofempathy, by bringing together organizations and individuals who have been impacted by the criminal justice system.
- CR 2227** President Young, All Members  
A City Council RESOLUTION on the death of Doris Ernestine Madison, February 4, 1935 – February 26, 2019.
- CR 2228** President Young, All Members  
A City Council RESOLUTION to the Family of Gregory Harding, October 2, 1979 – February 21, 2019.
- CR 2229** President Young, All Members  
A City Council RESOLUTION to the Family of Bernice Elaine Macer Hardy, August 26, 1930 – February 27, 2019.
- CR 2230** President Young, All Members  
A City Council RESOLUTION congratulating Reverend Dr. Willie S. Chambers on your 96<sup>th</sup> Birthday Celebration and the blessing of reaching fourscore and sixteen, may your special day be filled with the love and support of family and dear friends.
- CR 2231** President Young, Middleton and All Members  
A City Council RESOLUTION to the Family of Kaylyn High, November 9, 1997 – February 28, 2019.
- CR 2232** President Young, All Members  
A City Council RESOLUTION to the Family of Marvin Dorsey, March 16, 1963 – February 24, 2019.
- CR 2233** President Young, All Members  
A City Council RESOLUTION to the Family of Robert N. Dockins Sr., June 22, 1940 – February 22, 2019.
- CR 2234** President Young, All Members  
A City Council RESOLUTION to the Family of Denise T. Wright, July 14, 1961 – February 28, 2019.
- CR 2235** President Young, All Members  
A City Council RESOLUTION to the Family of Elton Jerome Winn, March 27, 1951 – March 2, 2019.

- CR 2236 President Young, All Members**  
**A City Council RESOLUTION on the death of Clayton Leonard Gillespie, September 16, 1969 – March 2, 2019.**
- CR 2237 President Young, All Members**  
**A City Council RESOLUTION on the family of Beatrice Cooper, April 26, 1938 – March 2, 2019.**
- CR 2238 Costello**  
**A City Council RESOLUTION congratulating Carl Simon on your years serving as Vice Chair of the Baltimore City Council’s Stormwater Remediation Fee Oversight Committee.**
- CR 2239 Stokes**  
**A City Council RESOLUTION congratulating Major Tomecha S. Brown on leading with brilliance and extraordinary service and dedication to your profession, we thank you for your strong and admirable work ethic.**
- CR 2240 President Young, All Members**  
**A City Council RESOLUTION congratulating Quintin I. Smith on your retirement from Baltimore City, Municipal Post Office.**