

TWENTY-SECOND DAY

FOURTH COUNCILMANIC YEAR - SESSION OF 2016-2020

JOURNAL
CITY COUNCIL OF BALTIMORE

November 2, 2020

The Meeting opened with a moment of silent 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: Brandon M. Scott, President, and Councilmembers Cohen, McCray, Dorsey, Henry, Schleifer, Middleton, Pinkett, Burnett, Bullock, Reisinger, Costello, Stokes, Sneed, Clarke

JOURNAL APPROVED

The Journal of October 19, 2020 was read and approved.

COMMUNICATIONS FROM THE MAYOR

APPROVED BY THE MAYOR

OFFICE OF THE MAYOR

October 27, 2020

The Honorable Brandon Scott, Council President
and Members of the City Council
Baltimore City Hall
100 N. Holliday Street
Baltimore, MD 21202

Dear Council Members:

I am pleased to inform your Honorable Body that I have signed into law this day the following bills which are routine and require no special treatment:

Bill 19-0433 - An Ordinance concerning - City Streets – Opening – Air Rights over a Portion of the Public Right of Way of the 200 Block of North Broadway - For the purpose of condemning and opening the air rights area over a portion of the public right of way of the 200 block of North Broadway, as shown on Plat 306-A-23 in the Office of the Department of Transportation; and providing for a special effective date.

Bill 19-0434 - An Ordinance concerning - City Streets – Closing – Air Rights over a Portion of the Public Right of Way of the 200 Block of North Broadway - For the purpose of condemning and closing the air rights area over a portion of the public right of way of the 200 block of North Broadway, as shown on Plat 306-A-23A in the Office of the Department of Transportation; and providing for a special effective date.

Bill 19-0435 - An Ordinance concerning - Sale of Property – Air Rights over a Portion of the Public Right of Way of the 200 Block of North Broadway - For the purpose of authorizing the Mayor and City Council of Baltimore to sell, at either public or private sale, all its interest in the air rights area over a portion of the public right of way of the 200 block of North Broadway and no longer needed for public use; and providing for a special effective date.

Bill 20-0496 - An Ordinance concerning - Records Management – Modernizing, Correcting, and Conforming - For the purpose of repealing and replacing City Code provisions regarding Baltimore City records management program to conform to State law requirements and to reflect modern practices in records management; establishing the position of City Records Management Officer to coordinate citywide records management; setting forth certain duties of the City Records Management Officer; requiring City agencies to provide certain cooperation to the City Records Management Officer; providing for the manner of the proper disposal of certain City records; defining certain terms; and generally relating to the management of the records of Baltimore City government.

Bill 20-0498 - An Ordinance concerning - City Streets – Opening – Two Three-Foot Alleys Bounded by Tyson Street, Wilson Alley, Park Avenue and Mulberry Street - For the purpose of condemning and opening two three-foot alleys, bounded by Tyson Street, Wilson Alley, Park Avenue, and Mulberry Street, as shown on Plat 303-A-18 in the Office of the Department of Transportation; and providing for a special effective date.

Bill 20-0499 - An Ordinance concerning - City Streets – Closing – Inloes Alley and Two Three-Foot Alleys Bounded by Tyson Street, Wilson Alley, Park Avenue, and Mulberry Street - For the purpose of condemning and closing Inloes Alley and two three-foot alleys bounded by Tyson Street, Wilson Alley, Park Avenue, and Mulberry Street, as shown on Plat 303-A-18A in the Office of the Department of Transportation; and providing for a special effective date.

- Bill 20-0500** - An Ordinance concerning - Sale of Property – Two Three-Foot Alleys Bounded by Tyson Street, Wilson Alley, Park Avenue, and Mulberry Street - For the purpose of authorizing the Mayor and City Council of Baltimore to sell, at either public or private sale, all its interest in certain parcels of land known as the former beds of two three-foot alleys bounded by Tyson Street, Wilson Alley, Park Avenue, and Mulberry Street and no longer needed for public use; and providing for a special effective date.
- Bill 20-0537** - An Ordinance concerning - Sale of Property – 3200 East Biddle Street - For the purpose of authorizing the Mayor and City Council of Baltimore to sell, at either public or private sale, all its interest in certain property known as 3200 East Biddle Street (Ward 26, Section 20, Block 6150A, Lot 004) and no longer needed for public use; and providing for a special effective date.
- Bill 20-0539** - An Ordinance concerning - Rezoning – 555 Dundalk Avenue and Block 6694, Lot 142 - For the purpose of changing the zoning for the properties known as 555 Dundalk Avenue (Block 6694, Lot 141) and Block 6694, Lot 142, as outlined in blue on the accompanying amended plat, from the I-1 Zoning District to the ~~IMU-2~~ C-4 Zoning District; and providing for a special effective date.
- Bill 20-0541** - An Ordinance concerning - Zoning – Conditional Use ~~Conditional Use~~ Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District – 1711 Guilford Avenue - For the purpose of 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 1711 Guilford Avenue (Block 1103, Lot 006), as outlined in red on the accompanying plat; and providing for a special effective date.
- Bill 20-0552** - An Ordinance concerning - Tax Credits – Historical Properties - For the purpose of extending the period within which applications may be accepted for an historic improvement tax credit; ~~granting the Director of Planning certain administrative powers~~ modifying certain administrative procedures; and providing for a special effective date.
- Bill 20-0562** - An Ordinance concerning - Baltimore City Police Officials – Residency Requirements - For the purpose of establishing residency requirements for certain Baltimore Police Department command staff; providing exceptions to these residency requirements; defining certain terms; providing for the prospective application of this Ordinance; generally relating to residency requirements, as limited by State law, for certain Baltimore Police Department employees; and providing for a special effective date.
- Bill 20-0571** - An Ordinance concerning - Planned Unit Development – Village of Cross Keys - For the purpose of repealing the existing Development Plan for the Village of Cross Keys Planned Unit Development and approving a new Development Plan for the Village of Cross Keys Planned Unit Development.

Bill 20-0584 - An Ordinance concerning - Commission on Sustainability – Officers - For the purpose of allowing the appointment of co-chairs for the Commission on Sustainability.

Bill 20-0587 - An Ordinance concerning - Perkins Somerset Oldtown Development District - For the purpose of designating a “development district” to be known as the “Perkins Somerset Oldtown Development District”; providing for and determining various matters in connection with the establishment of the development district; creating a special, tax increment fund for the development district; allocating certain property taxes to that fund; making certain findings and determinations; providing for a special effective date; and generally providing for matters relating to the designation and operation of the development district, the establishment and use of the special, tax increment fund to provide for the payment by or reimbursement to the City for debt service which the City is obligated to pay or has paid (whether such obligation is general or limited) on any special obligation bonds or notes issued by the City, the authorization of a pledge by the City, subject to appropriation, of the tax increment revenues, pursuant to a Contribution Agreement, to provide for the payment by the State Issuer of the principal of and interest on the applicable State Obligations issued in connection with the development district and other related costs, the replenishment of any reserve fund established for any bonds or State Obligations (if required by a Contribution Agreement), and the payment of certain expenses and administrative costs related to the operation of the development district.

Bill 20-0588 - An Ordinance concerning - Perkins Somerset Oldtown Bond Issuance - For the purpose of authorizing the issuance of special obligation bonds and the pledge, subject to appropriation, of Tax Increment Revenues and Special Tax Revenues (as such terms are defined herein) to the payment of debt service thereon; authorizing the pledge by the City, subject to appropriation, of the Tax Increment Revenues and Special Tax Revenues pursuant to a Contribution Agreement (defined herein) to provide for the payment by the State Issuer (defined herein) of the principal of and interest on the applicable State Obligations (defined herein) and other related costs; providing that such bonds or State Obligations may be issued from time to time and in one or more issues or series in an aggregate principal amount not exceeding \$105,000,000 for the purpose of financing infrastructure improvements and related costs, including, without limitation, the Project (defined herein), and other necessary improvements to, from, or within the development district, and certain other infrastructure improvements permitted by the Acts (defined herein); providing for the method and sources of payment for such special obligation bonds; authorizing the Board of Finance to specify, prescribe, determine, provide for and approve the details, forms, documents or procedures in connection with such special obligation bonds and any other matters necessary or desirable in connection with the authorization, issuance, sale, and payment of such special obligation bonds; authorizing the execution and delivery by the City of a Contribution Agreement with respect to State Obligations; authorizing the Board of Finance to specify, prescribe, determine, provide for, and approve the method and sources of such pledge, the details, forms, documents, or procedures in connection with such pledge, and any other matters necessary or desirable in connection with such pledge; providing for a special effective date;

providing that the City, in each fiscal year in which any such bonds are outstanding, use its best efforts to obtain the appropriation of the Tax Increment Revenues and the Special Tax Revenues in the amounts and at the times specified in a trust agreement or agreements between the City and a bank or trust company appointed as trustee thereunder or in one or more Contribution Agreements; and generally relating to the issuance and payment of special obligation bonds or such pledge of the Tax Increment Revenues and the Special Tax Revenues, subject to appropriation, pursuant to a Contribution Agreement to the payment of debt service on State Obligations and other related costs.

Bill 20-0589 - An Ordinance concerning - Perkins Somerset Oldtown Special Taxing District - For the purpose of designating a “special taxing district” to be known as the “Perkins Somerset Oldtown Special Taxing District”; providing for and determining various matters in connection with the establishment of the special taxing district; creating a special fund for the special taxing district; providing for the levy of a special tax on all taxable real and personal property located in the special taxing district; providing for a special effective date; and generally providing for matters relating to the designation and operation of the special taxing district, the establishment and use of the special fund to provide for the payment by or reimbursement to the City for debt service, which the City is obligated to pay or has paid (whether such obligation is general or limited) on any special obligation bonds or notes issued by the City, the authorization of the pledge, subject to appropriation, of the special tax revenues, pursuant to a Contribution Agreement, to provide for the payment by the State Issuer of the principal of and interest on the applicable State Obligations issued in connection with the special taxing district and other related costs, the replenishment of any reserve fund established for any bonds or State Obligations, and the payment of certain expenses and administrative costs related to the operation of the special taxing district.

Bill 20-0590 - An Ordinance concerning - Zoning – Conditional Use Parking Lot – 1301-1325 Etting Street, 505, 507, 509, and 511 West Lafayette Avenue, and the Alley Adjacent to 1325 Etting Street - For the purpose of permitting, subject to certain conditions, the establishment, maintenance, and operation of a parking lot on the properties known as 1301-1325 Etting Street (Block 0396, Lots 051, 052, 053, 054, 055, 056, 057, 058, 059, 060, 061, 062, and 063), 505, 507, 509, and 511 West Lafayette Avenue (Block 0396, Lots 019, 020, 021, and 022), and the alley adjacent to 1325 Etting Street, as outlined in red on the accompanying plat.

Bill 20-0596 - An Ordinance concerning - Supplementary General Fund Operating Appropriation – Department of General Services – \$2,500,000 - For the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$2,500,000 to the Department of General Services – Service 726 (Administration – General Services), to provide funding to balance the budget for Fiscal Year 2020, due to unanticipated expenditures because of the COVID-19 pandemic; and providing for a special effective date.

Bill 20-0597 - An Ordinance concerning - Supplementary General Fund Operating Appropriation – Fire Department – \$11,000,000 - For the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$11,000,000 to the Fire Department – Service 609 (Emergency Medical Services), to provide funding for additional operating expenses resulting from overtime and the COVID-19 pandemic; and providing for a special effective date.

Bill 20-0598 - An Ordinance concerning - Supplementary General Fund Operating Appropriation – Health Department – \$5,500,000 - For the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$5,500,000 to the Health Department – Service 315 (Emergency Services – Health), to provide funding for unanticipated additional expenditures resulting from the COVID-19 pandemic; and providing for a special effective date.

Bill 20-0599 - An Ordinance concerning - Supplementary General Fund Operating Appropriation – Department of Housing and Community Development – \$6,000,000 - For the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$6,000,000 to the Department of Housing and Community Development – Service 809 (Retention, Expansion, and Attraction of Businesses), to provide funding for additional expenditures resulting from the COVID-19 pandemic; and providing for a special effective date.

Bill 20-0600 - An Ordinance concerning - General Fund Operating Appropriation Transfer – Department of Transportation (Service 690) to Police Department (Service 622) – \$2,000,000 - For the purpose of transferring a General Fund Operating Appropriation in the amount of \$2,000,000 from the Department of Transportation (Service 690: Sustainable Transportation) to the Police Department (Service 622: Police Patrol); and providing for a special effective date.

Sincerely,

Bernard C. “Jack” Young
Mayor

November 2, 2020

The Honorable Brandon Scott, Council President
and Members of the City Council
Baltimore City Hall
100 N. Holliday Street
Baltimore, MD 21202

Dear Council Members:

I am pleased to inform your Honorable Body that I have signed into law this day the following bill which is routine and require no special treatment:

Bill 20-0593 - An Ordinance concerning - Tax Sales – Properties Exempt From Sale - For the purpose of directing the Director of Finance to withhold certain properties from tax sale; defining certain terms; requiring that the Director of Finance adopt regulations to implement the requirements of this section; requiring that the Director of Finance submit an annual report to the Mayor and City Council; requiring the Commissioner of Housing and Community Development to designate a City Tax Sale Ombudsman; providing for the duties of the City Tax Sale Ombudsman; providing for a special effective date; and generally implementing the authority provided by Section 14-811(f) of the State Tax-Property Article. Chapter 730, 2019 Laws of Maryland.

Sincerely,

Bernard C. “Jack” Young
Mayor

APPOINTMENTS BY THE MAYOR

TYLER ADAMSON, as a member of the Public Safety Advisory Commission, for a term expiring December 8, 2020.

MONALISA DIALLO, as a member of the Public Safety Advisory Commission, for a term expiring December 8, 2020, as a resident of the area served by the Western Police District.

DOMONIQUE FLOWERS, as a member of the Public Safety Advisory Commission, for a term expiring December 8, 2020, as a resident of the area served by the Southwestern Police District.

PHYLLIS GILMORE, as a member of the Public Safety Advisory Commission, for a term expiring December 8, 2020, as a resident of the area served by the Northern Police District.

ANGELA HOLLAND, as a member of the Public Safety Advisory Commission, for a term expiring December 8, 2020, as a resident of the area served by the Southern Police District.

DERRICK JOHNSON, as a member of the Public Safety Advisory Commission, for a term expiring December 8, 2020, as a re-entry education after incarceration representative.

TIFFANY JONES, as a member of the Public Safety Advisory Commission, for a term expiring December 8, 2020, as a resident of the area served by the Northeastern Police District.

KHAI OVERTON, as a member of the Public Safety Advisory Commission, for a term expiring December 8, 2020, as a resident of the area served by the Central Police District.

KAILA RANDOLPH, as a member of the Public Safety Advisory Commission, for a term expiring December 8, 2020, as a resident of the area served by the Northwestern Police District.

SAMANTHA SAILSMAN, as a member of the Public Safety Advisory Commission, for a term expiring December 8, 2020, as a public housing representative.

CARLTON SMITH, as a member of the Public Safety Advisory Commission, for a term expiring December 8, 2020, as a LGBTQ representative.

Sincerely,

Bernard C. "Jack" Young
Mayor

CONSENT CALENDAR

CEREMONIAL RESOLUTIONS NO. 3114, 3115, 3116, 3117, 3118, 3119, 3120, 3121, 3122, 3123, AND 3124 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, 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.

COMMITTEE REPORTS

**BILL NO. 19-0353 REPORTED FAVORABLY
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Henry, for the Equity and Structure Committee, reported Bill No. 19-0353 favorably.

A Resolution of the Mayor and City Council prohibiting the sale, transfer, or franchising of the City's underground conduit system for cables, wires, and similar facilities; excepting this underground conduit system, its operations and uses, from the Charter provisions otherwise authorizing the grant of franchises or rights relating to the operation or use of public property or places; and submitting this amendment to the qualified voters of the City for adoption or rejection.

Favorable report adopted.

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

**BILL NO. 19-0442 REPORTED FAVORABLY, WITH AMENDMENTS,
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Henry, for the Equity and Structure Committee, reported Bill No. 19-0442 favorably, with amendments.

An Ordinance requiring that certain legislation be accompanied by an equity assessment and fiscal note prior to being voted on by a legislative committee; establishing that the Office of Council Services prepare the required equity assessment and fiscal notes; defining certain terms; providing for the time for submission of the equity assessment and fiscal note; providing for the content of a fiscal note; and providing for a special effective date.

Committee Amendments to City Council Bill No. 19-0442

Amendment No. 1

On page 1, in line 4, strike “prior to being voted on by a legislative committee”.

Amendment No. 2

On page 1, in line 5, strike “prepare” and substitute “facilitate”; and, on page 3, in line 1, strike “*PREPARATION*” and substitute “FACILITATION”; and, on that same page, in line 2, after “BY”, insert “SUBSECTION (B)(1) OF”; and, on that same page, in line 3, strike “PREPARED” and substitute “FACILITATED”; and, on page 4, in line 10, strike “PREPARE” and substitute

“ENSURE THAT”; and, on that same page and line, after “BILL”, insert “IS PREPARED BY THE RELEVANT AGENCY OR AGENCIES”.

Amendment No. 3

On page 2, strike lines 13 through 18 in their entirety and substitute:

“EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, ON THE INTRODUCTION OF ANY BILL BEFORE THE CITY COUNCIL, THE CITY COUNCIL PRESIDENT SHALL REFER THE LEGISLATION TO:

(I) THE DEPARTMENT OF FINANCE FOR THE PRODUCTION OF A FISCAL NOTE SETTING FORTH THE APPLICABLE ITEMS SPECIFIED IN SUBSECTION (E) {“FISCAL NOTE CONTENTS”} OF THIS SECTION; AND

(II) THE OFFICE OF EQUITY AND CIVIL RIGHTS (OR ITS SUCCESSOR AGENCY) FOR THE PRODUCTION OF A COMPREHENSIVE EQUITY ASSESSMENT EVALUATING THE BILL’S POTENTIAL IMPACTS ON EQUITY, IF ANY.”.

Amendment No. 4

On page 2, strike lines 19 through 22 in their entirety and substitute:

“(2) OTHER AGENCY REFERRALS.

IN ADDITION TO THE AGENCIES AND REPORTS SPECIFIED IN PARAGRAPH (1) OF THIS SUBSECTION, THE CITY COUNCIL PRESIDENT MAY, IN THE PRESIDENT’S DISCRETION, REFER THE BILL TO ANY OTHER RELEVANT CITY AGENCY FOR THAT AGENCY’S REPORT ON THE BILL.”.

Amendment No. 5

On page 3, in line 4, strike “TIME FOR SUBMISSION” and substitute “SUBMISSION; AGENCY COOPERATION”; and, on that same page, strike lines 5 through 16 in their entirety and substitute:

“(1) TIME FOR SUBMISSION.

ANY EQUITY ASSESSMENT, FISCAL NOTE, OR REPORT REQUIRED BY THIS SECTION SHALL BE SUBMITTED TO THE OFFICE OF COUNCIL SERVICES NO LATER THAN 48 HOURS BEFORE THE BILL’S SCHEDULED COMMITTEE HEARING.

(2) AGENCY COOPERATION.

IN ORDER TO FACILITATE THE ANALYSES REQUIRED BY THIS SECTION, ANY DEPARTMENT, AGENCY, BOARD, COMMISSION, COUNCIL, AUTHORITY, COMMITTEE, OFFICE, OR OTHER UNIT OF CITY GOVERNMENT SHALL RESPOND TO ANY REQUEST FOR INFORMATION REGARDING THE FISCAL, EQUITY, OR OPERATIONAL IMPACT OF A BILL WITHIN 3 BUSINESS DAYS OF RECEIPT OF THAT REQUEST.”.

Amendment No. 6

On page 4, in line 24, strike “2020” and substitute “2021”.

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. 19-0447 REPORTED FAVORABLY, WITH AMENDMENTS,
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Bullock, for the Housing and Urban Affairs Committee, reported Bill No. 20-0447 favorably, with amendments.

An Ordinance amending the Urban Renewal Plan for Hampden Business Area to conform certain provisions and references to those of Article 32 - Zoning, to modify the duration of the Plan, to revise certain exhibits of the Plan to conform the references to the land use and the zoning district classifications of the Zoning Code that is now in effect, and to conform and correct certain language in the Plan; waiving certain content and procedural requirements; making the provisions of this Ordinance severable; providing for the application of this Ordinance in conjunction with certain other ordinances; and providing for a special effective date.

Committee Amendments to City Council Bill No. 19-0447

Amendment No. 1

On page 1, in line 3, in the blank, insert “**4**”; and, on page 3, in line 24, in the blank, insert “**4**”.

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. 20-0490 REPORTED FAVORABLY, WITH AMENDMENTS,
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Bullock, for the Housing and Urban Affairs Committee, reported Bill No. 20-0490 favorably, with amendments.

An Ordinance repealing the existing Carroll Camden Urban Renewal Plan and replacing it by designating as a “Renewal Area” an area situated in Baltimore City, Maryland known as Carroll Camden, bounded generally by I-95 and Russell Street on the south, Monroe Street on the west, I-395, South Paca Street, and Ostend Street on the north, and Russell Street and Kloman Street on the east; establishing the objectives of the Plan; establishing permitted land uses in the Renewal Area; providing that where there may be a conflict between the provisions of the Renewal Plan and the provisions of any Planned Unit Development, the provisions of the Planned Unit Development control; providing review requirements and controls for all plans for new construction; providing that the provisions of the Baltimore City Zoning Code apply to properties in the Renewal Area; establishing controls for off-street parking facilities; authorizing the conditions for acquisition of properties in the Renewal Area; providing for review by the Department of Housing and Community Development of development or rehabilitation plans in the Renewal Area with respect to their conformance with the provisions of the Renewal Plan; providing for community notification of any permit application for the development or redevelopment of any property within the boundaries of the Renewal Area; creating disposition lots and providing for specific controls on specific lots; providing for the term of the Plan; providing for community review of all proposed amendments to the Plan; making provisions of this Ordinance severable; approving appendices and exhibits to the Plan; waiving certain content and procedural requirements; making the provisions of this Ordinance severable; providing for the application of this Ordinance in conjunction with certain other ordinances; and providing for a special effective date.

Committee Amendments to City Council Bill No. 20-0490

Amendment No. 1

On page 6, in line 1, strike “and processing”.

Amendment No. 2

On page 10, strike lines 1 and 2 in their entireties.

Amendment No. 3

On page 14, in line 14, strike beginning with “Exhibit” down through and including “2019”, in line 16, and substitute “Exhibit 1, “Renewal Boundary”, dated March 10, 2020; Exhibit 2, “Land Use and Zoning”, dated March 10, 2020, with the revisions to it that delete areas 1, 2, 3, and 4, and renumber areas 5, and 6, respectively, to be 1 and 2, respectively; and Exhibit 3, “Disposition”, dated March 10, 2020”; and replace the exhibit sheets attached to this Ordinance with a new set of exhibit sheets, as referenced in Section 4 of the Ordinance.

Amendment No. 4

On page 2, strike lines 12 through 44 in their entirety, and, on page 3, strike lines 1 through 12 in their entirety and substitute

“The boundary description of the Plan is shown on Exhibit 1, “Renewal Boundary”, dated March 10, 2020.”.

Amendment No. 5

On page 14, in lines 37 and 38, strike “30th day after the”.

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. 20-0553 REPORTED FAVORABLY, WITH AMENDMENTS,
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Bullock, for the Housing and Urban Affairs Committee, reported Bill No. 20-0553 favorably, with amendments.

An Ordinance amending the Urban Renewal Plan for Washington Village to revise an exhibit to the Renewal Plan to reflect the addition of a new disposition lot and to clarify and correct certain references in the Plan; waiving certain content and procedural requirements; making the provisions of this Ordinance severable; providing for the application of this Ordinance in conjunction with certain other ordinances; and providing for a special effective date.

Committee Amendments to City Council Bill No. 20-0553

Amendment No. 1

On page 1, in line 3, in the blank, insert “8”; and, on page 2, in line 13, in the blank, insert “8”.

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. 20-0565 REPORTED FAVORABLY, WITH AMENDMENTS,
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Bullock, for the Housing and Urban Affairs Committee, reported Bill No. 20-0565 favorably, with amendments.

An Ordinance amending the Urban Renewal Plan for Park Heights to amend certain exhibits to reflect the change of zoning, upon approval by separate ordinance, for the properties known as 3215 West Belvedere Avenue (Block 4582, Lot 018), 3317-3323 West Belvedere Avenue (Block 4580, Lots 003, 004, 005), 5101-5103 Denmore Avenue (Block 4582, Lots 019 and 020), 5100 Denmore Avenue (Block 4580, Lot 001), and Block 4580, Lots 038 and 039-055; waiving certain content and procedural requirements; making the provisions of this Ordinance severable; providing for the application of this Ordinance in conjunction with certain other ordinances; and providing for a special effective date.

Committee Amendments to City Council Bill No. 20-0565

Amendment No. 1

On page 1, in line 8, and on page 2, in lines 2, 13, and 19, in each instance, before “5100”, insert “and”; and, on page 1, in lines 8 and 9, and, on page 2, in lines 2 and 3, 13 and 14, and 19 and 20, in each instance, strike “, and Block 4580, Lots 038 and 039-055”.

Amendment No. 2

On page 1, in line 9, before the first semi colon, insert “, and to revise certain exhibits to reflect the adoption of the Zoning District Map that became effective June 5, 2017, per Ordinance 16-581”; and, on page 2, in line 3, before the period, insert “, and to revise certain exhibits to reflect the adoption of the Zoning District Map that became effective June 5, 2017, per Ordinance 16-581”.

Amendment No. 3

On page 2, after line 20, insert

“(3) Revise Exhibit 1B, “Land Use Plan”. and Exhibits 4, 4A, 4B, 4C, 4D, 4E, and 4F, “Zoning Districts”, to reflect the adoption of the Zoning District Map that became effective June 5, 2017, per Ordinance 16-581.”.

Amendment No. 4

On page 1, in line 3, in the blank, insert “5”; and, on page 2, in line 23, in the blank, insert “5”.

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. 20-0580 REPORTED FAVORABLY, WITH AMENDMENTS, ORDERED PRINTED FOR THIRD READING, AND PLACED ON THIRD READING TODAY

Councilmember Bullock, for the Housing and Urban Affairs Committee, reported Bill No. 20-0580 favorably, with amendments.

An Ordinance condemning and closing a variable width portion of South Boston Street, extending from South Haven Street, Westerly 723.60 feet, more or less, as shown on Plat 349-A-43A in the Office of the Department of Transportation; and providing for a special effective date.

Committee Amendments to City Council Bill No. 20-0580

Amendment No. 1

On page 1, in line 3, before “Boston,” strike “**South**”; and, on page 1, in lines 4 and 18, before “Boston”, strike “South”.

Amendment No. 2

On page 1, in line 23, strike “34” and substitute “43”.

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.

Councilmember Costello made a motion, which was duly seconded, to place Bill No. 20-0580 on third reading today.

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

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

BILL NO. 20-0582 REPORTED FAVORABLY, WITH AMENDMENTS, ORDERED PRINTED FOR THIRD READING, AND PLACED ON THIRD READING TODAY

Councilmember Bullock, for the Housing and Urban Affairs Committee, reported Bill No. 20-0582 favorably, with amendments.

An Ordinance condemning and closing a variable width portion of Boston Street, from a point 723.60 feet Westerly from the west side of South Haven Street and extending Westerly 524 feet, more or less to the east side of South Conkling Street, 60 feet wide, as shown on Plat 349-A-44A in the Office of the Department of Transportation; and providing for a special effective date.

Committee Amendments to City Council Bill No. 20-0582

Amendment No. 1

On page 1, in line 28, strike "188.54" and substitute "42.02".

Amendment No. 2

On page 2, in line 3, after "Conkling Street," insert "(10) North 03° 00' 07" West 48.06 feet; (11)"; and, on page 2, in line 4, strike "6,63.45" and substitute "6,163.45".

Amendment No. 3

On page 1, in line 25, strike “nine” and substitute “eleven”.

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.

Councilmember Costello made a motion, which was duly seconded, to place Bill No. 20-0582 on third reading today.

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

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

**BILL NO. 20-0628 REPORTED FAVORABLY
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Costello, for the Judiciary Committee, reported Bill No. 20-0628 favorably.

An Ordinance naming a pavilion in the Joseph H. Rash Playfield (Block 890, Lot 006), to be located at the coordinates of 39.281483, - 76.610425, the BGE Pavilion; and naming a nature park in the Joseph H. Rash Playfield (Block 890, Lot 006), to be located at the coordinates of 39,281657, - 76,610659, the BGE Nature Park.

Favorable report adopted.

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

**BILL NO. 20-0630 REPORTED FAVORABLY
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Costello, for the Judiciary Committee, reported Bill No. 20-0630 favorably.

An Ordinance amending the Building, Fire, and Related Code Article to repeal the International Green Construction Code (2012 Edition) and substitute, subject to local additions, deletions, amendments and modifications, the International Green Construction Code (2018 Edition); and providing for the effective date, construction, and application of the new Green Construction Code.

Favorable report adopted.

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

**BILL NO. 20-0508 REPORTED FAVORABLY
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Reisinger, for the Land Use Committee, reported that the Committee has complied with §§ 10-304 and 10-305 of the Land Use Article of the Maryland Annotated Code and Article 32 § 5-508 of the Baltimore City Code and recommends the adoption of Bill No. 20-0508 favorably.

An Ordinance changing the zoning for the property known as 5401 Pulaski Highway (Block 6242C, Lot 003), as outlined in red on the accompanying plat, from the I-1 Zoning District to the C-4 Zoning District.

Findings of Fact

City Council Bill No. 20-0508

Rezoning – 5401 Pulaski Highway

Upon finding as follows with regard to:

(1) Population changes;

There has not been a significant change in population in this area since June 5, 2017, when the current Zoning Code and map became effective, however, as this is a Census year, there may be population changes documented in future years.

(2) The availability of public facilities;

The area is well served by public utilities and services and will remain so for the foreseeable future.

(3) Present and future transportation patterns:

The rezoning of the subject property is not anticipated to adversely impact present or future transportation patterns. In fact, the rezoning may reduce the potential for transportation conflicts along this portion of Pulaski Highway. The property’s current industrial zoning has the potential to be operated by uses that create heavy truck traffic which could greatly intensify traffic congestion along this corridor.

(4) Compatibility with existing and proposed development for the area;

The rezoning would allow a use that is compatible with the permitted existing and other proposed uses and development in the neighborhood. The property to the immediate east of the subject property, 5501, has been operating exclusively as a motor vehicle sales use since at least 2016, and the properties further east on Pulaski Highway are predominately auto-service oriented commercial uses. Approval of this action will create a continuous commercial tract of land uses along this portion of Pulaski Highway. The proposed action will also be compatible with the residential uses to the northeast of the subject property by permitting a commercial use with fresh landscaping and exterior improvements, thereby beautifying the area for City residents.

(5) The recommendations of the City agencies and officials, including the Baltimore City Planning Commission and the Board of Municipal and Zoning Appeals;

The City agencies to which the bill was referred made the following recommendations:

Planning Commission	Favorable
Board of Municipal and Zoning Appeals	Unfavorable
Department of Transportation	No Objection
City Solicitor	Favorable with Comments
Department of Housing and Community Development	Unfavorable
Baltimore Development Corporation	Unfavorable

(6) The proposed amendment’s relationship to and consistency with the City’s Comprehensive Master Plan;

Replacing the property’s existing I-1 zoning district with the C-4 zoning district is generally consistent with the City’s Comprehensive Master Plan goals of supporting small business development, providing employment opportunities to City residents, and identifying and promoting underutilized areas for economic growth.

- (7) Existing uses of property within the general area of the property in question;

The predominate uses to the east of the subject property along Pulaski Highway are motor-vehicle commercial uses. The proposed rezoning is more compatible with those uses as well as the residential uses to the northeast than the current industrial zoning.

- (8) The zoning classification of other property within the general area of the property in question;

The zoning classifications of the immediately surrounding properties are either I-1 or I-2. There are commercially zoned properties nearby to the east along Pulaski Highway and residentially zoned properties nearby to the northeast.

- (9) The suitability of the property in question for the uses permitted under its existing zoning classification;

The subject property is not well suited for industrial use. Although bordered to the west by the CSX rail tracks, the tracks are not readily accessible. The subject property sits roughly 15 feet below the tracks and converting it to an industrial use with access to the tracks would require significant financial investment. The property is better suited for the uses permitted under the C-4 zoning district. It has been used as a motor vehicle commercial use since 2013 and the C-4 zoning district is intended to accommodate that use.

- (10) The trend of development, if any, in the general area of the property in question, including changes, if any, that have taken place since the property in question was placed in its present classification;

The trend of development and uses to the east of the subject property, along Pulaski Highway, are, and have been since at least 2016, commercial motor vehicle uses. There have not been any development changes in this area since the present zoning classification.

- (11) For a rezoning based on a SUBSTANTIAL CHANGE IN THE CHARACTER OF THE NEIGHBORHOOD, the following facts establish the substantial change since the time of the last comprehensive rezoning;

Intentionally left blank

- (12) For a rezoning based on a MISTAKE in the existing zoning classification, the following facts establish that at the time of the last comprehensive zoning the Council failed to consider then existing facts, or projects or trends which were reasonably foreseeable

and/or that events occurring subsequent to the comprehensive zoning have proven that the Council's initial premises were incorrect;

The subject property has been exclusively used for motor vehicle repairs since at least 2013, and for limited motor vehicle sales since 2016. The CSX rail tracks to the west of the subject property are not readily accessible because of their elevation and would require significant investment to access, making the subject property undesirable for industrial uses. The adjacent property, 5501 Pulaski Highway, has been exclusively used for commercial motor vehicle sales since at least 2016. The C-4 Zoning District is intended for areas of more intense commercial use, including uses related to motor vehicles. Rezoning the subject property to the C-4 Zoning District will allow it to better serve the surrounding community and permit uses that are more reflective of the current commercial automotive character of that portion of Pulaski Highway.

SOURCE OF FINDINGS (Check all that apply):

Planning Report – Planning Commission's report, dated April 21, 2020, which included the Department of Planning Staff Report, dated April 16, 2020.

Testimony presented at the Committee hearing

Oral – Witness Name:

- Matthew DeSantis, Planning Department
- Elena DePietro, Law Department
- Christopher DeCarlo, Esquire, Representative for the Applicant

Written – Submitted by:

- Department of Transportation, Agency Report – Dated October 27, 2020
- Board of Municipal and Zoning Appeals, Agency Report – Dated September 28, 2020
- Law Department, Agency Report – Dated October 25, 2020
- Department of Housing and Community Development, Agency Report – Dated October 22, 2020
- Baltimore Development Corporation, Agency Report – Dated September 24, 2020
- Applicant's Supplemental Memorandum – Dated October 28, 2020

Committee Members Voting in Favor

Edward Reisinger, Chair
Shannon Sneed, Vice Chair
Mary Pat Clarke

Eric Costello
Ryan Dorsey
Leon Pinkett

Findings of Fact adopted.

Favorable report adopted.

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

**BILL NO. 20-0566 REPORTED FAVORABLY, WITH AMENDMENTS
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Reisinger, for the Land Use Committee, reported that the Committee has complied with §§ 10-304 and 10-305 of the Land Use Article of the Maryland Annotated Code and Article 32 § 5-508 of the Baltimore City Code and recommends the adoption of Bill No. 20-0566 favorably, with amendments.

An Ordinance changing the zoning for the properties known as 3215 West Belvedere Avenue (Block 4582, Lot 018), 3317-3323 West Belvedere Avenue (Block 4580, Lots 003, 004, 005), 5101-5103 Denmore Avenue (Block 4582, Lots 019 and 020), 5100 Denmore Avenue (Block 4580, Lot 001), and Block 4580, Lots 038 and 039-055, as outlined in red on the accompanying plat, from the R-6 Zoning District to the OR-1 Zoning District; and providing for a special effective date.

Findings of Fact

City Council Bill No. 20-0566

**Rezoning – 3215 West Belvedere Avenue, 3317-3323 West Belvedere Avenue,
5101-5103 Denmore Avenue, 5100 Denmore Avenue, and Block 4580, Lots 038 and 039-055**

Upon finding as follows with regard to:

(1) Population changes;

There has not been a significant change in population in the area since June 5, 2017, when the current Zoning Code and map became effective. However, as this is a Census year, there may be population changes documented in the future. The proposed rezoning will support the existing institutional uses, which are non-residential, and so will not affect the population in the area.

(2) The availability of public facilities;

All public facilities necessary to support use of the subject properties are available and expected to remain available. No large-scale development or redevelopment is expected in this block that would negatively impact the City’s utilities.

(3) Present and future transportation patterns:

None of the present transportation patterns are anticipated to change and the proposed rezoning would have no impact on said patterns.

(4) Compatibility with existing and proposed development for the area;

The proposed rezoning is consistent with existing and proposed development for the area. The OR-1 Zoning District would better reflect the subject properties’ existing uses and positions as buffers between the residential areas to the west and the commercially zoned properties to the east. Furthermore, the rezoning will resolve a nonconforming use that was unintentionally created by the last comprehensive zoning.

(5) The recommendations of the City agencies and officials, including the Baltimore City Planning Commission and the Board of Municipal and Zoning Appeals;

The City agencies to which the bill was referred made the following recommendations:

Planning Commission	Favorable with Amendment
Board of Municipal and Zoning Appeals	Favorable with Amendment
Department of Transportation	No Objection
City Solicitor	Favorable with Comments
Department of Housing and Community Development	No Objection
Baltimore Development Corporation	Favorable

(6) The proposed amendment’s relationship to and consistency with the City’s Comprehensive Master Plan;

The proposed rezoning will support the Comprehensive Master Plan’s goal of retaining and attracting businesses in the healthcare and social assistance growth sector by supporting the Park West Medical Center and its future expansion.

- (7) Existing uses of property within the general area of the property in question;

Properties to the southwest are currently zoned R-6 and are largely residential in nature. Properties to the northwest are in the commercial corridor along Park Heights Avenue. Designation of the subject properties as OR-1 would provide a buffer or “step-down” in land use intensity between the residential and commercial areas. The properties proposed for rezoning are institutional in use and better fit into the proposed OR-1 zone.

- (8) The zoning classification of other property within the general area of the property in question;

These properties are between R-6 residential properties to the southwest, and C-1 and C-2 zones to the northeast.

- (9) The suitability of the property in question for the uses permitted under its existing zoning classification;

In the existing R-6 district, Places of Worship are a permitted use, a surface Parking Lot (Principal Use) is approved through a conditional use by ordinance, and a medical center (Health-Care Clinic) is not permitted. The OR-1 zone is more appropriate for the existing uses of the subject properties than the current R-6 zone. This is especially true for the Park West Medical Center, which was made a nonconforming use by the last comprehensive zoning.

- (10) The trend of development, if any, in the general area of the property in question, including changes, if any, that have taken place since the property in question was placed in its present classification;

There has been very little change in the immediate area surrounding the subject properties, but there are larger redevelopment plans in review in the greater Park Heights area. The plans include significant new-construction residential development just a few blocks to the south on Park Heights Avenue.

- (11) For a rezoning based on a SUBSTANTIAL CHANGE IN THE CHARACTER OF THE NEIGHBORHOOD, the following facts establish the substantial change since the time of the last comprehensive rezoning;

Intentionally left blank

- (12) For a rezoning based on a MISTAKE in the existing zoning classification, the following facts establish that at the time of the last comprehensive zoning the Council failed to consider then existing facts, or projects or trends which were reasonably foreseeable

and/or that events occurring subsequent to the comprehensive zoning have proven that the Council's initial premises were incorrect;

When Transform Baltimore was enacted in 2017 the subject properties had been used for nonresidential purposes for many years, including uses as places of worship, a health care clinic, and a parking lot. The Park West Center was approved as a multi-purpose neighborhood center under the old zoning code, which allowed a flexible mix of uses and meant it was a conforming use. At the time of the last comprehensive rezoning, Park West had expanded to two other locations since its inception and thus demonstrated a potential for growth that should have been considered when the property was zoned R-6. In the current R-6 district, a medical center is a nonconforming use that is prevented from expanding under the new zoning code.

The OR-1 Zoning District better suits the existing properties as they are now developed and corrects a nonconformity that was not intentionally created during the last comprehensive rezoning process.

SOURCE OF FINDINGS (Check all that apply):

- Planning Report – Planning Commission's report, dated August 21, 2020, which included the Department of Planning Staff Report, dated August 20, 2020.
- Testimony presented at the Committee hearing

Oral – Witness Name:

- Eric Tiso, Planning Department
- Elena DiPietro, Law Department
- Caroline Hecker, Representative for the Applicant

Written – Submitted by:

- Department of Transportation, Agency Report – Dated October 20, 2020
- Board of Municipal and Zoning Appeals, Agency Report – Dated September 28, 2020
- Law Department, Agency Report – Dated October 19, 2020
- Department of Housing and Community Development, Agency Report – Dated October 7, 2020
- Baltimore Development Corporation, Agency Report – Dated October 20, 2020

Land Use Committee Members Voting in Favor:

Edward Reisinger, Chair

Shannon Sneed, Vice Chair
Mary Pat Clarke
Eric Costello
Ryan Dorsey
Sharon Green Middleton
Leon Pinkett
Robert Stokes

Findings of Fact adopted.

Committee Amendments to City Council Bill No. 20-0566

Amendment No. 1

On page 1, in line 3, after the first comma, insert “**and**”; and, in the same line, strike beginning with the second comma through the end of the line.

Amendment No. 2

On page 1, in lines 6 and 20, in each instance, before “5100”, insert “**and**”; and, on the same page, in lines 7 and 20 and 21, in each instance, strike “and Block 4580, Lots 038 and 039-055,”.

Amendment No. 3

On page 1, in lines 8, 21, and 23, in each instance, before “plat”, insert “**amended**”.

The amendments were read and adopted.

Favorable report, as amended, adopted.

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

**BILL NO. 20-0567 REPORTED FAVORABLY
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Reisinger, for the Land Use Committee, reported that the Committee has complied with §§ 10-304 and 10-305 of the Land Use Article of the Maryland Annotated Code and Article 32 § 5-508 of the Baltimore City Code and recommends the adoption of Bill No. 20-0567 favorably.

An Ordinance changing the zoning for the property known as 407 Benninghaus Road (Block 5014C, Lot 004A), as outlined in red on the accompanying plat, from the R-3 Zoning District to the OR-1 Zoning District.

Findings of Fact

City Council Bill No. 20-0567

Rezoning – 407 Benninghaus Road

Upon finding as follows with regard to:

(1) Population changes;

According to the Census American Community Survey (ACS), population has dropped in the Census Block Group where this property is located (#245102712003) in recent years. In 2013 it was 1,130, then in 2014 it was 1,097, dropping to 885 in 2017, and finally in 2018 it was 683.

(2) The availability of public facilities;

This site is well served by City infrastructure, which will continue with or without this proposed rezoning.

(3) Present and future transportation patterns:

The property’s small size is unlikely to have any significant impacts on the surrounding transportation patterns or the amount of traffic on nearby streets.

(4) Compatibility with existing and proposed development for the area;

This property contains just under 3,400 square feet of land, and is unlikely to significantly impact surrounding properties. There is no proposed development in the immediate area surrounding the property. The property is owned by Govmoco LLC which also owns the Accelerator Building directly across Hess Ave.

(5) The recommendations of the City agencies and officials, including the Baltimore City Planning Commission and the Board of Municipal and Zoning Appeals;

The City agencies to which the bill was referred made the following recommendations:

Planning Commission	Favorable
Board of Municipal and Zoning Appeals	Unfavorable

Journal of the City Council

Department of Transportation	No Objection
City Solicitor	Favorable with Comments
Department of Housing and Community Development	No Objection
Baltimore Development Corporation	Favorable

- (6) The proposed amendment's relationship to and consistency with the City's Comprehensive Master Plan;

The owner intends to demolish the existing structure on the site to create a small open parking area to support the uses in the Accelerator Building and to ease the occasional traffic congestion on Hess Avenue. By supporting the businesses in the Accelerator Building, the rezoning furthers the Earn and Play goals of the Comprehensive Master Plan.

- (7) Existing uses of property within the general area of the property in question;

In addition to this property, there are other nonconforming uses in the residential portion of this short block of Benninghaus Road, including an auto repair garage and surface parking lots on the north side of the street.

- (8) The zoning classification of other property within the general area of the property in question;

This site is located at the intersection of two small streets. Just across Hess Avenue are the backs of the commercially zoned properties that front on York Road or Bellona Avenue. The properties to the west are generally zoned residential.

- (9) The suitability of the property in question for the uses permitted under its existing zoning classification;

The structure on the property was originally built as a residence but was converted for office use by a previous owner. The property is in close proximity to numerous commercial uses, making it undesirable for residential redevelopment. The applicant determined that renovating the structure for residential use was not economically viable.

- (10) The trend of development, if any, in the general area of the property in question, including changes, if any, that have taken place since the property in question was placed in its present classification;

There has not been a significant change in development in the immediate area since the last comprehensive rezoning, effective in June 5, 2017.

- (11) For a rezoning based on a SUBSTANTIAL CHANGE IN THE CHARACTER OF THE NEIGHBORHOOD, the following facts establish the substantial change since the time of the last comprehensive rezoning;

Intentionally left blank

- (12) For a rezoning based on a MISTAKE in the existing zoning classification, the following facts establish that at the time of the last comprehensive zoning the Council failed to consider then existing facts, or projects or trends which were reasonably foreseeable and/or that events occurring subsequent to the comprehensive zoning have proven that the Council's initial premises were incorrect;

Prior to its purchase by the current owner in February 2020, and at the time of the last comprehensive zoning, 407 Benninghaus Road had been used as an office for many years. The property is in close proximity to numerous commercial uses, including the commercially zoned properties that front on York Road or Bellona Avenue and nonconforming uses in the residential portion of the same short block of Benninghaus Road. Due to the property's small size and proximity to many commercial uses, residential redevelopment is undesirable and economically infeasible. The rezoning is consistent with the property's historical use and will allow for its beneficial reuse to support the uses in the Accelerator Building. The Council failed to consider the above facts at the time of the last comprehensive zoning.

SOURCE OF FINDINGS (Check all that apply):

[X] Planning Report – Planning Commission's report, dated August 26, 2020, which included the Department of Planning Staff Report, dated August 20, 2020.

[X] Testimony presented at the Committee hearing

Oral – Witness Name:

- Eric Tiso, Planning Department
- Hilary Ruley, Law Department
- Councilman Bill Henry

Written – Submitted by:

- Department of Transportation, Agency Report – Dated October 27, 2020
- Board of Municipal and Zoning Appeals, Agency Report – Dated September 28, 2020
- Law Department, Agency Report – Dated September 29, 2020

- Department of Housing and Community Development, Agency Report – Dated October 22, 2020
- Baltimore Development Corporation, Agency Report – Dated October 23, 2020
- Applicant’s Proposed Findings of Fact

Land Use Committee Members Voting in Favor:

Edward Reisinger, Chair
 Shannon Sneed, Vice Chair
 Mary Pat Clarke
 Eric Costello
 Ryan Dorsey
 Leon Pinkett

Findings of Fact adopted.

Favorable report adopted.

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

**BILL NO. 20-0568 REPORTED FAVORABLY, WITH AMENDMENTS,
 AND ORDERED PRINTED FOR THIRD READING**

Councilmember Reisinger, for the Land Use Committee, reported that the Committee has complied with the Land Use Article of the Maryland Code and Article 32 of the Baltimore City Code and recommends the adoption of Bill No. 20-0571 favorably, with amendments.

An Ordinance approving certain amendments to the Development Plan of the Stadium Place Planned Unit Development.

Councilmember Reisinger made a motion, duly seconded, that pursuant to the applicable sections of Baltimore City Code Article 32 the Council adopt these findings of fact concerning a Planned Unit Development.

Findings of Fact

City Council Bill No. 20-0568

Planned Unit Development – Amendment – Stadium Place

IN GENERAL:

To approve this PUD, the City Council has considered:

(check to evidence consideration)

- ☒ whether the planned unit development is in general conformance with all elements of the Comprehensive Master Plan, and the character and nature of existing and contemplated development in the vicinity of the proposed planned unit development;

The PUD is in conformance with the City's Comprehensive Master Plan. The proposed amendments and their proposed design enhance the current site uses within the PUD. The changes requested in this amendment would enhance the services that are already being provided to residents and visitors of the PUD by both Stadium Place, Inc. and the Y in Central Maryland and would continue to support the Live, Earn, Play, Learn objectives set forth in the Comprehensive Master Plan.

- ☒ whether the planned unit development will preserve unusual topographic or natural features of the land, and the design of the planned unit development will best utilize and be compatible with the topography of the land;

The PUD is designed to be compatible with the existing topography and enhances and utilizes existing site features, all as depicted on the PUD sheets submitted by the applicant. There are no unusual topographic features within the PUD.

- ☒ whether the physical characteristics of the planned unit development will not adversely affect future development or the value of undeveloped neighboring areas, or the use, maintenance, or value of neighboring areas already developed;

The physical characteristics enhance future development, add value to the adjoining community and provide a much-needed recreational area for neighboring areas with the Cal Ripken, Sr. Foundation multi-use sports field located in the PUD.

- ☒ whether the planned unit development will provide the same protection as the basic district regulations in regard to fire, health hazards, and other dangers;

The PUD provides the same protection as the basic district regulations in regard to fire and health hazards. The proposed buildings are designed to meet current life safety and energy codes. The PUD legislation has been reviewed by the City Fire Department with no objections to passage of this bill stated.

- ☒ whether the planned unit development will encourage innovative design features or adaptive reuse of structures that would not be possible by application of the basic district regulations; and

The PUD includes the Cal Ripken, Sr. Foundation multi-use sports field which is the former field for Memorial Stadium, the home of the Baltimore Colts, the Baltimore Orioles, and for a brief period of time, the Baltimore Ravens. Site design preserves this

valuable piece of Baltimore history and honors the location with the current home plate being placed in the exact location as it was inside Memorial Stadium.

- ☒ whether the planned unit development is compatible with any nearby industrial district.

There is not a nearby industrial district so this consideration is not applicable.

and finds that:

- (1) the use **IS/ IS NOT** compatible with surrounding neighborhood for the following reasons:

This PUD was established in 2000 after the City designated a task force to consider possible re-use proposals for the former Memorial Stadium site. In response to a Request for Proposals issued by the City, GEDCO (the sole member of Stadium Place, Inc.) and the Y in Central Maryland jointly proposed redeveloping the site for a retirement community and recreational facilities. These uses are compatible with the surrounding neighborhood. Such compatibility is demonstrated in the letters provided in support for approval of the PUD amendments from the Better Waverly Community Organization, Ednor Gardens Lakeside Civic Association, Johns Hopkins University and Medicine, parents of children attending preschool at the Y, volunteer board members of The Y in Central Maryland Board of Directors, and residents living within the PUD.

- (2) the use **FURTHERS / DOES NOT FURTHER** the proposed classification for the following reasons:

The use furthers the proposed classification because after the property was no longer used for stadium purposes, the PUD area was thoughtfully designed to facilitate pedestrian and vehicular flow around the sports field and to bring senior housing and recreational facilities to the area. The intended uses in the PUD include uses allowed in the R-7 zoning district either permitted by right or by conditional use approval of the Board of Municipal and Zoning Appeals, residential-care facility, age-restricted residential-care facility, health-care clinic, indoor and outdoor recreational facilities, community center, restaurant, day care centers for adults and children, offices, any business establishment permitted in the C-1 zoning district, commercial-vocational educational facility for computer training purposes only, and retail goods establishment for pharmaceutical sale purposes only.

- (3) the PUD master plan developed under Section 13-304 of the Zoning Code **ENSURES / DOES NOT ENSURE** that there will be no discordance with existing uses by:

The PUD Master Plan preserves the original design of the PUD with amendments that have been approved by the Planning Commission over the past 20 years. There will be no

discordance with existing uses by the addition of the proposed early childhood development center, pavilion, and splash pad. The PUD plans were reviewed by the Site Plan Review Committee and the Planning Commission. All recommended changes to the plans have been addressed and are included in the current version of the PUD sheets.

- (4) the establishment, location, construction, maintenance, or operation of the PUD **WOULD/ WOULD NOT** be detrimental to or endanger the public health, safety, or welfare because:

These PUD amendments would not be detrimental to or endanger the public health, safety, or welfare. The three proposed construction projects (day-care center, pavilion, and splash pad) all support healthy development, learning, and physical fitness. The increase in the potential allowable space for a restaurant provides a service within walking distance for senior housing residents and visitors within the PUD as well as to nearby communities. The PUD is a valuable asset to the City providing services that improve the quality of life for all who benefit from the myriad of services provided there.

- (5) the use **WOULD/ WOULD NOT** be precluded by any other law, including an Urban Renewal Plan

The use is not precluded by any other law, including an Urban Renewal Plan. The PUD is not in an Urban Renewal Area.

- (6) the authorization **WOULD/ WOULD NOT** be contrary to the public interest because:

Authorization would not be contrary to the public interest because the PUD provides valuable services to City residents. Current services include mixed-income housing and supportive services for older adults, the Harry and Jeanette Weinberg Y at Stadium Place that houses a licensed early childhood center, fitness center, swimming pool, basketball court, stay & play (supervised care for young children while parents use the Y), cycle and aerobic studios, locker rooms, administrative space and multi-purpose space that is used for youth, and senior and community programming. The Village Center at Stadium Place, a mixed- use building within the PUD, and the Greater Baltimore Center hospice facility are both currently under development in the PUD, with final design approval by the Planning Commission granted in 2017 and 2019, respectively. The proposed amendments to relocate the early childhood development center from the fitness center to a new building would allow the Y to increase the number of children able to attend its early development programs and enlarge the area of its fitness center. The amendments also allow for the construction of the pavilion with restrooms and a splash pad for families to enjoy. The text amendments bring the terms for this PUD up to date with terms used in the current version of the Zoning Code and the increase in allowable restaurant space provides flexibility to Stadium Place when seeking a restaurant tenant to

open a new business in the PUD. These improved amenities to the PUD all benefit the public interest.

- (7) the authorization **WOULD**/ **WOULD NOT** be in harmony with the purpose and intent of the Zoning Code because:

Authorization would be in harmony with the purpose and intent of the Zoning Code. The PUD complies with all aspects of Title 13 of the Zoning Code and meets all requirements for approval.

SOURCE OF FINDINGS:

- [X] Planning Commission's report, dated August 21, 2020, which included the Department of Planning Staff Report, dated August 20, 2020.

- [X] Testimony presented at the Committee hearing

Oral – Witness:

- Matthew DeSantis, Planning Department
- Victor Tervalá, Law Department
- Nicole Lacoste Folks, Esquire, Representative for the Applicant

Written:

- Board of Municipal and Zoning Appeals, Agency Report – Dated September 28, 2020
- Law Department, Agency Report – Dated October 19, 2020
- Department of Transportation, Agency Report – Dated October 20, 2020
- Department of Housing and Community Development, Agency Report – Dated October 10, 2020
- Baltimore Development Corporation, Agency Report – Dated October 19, 2020
- Department of Public Works, Agency Report – Dated October 13, 2020
- Fire Department, Agency Report – Dated July 24, 2020
- Parking Authority, Agency Report – Dated August 18, 2020
- Nicole Lacoste Folks, Esquire, Presentation and Proposed Findings of Fact – Dated October 21, 2020

Land Use Committee Members Voting in Favor:

Edward Reisinger, Chair
 Shannon Sneed, Vice Chair
 Mary Pat Clarke
 Eric Costello

Ryan Dorsey
Sharon Green Middleton
Leon Pinkett
Robert Stokes

Findings of Fact adopted.

Committee Amendments to City Council Bill No. 20-0568

Amendment No. 1

On page 3, in lines 18 through 27, in each instance, strike “July 13”, and substitute “September 8”; and, on the same page, after line 22, insert “Sheet C-401 - PUD Area Sheet, dated September 8, 2020”.

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. 20-0595 REPORTED FAVORABLY
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Reisinger, for the Land Use Committee, reported that the Committee has complied with §§ 10-304 and 10-305 of the Land Use Article of the Maryland Annotated Code and Article 32 § 5-508 of the Baltimore City Code and recommends the adoption of Bill No. 20-0595 favorably.

An Ordinance changing the zoning for the property known as 1103-1109 North Washington Street (Block 1551, Lot 001), as outlined in red on the accompanying plat, from the R-8 Zoning District to the IMU-1 Zoning District.

Findings of Fact

City Council Bill No. 20-0595

Rezoning – 1103-1109 North Washington Street

Upon finding as follows with regard to:

- (1) Population changes;

While anecdotally there have been a significant number of new residential units and renovated homes completed in the Middle East / Eager Park neighborhood over the past several years, it is unclear if there is data as of yet that indicates a significant population change in the interval between the adoption of the last comprehensive rezoning (2016) and the present time.

(2) The availability of public facilities;

This site is well-served by public services and utilities, which can support the continued use or redevelopment of this site.

(3) Present and future transportation patterns:

There would be no negative effect upon present or future transportation patterns in the area as a result of adoption of this bill.

(4) Compatibility with existing and proposed development for the area;

The proposed zoning district is compatible with the existing and proposed development for the area, as it will support the current light industrial use on site and additional neighborhood appropriate uses such as dwellings and retail.

(5) The recommendations of the City agencies and officials, including the Baltimore City Planning Commission and the Board of Municipal and Zoning Appeals;

The City agencies to which the bill was referred made the following recommendations:

Planning Commission	Favorable
Board of Municipal and Zoning Appeals	Favorable
Department of Transportation	No Objection
City Solicitor	Favorable with Comments
Department of Housing and Community Development	Favorable
Baltimore Development Corporation	Favorable
Parking Authority	Not Opposed

(6) The proposed amendment’s relationship to and consistency with the City’s Comprehensive Master Plan;

The proposed action would be consistent with the following Goals and Objectives of LIVE EARN PLAY LEARN, the Comprehensive Master Plan for Baltimore City: Live Goal 2, Objective 4: Protect and Enhance the Preservation of Baltimore's Historic

Buildings and Neighborhoods. Additionally, it is not in conflict with any other area plans that pertain to this property.

- (7) Existing uses of property within the general area of the property in question;

Existing uses of property within the general area of this site are a mix of residential, institutional, and commercial.

- (8) The zoning classification of other property within the general area of the property in question;

IMU-1 zoning would be compatible with the adjacent R-8, R-10, and I-2 zoning designations. Additionally, there are extant IMU-1 zoning districts just to the east and south of the subject property.

- (9) The suitability of the property in question for the uses permitted under its existing zoning classification;

The current R-8 zoning designation has made the long-existing light industrial use of the property non-conforming. It would also make redevelopment of the site that preserves the historic building more challenging. These facts suggest that the current zoning is not appropriate.

- (10) The trend of development, if any, in the general area of the property in question, including changes, if any, that have taken place since the property in question was placed in its present classification;

There have been significant changes to the immediate area of the subject property since it was rezoned to R-8 in 2016 that have added additional residents to the area. Additional residential and commercial development is currently proposed for the area. The IMU-1 zoning designation is appropriate in that it attempts to blend buildings with historic industrial uses into contemporary residential neighborhoods.

- (11) For a rezoning based on a SUBSTANTIAL CHANGE IN THE CHARACTER OF THE NEIGHBORHOOD, the following facts establish the substantial change since the time of the last comprehensive rezoning;

Intentionally left blank

- (12) For a rezoning based on a MISTAKE in the existing zoning classification, the following facts establish that at the time of the last comprehensive zoning the Council failed to consider then existing facts, or projects or trends which were reasonably foreseeable

and/or that events occurring subsequent to the comprehensive zoning have proven that the Council's initial premises were incorrect;

Prior to the adoption of the Transform Baltimore comprehensive rezoning the subject parcel had a zoning designation of M-1-2, which was similar to today's I-1 zoning district. This zoning designation was shared by the majority of properties adjacent to the railroad right-of-way beginning from this property and heading towards the east. The majority of these nearby properties with similar industrial histories along the railroad right-of-way corridor were rezoned to the IMU-1 district during Transform Baltimore, but for some reason this subject property was not.

The fact that the subject site has had a documented history dating back to at least 1901 (and according to the owner, to 1875) to the current day of continuous industrial use, coupled with the additional fact that before its current R-8 zoning it had an industrial M-1-2 zoning designation, suggest that the current R-8 zoning district was selected in error.

While the area around this site has seen and will continue to see a large amount of residential and commercial redevelopment, it is difficult to see how a proscriptive rezoning of this parcels to the R-8 district is appropriate given that it renders the long-existing light industrial use non-conforming and would pose challenges to any future reuse of the extant historic building. In fact, the IMU-1 zoning district was created for sites with just these characteristics, in that it would continue to permit by-right light industrial uses and encourage/enable additional neighborhood-appropriate uses such as dwellings or limited commercial/retail uses.

It is possible that during the analysis period of Transform Baltimore it was not apparent that the building was still in use and the Council mistakenly assumed that the structure was vacant. This might have led to a conclusion that including this site in the larger surrounding R-8 district would be an appropriate way to foster future redevelopment of the area.

SOURCE OF FINDINGS (Check all that apply):

- Planning Report – Planning Commission's report, dated September 11, 2020, which included the Department of Planning Staff Report, dated September 10, 2020.
- Testimony presented at the Committee hearing

Oral – Witness Name:

- Matthew DeSantis, Planning Department
- Hilary Ruley, Law Department

Written – Submitted by:

- Department of Transportation, Agency Report – Dated October 27, 2020
- Board of Municipal and Zoning Appeals, Agency Report – Dated September 28, 2020
- Law Department, Agency Report – Dated October 26, 2020
- Department of Housing and Community Development, Agency Report – Dated October 22, 2020
- Baltimore Development Corporation, Agency Report – Dated September 28, 2020
- Parking Authority, Agency Report – Dated September 18, 2020

Land Use Committee Members Voting in Favor:

Edward Reisinger, Chair
Shannon Sneed, Vice Chair
Mary Pat Clarke
Eric Costello
Ryan Dorsey
Leon Pinkett

Findings of Fact adopted.

Favorable report adopted.

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

**BILL NO. 20-0614 REPORTED FAVORABLY
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Reisinger, for the Land Use Committee, reported Bill No. 20-0614 favorably.

An Ordinance changing the zoning for the properties known as 4015 Foster Avenue (Block 6447 Lot 021) and 4000 Hudson Street (Block 6457, Lot 018), as outlined in red on the accompanying plat, from the I-1 Zoning District to the IMU-2 Zoning District; and changing the zoning for the property known as 801 South Haven Street (Block 6458, Lot 003), from the I-2 Zoning District to the IMU-2 Zoning District, as outlined in blue on the accompanying plat.

Favorable report adopted, with Councilmember Stokes voting Nay.

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

**BILL NO. 19-0428 REPORTED FAVORABLY, WITH AMENDMENTS,
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Schleifer, for the Public Safety Committee, reported Bill No. 19-0428 favorably, with amendments.

An Ordinance requiring city-owned and -occupied buildings to place a notice regarding the human-trafficking prevention hotline certain locations; and conforming and clarifying related provisions.

Committee Amendments to City Council Bill No. 20-0428

Amendment No. 1

On page 3, in line 1, insert opening and closing brackets respectively before and after “(233722)”; and, on that same page and line, after the closing bracket insert “(233733)”.

DRAFTER’S NOTE: In order to avoid confusion, this amendment is to amend the bill text to reflect current law. Specifically, subsequent to the introduction of this bill, Ordinance No. 19-319 {“Human-Trafficking Notice Requirements – Corrective”} was introduced and later enacted to make this corrective change within the City Code.

Amendment No. 2

On page 1, in line 2, strike “**City-Owned and -Occupied Buildings**” and substitute “**Modifications**”; and, on that same page, in line 4, after the semi-colon, insert “deleting an obsolete reference to the “Maryland Department of Labor, Licensing, and Regulation”; providing that certain businesses may obtain the required human-trafficking notices from the United States Department of Homeland Security’s Blue Campaign website;” and, on that same page, strike line 8 in its entirety and substitute, “Sections 42-1(g) and 42-2; and, on that same page, strike lines 11 through 15 in their entirety; and, on page 3, at the beginning of line 19, insert an opening bracket; and, on that same page, in line 21, after the second instance of “law”, insert “] THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY’S BLUE CAMPAIGN WEBSITE”.

Amendment No. 3

On page 4, after line 1, insert “(A) IN GENERAL.”; and, on that same page, in line 2, strike “IN EVERY CITY-OWNED” and substitute “EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, IN EVERY CITY-OWNED”; and, on that same page, after line 3, insert “(1) LOCATION WHERE THE NOTICE REQUIRED BY SUBTITLE 4 {“WAGES AND HOURS”}, PART V {“ENFORCEMENT”} OF THE STATE LABOR AND EMPLOYMENT ARTICLE IS POSTED;”; and, on that same page, in lines 4 and 5, strike the paragraph designators “(1)” and “(2)”, respectively, and substitute “(2)” and “(3)”, respectively; and, on that same page, in line 5, after “BUILDING”, insert “OR”

PORTION OF THE BUILDING OCCUPIED BY THE CITY"; and, on that same page, after line 5, insert:

“(B) FACILITIES OCCUPIED BY THE BALTIMORE CITY PUBLIC SCHOOL SYSTEM.

(1) THE DEPARTMENT OF GENERAL SERVICES, IN CONSULTATION WITH THE BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS, MAY DEVELOP ALTERNATE, AGE-APPROPRIATE HUMAN-TRAFFICKING NOTICE SIGNAGE FOR USE IN CITY-OWNED FACILITIES OCCUPIED BY THE BALTIMORE CITY PUBLIC SCHOOL SYSTEM.

(2) AT A MINIMUM, ANY SIGN DEVELOPED UNDER THIS SUBSECTION SHALL MEET THE FORM REQUIREMENTS SET FORTH IN § 42-2(B)(2) OF THIS SUBTITLE.

(C) EXCEPTIONS.

THIS SECTION DOES NOT APPLY TO ANY CITY-OWNED BUILDING THAT IS VACANT.”.

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. 20-0569 REPORTED FAVORABLY, WITH AMENDMENTS,
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Schleifer, for the Public Safety Committee, reported Bill No. 20-0569 favorably, with amendments.

An Ordinance establishing the Street Harassment Advisory Commission; providing for the Commission’s composition, terms of office, officers, meetings, quorum, and rules of procedure; establishing the general purposes and specific duties of the Street Harassment Advisory Commission; defining certain terms; requiring certain City agencies to adopt model policies and training materials developed by the Street Harassment Advisory Commission; and generally relating to the Street Harassment Advisory Commission.

Committee Amendments to City Council Bill No. 20-0569

Amendment No. 1

On page 3, in line 16, after “COMPRISES”, strike “16”, and substitute “15”; and, on that same page, strike lines 22 and 23 in their entirety; and, on that same page, in line 24, strike “(III)”,

and substitute “(II)”; and, on that same page, in line 26, strike “(IV)”, and substitute “(III)”; and, on that same page, strike lines 27 through 30 in their entireties; and, on that same page, after line 30, insert:

“ (IV) 3 AT-LARGE MEMBERS; AND”

and, on page 4, in line 1, strike “(VIII)”, and substitute “(V)”.

Amendment No. 2

On page 6, in line 10, after “CREATE”, insert “NON-PUNITIVE”; on that same page, in line 11, after “INCLUDING”, insert “NON-PUNITIVE”.

Amendment No. 3

On page 2, in line 7, strike “AND”; and on that same page, after line 7, insert:

“ (VI) THE DEPARTMENT OF GENERAL SERVICES; AND”;

and, on that same page, in line 8, strike “(VI)” and substitute “(VII)”.

Amendment No. 4

On page 6, in line 19, before “HARASSMENT”, strike “THE”; on that same page, in line 20, strike “IMPLEMENT” and substitute “IMPLEMENTING”.

The amendments were read and adopted.

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

BILL NO. 20-0581 REPORTED FAVORABLY, AMENDED, ORDERED PRINTED FOR THIRD READING, AND PLACED ON THIRD READING TODAY

Councilmember Middleton, for the Taxation, Finance and Economic Development Committee, reported Bill No. 20-0581 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 a variable width portion of Boston Street extending from South Haven Street, Westerly 723.60 feet, more or less, and no longer needed for public use; and providing for a special effective date.

Then Councilmember Middleton offered floor amendments.

City Council Bill No. 20-0581

Amendment No. 1

On page 1, in line 2, strike “**South**”; and on page 1, in line 20, strike “34” and substitute “43”.

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.

Councilmember Costello made a motion, which was duly seconded, to place Bill No. 20-0581 on third reading today.

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

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

BILL NO. 20-0583 REPORTED FAVORABLY, WITH AMENDMENTS, ORDERED PRINTED FOR THIRD READING, AND PLACED ON THIRD READING TODAY

Councilmember Middleton, for the Taxation, Finance and Economic Development Committee, reported Bill No. 20-0583 favorably, with amendments.

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 a variable width portion of Boston Street from a point 723.60 feet Westerly from the west side of South Haven Street and extending Westerly 524 feet, more or less to the east side of South Conkling Street, 60 feet wide and no longer needed for public use; and providing for a special effective date.

Committee Amendments to City Council Bill No. 20-0583

Amendment No. 1

On page 1, in line 26, strike “188.54” and substitute “42.02”; and, on page 2, in line 1, after “Conkling Street,” insert “(10) North 03° 00’ 07” West 48.06 feet; (11)”.

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.

Councilmember Costello made a motion, which was duly seconded, to place Bill No. 20-0583 on third reading today.

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

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

**BILL NO. 20-0603 REPORTED FAVORABLY, WITH AMENDMENTS,
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Middleton, for the Taxation, Finance and Economic Development Committee, reported Bill No. 20-0603 favorably, with amendments.

An Ordinance clarifying the definition of “earnable compensation” for the members of the Retirement Savings Plan; clarifying that any employee of the Enoch Pratt Free Library System, who is not eligible to participate in the Maryland State Retirement and Pension System, is considered able to be a member of the Retirement Savings Plan; clarifying that any employee of the Baltimore Museum of Art or the Walters Art Gallery is not considered to be an employee for purposes of the Retirement Savings Plan; eliminating the time period limit for when an employer contribution made by mistake may be returned to the participating employer after payment of the mistaken contribution; modifying the composition of the Board of Trustees of the Retirement Savings Plan; modifying the qualifications needed by certain Trustees appointed to the Board; clarifying the term of office for appointed Trustees; clarifying that the Board is responsible for any other assets assigned to the Board by the City; clarifying certain provisions and language regarding the selection of Board Officers and their compensation; clarifying that administrative

expenses of the Retirement Savings Plan and in the management of Plan assets may only be paid out of certain forfeitures or the unallocated Plan Asset Account; clarifying which City Benefit Plans a Trustee or Board employee may not do business; clarifying certain provisions concerning when members will commence participation in the Plan; modifying the definition of “service” for purposes of the Retirement Savings Plan; clarifying certain provisions concerning contributions to the Plan; clarifying certain provisions regarding forfeiture of non-vested employer contributions and adding a provision that if a vested member of the Plan transfers service to another City retirement plan, the Employer Contribution Sub-Account is forfeited; providing that a member who terminates employment and transfers service to another city retirement plan is entitled to receive the value of the member’s mandatory employee contribution sub-account and, if applicable, rollover contribution sub-account; clarifying certain provisions regarding beneficiary distribution, after a member’s death; providing for distribution of small account balances; defining “minor beneficiary”; and generally relating to the Retirement Savings Plan.

Committee Amendments to City Council Bill No. 20-0603

Amendment No. 1

On page 1, in line 21, strike “contributions” and substitute “contribution”; in the same line, strike beginning with “and” down through and including “forfeited”, in line 23.

Amendment No. 2

On page 2, in line 9, strike “8-1A,”; and, on page 10, strike lines 12 through 20 in their entireties.

Amendment No. 3

On page 9, in line 13, strike “WILL NO LONGER” and substitute “MAY NOT”; and, on page 9, in line 14, strike “THEIR” and substitute “HIS OR HER”.

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. 20-0604 REPORTED FAVORABLY
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Middleton, for the Taxation, Finance and Economic Development Committee, reported Bill No. 20-0604 favorably.

An Ordinance modifying and conforming the definition of minor child, in the Employees' Retirement System law, the Elected Officials' Retirement System law, and the Fire and Police Employees' Retirement System law.

Favorable report adopted.

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

**BILL NO. 20-0558 REPORTED FAVORABLY, WITH AMENDMENTS,
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Dorsey, for the Transportation Committee, reported Bill No. 20-0558 favorably, with amendments, and then requested that Rule 11-3 be suspended, in order to allow a change of purpose by amendment for Bill 20-0588. The motion was approved.

An Ordinance requiring that the Department of Human Resources have a written policy regarding certain parking benefits; requiring the Department of Human Resources offer a public mass transit subsidy to every officer and employee of the City; requiring the Department of Human Resources offer a cash equivalent alternative to any City officer or employee entitled or eligible to receive a parking benefit; defining certain terms; and generally relating to encouraging the use of public mass transit by City officers and employees.

Committee Amendments to City Council Bill No. 20-0558

Amendment No. 1

On page 1, in line 3, strike beginning with "have" down through and including "employees" in line 9 and substitute "and the Department of Finance submit a report to the Mayor and City Council evaluating certain matters related to providing parking and commuter benefits to City employees; and providing for a special effective date"; and, on that same page, strike lines 10 through 14 in their entirety; and, on that same page, strike lines 15 through 24 in their entirety; and, on page 2, strike lines 1 through 35 in their entirety; and, on page 3, strike lines 1 through 33 in their entirety; and, on page 4, strike lines 1 through 22 in their entirety and substitute:

"SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,
That:

- (a) On or before June 30, 2021, the Department of Human Resources and the Department of Finance shall jointly submit a report to the Mayor and City Council evaluating the development and implementation of a uniform parking and commuter benefit policy for use by the Board of Estimates and City agencies.

(b) The report required by this Section shall include:

- (1) proposals and recommendations for specific eligibility criteria, based on articulable best practices from other political jurisdictions as well as the private sector, to be used by agencies in determining which agency officers or employees may receive parking and commuter benefits as part of their compensation;
- (2) a cost-benefit analysis of whether there is a necessity for the City to provide certain agency officials or employees with parking and commuter benefits in order to attract and retain quality personnel;
- (3) a study of the feasibility of a providing a cash-equivalent alternative for agency officials and employees who may be otherwise eligible to receive parking and commuter benefits but wish to opt-out; and
- (4) research into potential partnerships with, or cost-accommodations from, the Maryland Transit Administration in order to provide each agency officer and employee with a commuter benefit for use on certain Maryland Transit Administration facilities, such as CityLink, LocalLink, Light RailLink, Metro SubwayLink, and Baltimore Neighborhood Shuttles.

SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.”.

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.

THIRD READING TODAY

The President laid before the City Council:

BILL NO. 20-0580 - An Ordinance condemning and closing a variable width portion of South Boston Street, extending from South Haven Street, Westerly 723.60 feet, more or less, as shown on Plat 349-A-43A in the Office of the Department of Transportation; 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, Henry, Schleifer, Middleton, Pinkett, Burnett, Bullock, Reisinger, Costello, Stokes, Sneed, Clarke - Total 15.

Nays - 0.

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

The President laid before the City Council:

BILL NO. 20-0581 - 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 a variable width portion of Boston Street extending from South Haven Street, Westerly 723.60 feet, more or less, and no longer needed for public use; 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, Henry, Schleifer, Middleton, Pinkett, Burnett, Bullock, Reisinger, Costello, Stokes, Sneed, Clarke - Total 15.

Nays - 0.

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

The President laid before the City Council:

BILL NO. 20-0582 - An Ordinance condemning and closing a variable width portion of Boston Street, from a point 723.60 feet Westerly from the west side of South Haven Street and extending Westerly 524 feet, more or less to the east side of South Conkling Street, 60 feet wide, as shown on Plat 349-A-44A in the Office of the Department of Transportation; 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, Henry, Schleifer, Middleton, Pinkett, Burnett, Bullock, Reisinger, Costello, Stokes, Sneed, Clarke - Total 15.

Nays - 0.

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

The President laid before the City Council:

BILL NO. 20-0583 - 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 a variable width portion of Boston Street from a point 723.60 feet Westerly from the west side of South Haven Street and extending Westerly 524 feet, more or less to the east side of South Conkling Street, 60 feet wide and no longer needed for public use; 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, Henry, Schleifer, Middleton, Pinkett, Burnett, Bullock, Reisinger, Costello, Stokes, Sneed, Clarke - 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. 19-0364 - 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 variable width alley located between 2 10-foot alleys bounded by Boone Street, East 22nd Street, Greenmount Avenue, and East 23rd Street and no longer needed for public use; 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, Henry, Schleifer, Middleton, Pinkett, Burnett, Bullock, Reisinger, Costello, Stokes, Sneed, Clarke - Total 15.

Nays - 0.

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

The President laid before the City Council:

BILL NO. 19-0440 - An Ordinance authorizing the Mayor and City Council of Baltimore to acquire, by purchase or condemnation, the fee simple or other interests as the Director of Transportation may deem necessary in portions of a descriptive property on the south side of Waterview Avenue, rear of 2200-2208 Round Road and known as Ward 25, Section 05, Block 7610, Lot 19, as shown on Plat RW 20-36410, dated November 8, 2016, in the Office of the Director of Transportation, and needed for the Seamon Avenue Storm Drain Project; 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, Henry, Schleifer, Middleton, Pinkett, Burnett, Bullock, Reisinger, Costello, Stokes, Sneed, Clarke - Total 15.

Nays - 0.

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

The President laid before the City Council:

BILL NO. 20-0591 - An Ordinance permitting, subject to certain conditions, the establishment, maintenance, and operation of parking lots on the properties known as 115 Mount Clare Street (Block 0251, Lot 068) and 118 Mount Clare Street (Block 0251, Lot 072), as outlined in red on the accompanying plat.

It was read the third time.

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

Yeas - President and Councilmembers Cohen, McCray, Henry, Schleifer, Middleton, Pinkett, Burnett, Bullock, Reisinger, Costello, Stokes, Sneed, Clarke - Total 14.

Nays - Councilmember Dorsey - Total 1.

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

The President laid before the City Council:

BILL NO. 20-0605 - An Ordinance clarifying ~~and expanding the conditions for a City agency to obtain a waiver from~~ the City's minority business and women's business contract utilization

requirements ~~for certain emergency procurements~~; requiring that, ~~if an agency receives a waiver for an emergency after an emergency procurement~~, the agency submit a report to the Board of Estimates and the Minority and Women's Business Opportunity Office; ~~defining certain terms~~; ~~providing for a special effective date~~; and generally relating to greater transparency and utilization of minority and women's business in City emergency contracting.

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, Henry, Schleifer, Middleton, Pinkett, Burnett, Bullock, Reisinger, Costello, Stokes, Sneed, Clarke - Total 15.

Nays - 0.

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

The President laid before the City Council:

BILL NO. 20-0627 - An Ordinance requiring the Fire Chief of the Baltimore City Fire Department to report annually certain information to the Mayor and City Council of Baltimore; and requiring the report to be made available on the Department's website.

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, Henry, Schleifer, Middleton, Pinkett, Burnett, Bullock, Reisinger, Costello, Stokes, Sneed, Clarke - Total 15.

Nays - 0.

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

The President laid before the City Council:

BILL NO. 20-0629 - An Ordinance simplifying the manner by which the City ~~determines~~ revises its prevailing wage for construction contracts ~~by indexing with the prevailing hour wage established under State law for State-financed construction work performed in the City~~; and providing for a rate review procedure after the initial rate establishment.

It was read the third time.

Journal of the City Council

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

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

Nays - 0.

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. 20-0633**

Councilmember Costello made a motion, duly seconded, to suspend Rule 10-2 in order to have an early hearing on Bill No. 20-0633.

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

ADJOURNMENT

On motion of Councilmember Middleton, duly seconded, the City Council adjourned to meet on Monday, November 16, 2020, at 5:00 p.m.

Consent Calendar

- CR 3114 - President Scott, All Members**
A City Council Resolution to the Family of Eugene Caldwell McNeil, February 15, 1927 – September 30, 2020
- CR 3115 President Scott, All Members**
A City Council Resolution on the death of Mary Lee Ervin, November 1, 1930 – October 25, 2020.
- CR 3116 President Scott, All Members**
A City Council Resolution on the death of Reverend Doctor Theodore D. Addison, Sr., September 25, 1941 – October 10, 2020.
- CR 3117 President Scott, All Members**
A City Council Resolution on the death of William Glen Miller, Sr., December 31, 1954 – October 7, 2020.
- CR 3118 President Scott, All Members**
A City Council Resolution on the death of Mable Elaine Hoggard, November 19, 1929 – October 19, 2020.
- CR 3119 President Scott, All Members**
A City Council Resolution congratulating Dr. Denise L Folks on the Ribbon Cutting Ceremony for the Positive Youth Expression Educational Institute, and your continued mission to serve the youth and families of Baltimore City.
- CR 3120 President Scott, All Members**
A City Council Resolution to the Family of Patricia J. Jones, February 23, 1942 – October 23, 2020.
- CR 3121 President Scott, All Members**
A City Council Resolution to the Family of Nina May Taylor, November 29, 1963 – October 14, 2020.
- CR 3122 Cohen**
A City Council Resolution on the death of Ethan Walter Ellerbe, May 21, 2002 – October 22, 2020.
- CR 3123 Cohen**
A City Council Resolution on the death of Nayely Roxana Paz, October 26, 2001 – October 18, 2020.
- CR 3124 Cohen**
A City Council Resolution on the death of October 9, 2003 – September 29, 2020.